



On state social benefits for disability and loss of breadwinner in the Republic of Kazakhstan

Invalidated Unofficial translation

The Law of the Republic of Kazakhstan dated 16 June, 1997 N 126. It became invalid by the Code of the Republic of Kazakhstan N 224-VII dated April 20, 2023.

Unofficial translation

Footnote. It became invalid by the Code of the Republic of Kazakhstan No. 224-VII dated 20.04.2023 (effective from 01.07.2023).

Footnote. The heading as amended by Law of the Republic of Kazakhstan № 342-V as of 02.08.2015 (takes effect on 01.07.2018).

Footnote. Throughout the text after the word “Chapter” the numbers “I – V” are respectively substituted by the numbers “1 – 5” by the Law of the Republic of Kazakhstan dated 20 December, 2004 N 13 (shall be enforced from 1 January, 2005);

Throughout the text: the words “16 years”, “18 years”, “23 years” are respectively substituted by the words “sixteen years”, “eighteen years”, “twenty – three years”;

the numbers “I”, “II”, “III” are respectively substituted by the words “first”, “second”, “third” by the Law of the Republic of Kazakhstan dated 31 December, 2004 No. 28 (shall be enforced from 1 January 2005);

throughout the text:

the words "of disabled", " disabled", "by disabled", "to disabled", "disabled ones", " to Disabled", "by disabled ones" are replaced respectively by the words "of persons with disabilities", "person with disabilities", "by persons with disabilities", "to persons with disabilities", “persons with disabilities”, “to persons with disabilities”, “by persons with disabilities”;

the words "of children with disabilities", "to Children with disabilities", "children with disabilities", "to children with disabilities" are replaced by the words "of children with disabilities", "to Children with disabilities", "children with disabilities", "to children with disabilities" respectively by Law of the Republic of Kazakhstan dated 27.06.2022 No. 129-VII (shall be come into effect calendar days after the day of its first official publication).

Chapter 1. General provisions

Article 1. Right of citizens to the state social allowances

1. Citizens of the Republic of Kazakhstan have the right to receive state social benefits for disability and loss of breadwinner on the grounds and in the manner provided for by this Law and other regulatory legal acts of the Republic of Kazakhstan adopted in furtherance thereof.

2. Foreigners and persons without citizenship, permanently residing in the Republic of Kazakhstan shall use the right to the state social allowances together with the citizens of the Republic of Kazakhstan.

3. To the persons, having simultaneously the right to the different state social allowances shall be assigned one allowance of their choice.

The provision of part one of this paragraph does not apply to children with disabilities and persons with disabilities from childhood.

4. *Is excluded by the Law of the Republic of Kazakhstan dated 17.03.2015 No. 293 -V (shall be enforced upon expiry of ten calendar days after its first official publication).*

Footnote. Article 1 as amended by the Law of the Republic of Kazakhstan dated 16 November, 1999 No. 482 (shall be enforced from 1 January, 2000); dated 15 December, 2005 No. 101 (shall be enforced from 1 January, 2006); dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); № 342-V as of 02.08.2015 (takes effect on 01.07.2018); No. 67-VII LRK dated 12.10.2021 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 1-1. Basic concepts used in this Law

The following basic concepts shall be used in this Law:

1) subdivision of medical and social assessment (hereinafter – subdivision MSA) – structural subdivision of the authorized state body, carrying out medical and social assessment;

2) state basic social benefits (hereinafter referred to as benefits) - monthly cash payments provided to citizens from budgetary funds upon the onset of disability and in case of loss of breadwinner;

3) central executive body – state body, carrying out management, as well as within the limits provided by the legislation of the republic of Kazakhstan, cross-sector coordination in the scope of social protection of population;

4) authorized state body – territorial subdivision of the state body, carrying out implementation of the state policy in the scope of social protection of population;

5) the “Government for Citizens” State Corporation (hereinafter referred to as the State Corporation) - a legal entity established by the decision of the Government of the Republic of Kazakhstan to provide public services, services for issuing technical

conditions for connecting to networks of natural monopoly entities and services of the quasi-public sector entities in accordance with the legislation of the Republic of Kazakhstan, to manage the process of receiving applications for the provision of public services, services for the issuance of technical conditions for connecting to networks of natural monopoly entities, services of the quasi-public sector entities and to enable recipients of services to get them on the “one-stop” basis, to provide public services in electronic form, to carry out state registration of rights to immovable property at its location.

Footnote. Is supplemented by Article 1-1 by the Law of the republic of Kazakhstan dated 20 December, 2004 No. 13 (shall be enforced from 1 January, 2005); is in the wording of the Law of the Republic of Kazakhstan dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); as amended by Laws of the Republic of Kazakhstan № 342-V as of 02.08.2015 (takes effect on 01.07.2018); № 165-VI as of 02.07.2018 (takes effect ten calendar days after its first official publication).

Article 2. Funds for the payment of allowances

Payment of allowances in accordance with this Law shall be carried out at the expense of budget funds.

Footnote. Article 2 as amended by the Law of the Republic of Kazakhstan dated 20 December, 2004 No. 13 (shall be enforced from, 1 January, 2005).

Article 3. Procedure of assignment of allowances

1. Application for assignment of allowances may be carried out in any time after occurrence of a right to allowance without restriction of any term.

2. An application for a disability benefit together with documents, the list of which is determined by the central executive body, shall be submitted to the State Corporation by a person, who has been diagnosed as disabled by the time of application.

After a person is diagnosed for the first time, he/she has the right to apply to the MSA department for a disability benefit.

An application for a benefit for loss of breadwinner is submitted by an applicant, eligible to receive the benefit, to the State Corporation together with documents, the list of which is determined by the central executive body.

Submission of an application for assignment of a disability benefit in the case of the initial determination of disability and benefits for the loss of a breadwinner is not required when assigning benefits through a proactive service in accordance with the Law of the Republic of Kazakhstan "On public services".

3. Assignment of allowance to the citizens shall be executed by the authorized state body in the manner, determined by the central executive body.

4. The day of application for assignment of allowance shall be considered the day of registration of application with all necessary documents in the body or organization, specified in paragraph 2 of this Article.

In the case of refusal in assignment of allowance, an authorized state body shall be obliged to motivate the reasons of refusal in written form and return the documents to the applicant through the State Corporation.

5. The decision of the authorized state body may be appealed in accordance with the procedure established by the laws of the Republic of Kazakhstan.

Footnote. Article 3 is in the wording of the Law of the Republic of Kazakhstan dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); as amended by Laws of the Republic of Kazakhstan № 342-V as of 02.08.2015 (takes effect on 01.07.2018); dated 25.11.2019 No. 272-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.06.2020 No. 351-VI (shall be enforced from 01.07.2021).

Article 4. Change over from one type of allowance to another

On the ground of application of person, drawing an allowance shall be executed change over from one type of allowance to another from the date of registration of application in the State Corporation with all necessary documents in the manner, determined by the central executive body.

Footnote. Article 4 is in the wording of the Law of the Republic of Kazakhstan dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016).

Article 5. The terms of assignment of allowances

1. Excluded by Law of the Republic of Kazakhstan № 342-V as of 02.08.2015 (takes effect on 01.07.2018).

1-1. The term for assignment of benefits does not exceed eight working days from the date of registration of the application with all the necessary documents in the State Corporation or from the date of obtaining consent to assign benefits through a proactive service in accordance with the Law of the Republic of Kazakhstan "On public services".

2. Disability benefits are assigned from the date of the establishment of disability, but no more than three months before the day of applying for its assignment or until the day of obtaining consent to assign benefits through a proactive service in accordance with the Law of the Republic of Kazakhstan "On public services".

3. Benefits for loss of the breadwinner are assigned from the day the right to benefit arises, but no more than twelve months before the day of applying for the assignment of benefits with all the necessary documents or until the day of obtaining consent to assign benefits through a proactive service in accordance with the Law of the Republic of Kazakhstan "On state services".

4. *Is excluded by the Law of the Republic of Kazakhstan dated 17.03.2015 No. 293 -V (shall be enforced upon expiry of ten calendar days after its first official publication).*

Footnote. Article 5 as amended by the Laws of the Republic of Kazakhstan dated 20 December, 2004 No. 13 (shall be enforced from 1 January, 2005); dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); № 342 -V as of 02.08.2015 (takes effect on 01.07.2018); dated 25.11.2019 No. 272-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 6. Procedure of payment of allowances

1. Payment of allowances shall be executed for the current month. In the case of death of recipient of allowances, the allowances shall be paid including the month of death.

1-1. To the persons residing in social and medical institutions (enterprises) of the general type receiving inpatient care and being under full state support, state social allowances on disablement and on the occasion of loss of wage earner shall be paid to:

in the amounts according to Articles 12 and 16 of this Law, in the case, if the assigned amount of the allowances is less than minimum living wage established by the established by the Law on republican budget on the relevant financial year;

in volume of 30 percent of the amount of the allowances, assigned according to Articles 12 and 16 of this Law, but not less than minimum living wage established by the Law on republican budget on the relevant financial year.

To the persons residing in social and medical institutions (enterprises) for the persons with psychoneurological diseases receiving inpatient care and being under full state support, state social allowances on disablement and on the occasion of loss of wage earner shall be paid in volume of 30 percent of amounts of allowances, assigned according to Articles 12 and 16 of this Law.

Transfer of 70 percent of the assigned amount of allowances shall be executed to a separate bank account of social and medical enterprises (organizations).

The procedure for using of these funds of medical and social institutions (enterprises) is determined by the central executive body.

1-2. Children with disabilities with a violation of the musculoskeletal system, living in medical and social institutions (organizations) in a hospital and being on full state support, state social benefits for disability and loss of breadwinner are paid in full.

1-3. In the case of departure of the recipient from social and medical institutions (enterprises), is recommenced the payment of state social allowances on disablement and on the occasion of loss of wage earner in full from the first day of the month following the month of departure.

2. Accessed amount of allowances, expendable by the recipient in a timely manner shall be paid for the last time, but not more than 3 years before application for their receipt.

3. The amount of allowances, not received in a timely manner due to a fault of the authorized state body, the State Corporation shall be paid simultaneously for the last time without limitation of terms.

3-1. In the case of death of recipient of the state social allowances, one-time payment for burial in the amount of 15,7 monthly calculation index shall be paid to the members of family of person, performed the burial.

4. Payment of allowances shall be carried out in the manner established by the central executive body.

Footnote. Article 6 as amended by the Laws of the Republic of Kazakhstan dated 05.04.1999 No. 366 (shall be enforced from 01.01.1999); dated 20.12.2004 No. 13 (shall be enforced from 01.01.2005); dated 04.07.2006 No. 148 (the order of enforcement see Article 2); dated 31.03.2014 No. 180-V (shall be enforced from 01.04.2014); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.03.2015No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); dated 03.12.2015 No. 433-V (shall be enforced from 01.01.2016); dated 06.04.2016 No. 483-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 7. Deductions from allowances

1. Deductions from allowances may be executed according to the procedure of the execution proceedings.

2. Deduction from allowance shall be executed from the amount due and owing to be paid.

3. More than 25 percent of the amount due and owing to be paid may not be deducted from the allowance.

4. Unnecessary paid in the form of allowances due to a fault of bodies, assigned and paid allowances shall not be subject to deduction.

Chapter 2. Disablement allowances

Article 8. Conditions of assignment of allowance

1. Disablement allowances shall be assigned in the case of occurrence of disability, irrespective of whether the work was terminated at the time of application for allowance or continued.

2. Disablement allowances shall be assigned irrespective of when the disability occurred – in the period of work or service, before enter the workplace or after termination of work.

3. Is excluded by the Law of the Republic of Kazakhstan dated 02.08.2015 No.342-V (shall be enforced from 01.01.2016).

4. Re-examination of persons with disabilities who have reached the age that entitles them to receive pension payments is carried out only upon their application.

Footnote. Article 8 as amended by the Laws of the Republic of Kazakhstan dated 20.12.2004 No. 13 (shall be enforced from 01.01.2005); dated 21.06.2013 No. 106-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.08.2015 No.342-V (shall be enforced from 01.01.2016).

Article 9. Disability groups

Disability shall be subdivided into three groups depending on degree of restriction of life activity, as well as labour ability.

Reasons, disability groups, as well as time of the onset of disability shall be established by the subdivision of medical and social assessment.

Rules of conducting of medical and social assessment shall be developed and approved by the central executive body.

Footnote. Article 9 is in the wording of the Law of the Republic of Kazakhstan dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 10. The term of assignment of disablement allowances

1. Disablement allowances shall be assigned for the whole period of disability, established by the subdivision medical and social assessment.

1-1. In the presence of the conditions established by paragraphs 1-3 of Article 11 and Article 64 of the Law of the Republic of Kazakhstan " On retirement insurance in the Republic of Kazakhstan", payment of disablement allowances is discontinued or revised taking into account the amount of received pension payments for age or

pension payments for the age in grade in according to paragraph 5 of Article 12 of this Law.

2. In the case of change of group of disability the payment of allowance in the new amount shall be carried out from the date of change of group of disability.

In the case of recognition of re-certificated as capable to work, the allowance shall be paid for the month of his(her) recognition as capable to work, inclusive.

3. If the disabled person did not appear in the subdivision of medical and social assessment for recertification in the term that assigned for that, the payment of allowance to him (her) shall be suspended, and in the case of recognition him (her) as disabled person once again – recommenced from the date of suspension, but not more than one month, if subdivision of medical and social assessment recognizes him (her) for this period as disabled person.

Upon omission of the term of recertification for a valid reason, payment of allowance shall be executed from the date of suspension of payment until the day of recertification, but not more than three years, if subdivision of medical and social assessment recognizes him (her) for this period as disabled person. Upon that, if during recertification the disabled person was transferred to another disability group (higher or lower), the allowance for the specified time shall be paid on the former group.

Footnote. Article 10 is in the wording of the Law of the Republic of Kazakhstan dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); with the changes introduced by the laws of the Republic of Kazakhstan dated 02.08.2015 No. 342-V (shall be enforced from 01.01.2016); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); dated 20.06.2017 No. 76-VI (shall be enforced from 01.07.2017); No. 67-VII LRK dated 12.10.2021 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 11. Categories of persons with disabilities eligible for disability benefits

Persons with disabilities who are eligible for disability benefits include:

1) persons with disabilities from general illness, labor injury, occupational disease, children with disabilities up to seven years old, children with disabilities from seven to eighteen years old - the first, second, third groups;

1-1) persons with disabilities since childhood;

2) persons with disabilities from among conscripts whose disability occurred as a result of injury, contusion, injury, disease received during military service, persons whose disability occurred during the elimination of the consequences of accidents at civilian or military nuclear facilities or as a result of emergency situations at nuclear facilities;

3) persons with disabilities from among military personnel (except conscripts), employees of special state bodies, persons commanding and enlisted personnel of

internal affairs bodies and the former State Investigative Committee of the Republic of Kazakhstan upon the onset of disability due to injury resulting from an accident unrelated to the performance of military service duties, service in special state bodies (official duties), or a disease not related to the performance of military and official duty;

4) persons with disabilities from among military personnel (except conscripts), employees of special state bodies) whose disability occurred as a result of injury, contusion, injury, illness received during military service, service in special state bodies, employees of internal affairs bodies and the former State Investigative Committee of the Republic of Kazakhstan in the performance of official duties;

5) persons with disabilities due to environmental emergencies, including due to radiation exposure during nuclear explosions and tests and/or their consequences, provided that a causal relationship is established.

Footnote. Article 11 as amended by the Laws of the republic of Kazakhstan dated 16 November, 1999 No. 482 (shall be enforced from 1 January, 2000); dated 21 March, 2002 No. 308 (shall be enforced from 1 January, 2002); dated 31 December, 2004 No. 28 (shall be enforced from 1 January, 2005); dated 22 May, 2007 No. 255 (shall be enforced from the date of its official publication); dated 13.02.2012 No. 553-IV (shall be enforced upon expiry of ten calendar days after its first official publication); No. 67-VII LRK dated 12.10.2021 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 12. Amounts of disablement allowances

1. Persons with disabilities specified in subparagraphs 1), 1-1) and 3) of Article 11 of this Law, monthly disability benefits are assigned in the following amounts:

children with disabilities up to seven years old - 1.40 minimum living wage;

children with disabilities from seven to eighteen years of age of the first group - 1.92 minimum living wage;

children with disabilities from seven to eighteen years of age of the second group - 1.59 minimum living wage;

children with disabilities from seven to eighteen years of age of the third group - 1.40 minimum living wage;

persons with disabilities from childhood of the first group – 1.92 subsistence minimum;

persons with disabilities from childhood of the second group – 1.59 subsistence minimum;

persons with disabilities from childhood of the third group – 1.20 subsistence minimum;

persons with disabilities of the first group – 1.92 subsistence minimum;

persons with disabilities of the second group – 1.53 subsistence minimum;

persons with disabilities of the third group – 1.04 subsistence minimum.

2. Monthly disablement allowances shall be assigned to the disabled persons, specified in subparagraphs 2) and 5) of Article 11 of this Law in the following amounts :

1) from 1 April, 2014:

persons with disabilities of the first group – 1.69 subsistence minimum;

persons with disabilities of the second group – 1.36 subsistence minimum;

persons with disabilities of the third group – 1.05 subsistence minimum;

2) from 1 January, 2018:

persons with disabilities of the first group – 2.81 subsistence minimum;

persons with disabilities of the second group – 2.40 subsistence minimum;

persons with disabilities of the third group – 2.01 subsistence minimum.

3. Monthly disablement allowances shall be assigned to the disabled persons, specified in subparagraphs 4) of Article 11 of this Law in the following amounts:

1) from 1 April, 2014:

persons with disabilities of the first group – 2.19 subsistence minimum;

persons with disabilities of the second group – 1.56 subsistence minimum;

persons with disabilities of the third group – 1.05 subsistence minimum;

2) from 1 January, 2018:

persons with disabilities of the first group – 3.44 subsistence minimum;

persons with disabilities of the second group – 2.65 subsistence minimum;

persons with disabilities of the third group – 2.01 subsistence minimum.

4. Monthly disablement allowances shall be paid in full measure to the employed recipient of allowances.

5. If the amount of pension payments upon the attainment of the age or pension payments for the age in grade is less than the amount of monthly disablement allowance, established for the relevant category of disabled persons, the payment of monthly disablement allowance shall be executed in the form of relevant additional payments to the pension payments for age or pension payments for the age in grade to the amount of monthly disablement allowances established for this category of disabled persons.

Footnote. Article 12 is in the wording of the Law of the Republic of Kazakhstan dated 31.03.2014 No. 180-V (shall be enforced from 01.04.2014); with the changes introduced by the laws of the Republic of Kazakhstan dated 27.04.2015 No. 311-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2015 No. 369-V (shall be enforced from 01.01.2018); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); dated 20.06.2017 No. 76-VI (shall be enforced from 01.07.2017); No. 67-VII LRK dated 12.10.2021 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 3. Allowances on the occasion of loss of wage earner

Article 13. Conditions of assignment of allowance

1. Unemployable members of the family of deceased wage earner, being in his (her) dependence shall have a right to allowance on the occasion of loss of wage earner. Upon that the allowances shall be assigned to the children and persons, specified in subparagraph 3) of paragraph 2 of this Article, irrespective of whether they were on the dependence of wage earner.

2. Unemployable members of the family are:

1) children (as well as adopted, stepsons and stepdaughters), brothers, sisters and grandchildren, not reached the age of eighteen and over that age if they became disabled before reaching the age of eighteen, upon that brothers, sisters and grandchildren – upon condition, if they does not have employable parents, stepsons and stepdaughters - if they do not receive alimony from their parents.

The minors, having a right to allowance on the occasion of loss of wage earner shall also reserve this right upon their adoption;

2) father, mother (as well as adoptive persons), wife, husband, if they reached retirement in accordance with the legislation on retirement insurance;

3) one of the parents or spouse, or grandfather, grandmother, brother or sister, independent from the age and employability, if he (she) is busy looking after the children, brothers, sisters or grandchildren of deceased wage earner, not reached the age of 8, and does not work;

4) grandfather and grandmother, if they reached retirement in accordance with the legislation on pension insurance, and in the absence of persons, who are required by the Law to maintain them, and not having other sources of the means of subsistence.

3. Citizens above eighteen years of age, who are students, are entitled to receive a benefit for loss of breadwinner until the end of full-time general secondary, technical and vocational, post-secondary education, until they get a higher and (or) post-graduate education, but they shall not be above twenty-three years old at the time of graduation.

4. Members of family of deceased shall be considered on his (her) dependence, if they were in his (her) full support or received assistance, which was for them a permanent and main source of sustenance.

5. Allowances, assigned to the children, who have lost both parents (full orphans) shall be paid to their legal representatives.

6. All the rules of this Law, relating to the families of dead, shall be respectively distributed to the families of missing or declared dead, if these facts are established in a judicial procedure.

Footnote. Article 13 as amended by the Laws of the Republic of Kazakhstan dated 16.11.1999 No. 482 (shall be enforced from 1 January, 2000); dated 27.07.2007 No. 320 (the order of enforcement see Article 2); dated 27.04.2012 No. 15-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.08.2015 No.342-V (shall be enforced from 01.01.2016); dated 20.06.2017 No. 76-VI (shall be enforced from 01.07.2017); № 203-VI as of 26.12.2018 (takes effect ten calendar days after its first official publication).

Article 14. Period for which allowance is assigned

Allowance on the occasion of loss of wage earner shall be established for the whole period during of which the member of family of dead is considered as unemployable, according to Article 13 of this Law, and members of family, reached the age which gives the right to receive the pension payments in accordance with the Law of the Republic of Kazakhstan “On retirement insurance in the Republic of Kazakhstan”, - for the life term.

Article 15. Assignment of one allowance for the whole family

1. One common allowance shall be assigned to all family members, having a right to allowance on the occasion of loss of wage earner.

2. At the request of family member, his (her) share of allowance shall be allocated and paid him (her) separately.

3. Allocation of share of allowance shall be executed from the date of application for its allocation.

4. Upon change of number of family members, provided by allowance on the occasion of loss of wage earner, the amount of allowance is respectively increased or decreased by the number of family members, having a right to allowance.

5. The same revision of the amount of the allowance shall be established in the cases, when the payment of allowance to one of family members is suspended or recommenced on passing over the circumstances that caused the suspension of payment of the allowance.

Article 16. The amount of allowances on the occasion of loss of wage earner

1. Maximum amount of the monthly allowance on the occasion of loss of wage earner shall be assigned:

1) from 1 April, 2014 in the amount 1,69 minimum living wage for all unemployable members of his (her) family;

2) from 1 January, 2016 - in the amount 2,11 minimum living wage for all unemployable members of his (her) family.

2. Monthly allowance on the occasion of loss of wage earner shall be assigned:

1) from 1 April, 2014:

in the existence of one unemployable member of family in the amount 0,69 minimum living wage;

in the existence of two – 1,19 minimum living wage for all unemployable family members;

in the existence of three – 1,48 minimum living wage for all unemployable family members;

in the existence of four – 1,57 minimum living wage for all unemployable family members;

in the existence of five – 1,62 minimum living wage for all unemployable family members.

In the existence of six and more unemployable family members, the amount of allowance shall be calculated for every as equal share from 1,69 minimum living wage;

2) from 1 January, 2016:

in the existence of one unemployable member of family in the amount 0,86 minimum living wage;

in the existence of two – 1,49 minimum living wage for all unemployable family members;

in the existence of three – 1,85 minimum living wage for all unemployable family members;

in the existence of four – 1,96 minimum living wage for all unemployable family members;

in the existence of five – 2,03 minimum living wage for all unemployable family members.

In the existence of six and more unemployable family members, the amount of allowance shall be calculated for every as equal share from 2,11 minimum living wage;

3. In the case of loss of both parents, the monthly allowance on the occasion of loss of wage earner shall be assigned to the orphaned children:

1) from 1 April, 2014 – in the amount 0,94 minimum living wage for each child, other unemployable family members – in the amount 0,43 minimum living wage, but not more 2,05 minimum living wage for all unemployable family members;

2) from 1 January, 2016– in the amount 1,18 minimum living wage for each child, other unemployable family members – in the amount 0,54 minimum living wage, but not more 2,56 minimum living wage for all unemployable family members.

4. The amount of monthly allowance shall be increased by 0,25 minimum living wage for each unemployable family member for family members of military servicemen, officers of special state bodies, internal affairs bodies and former State Investigation Committee of the Republic of Kazakhstan killed or dead due to injure,

contusion, maim, disease, obtained during performance of official duties or military service, service in the special state bodies, but not more than:

- 1) from 1 April, 2014 – 2,05 minimum living wage for all family members;
- 2) from 1 January, 2016– 2,56 minimum living wage for all family members.

5. If the amount of pension payments according to age, received by unemployable family member is less than received monthly allowance on the occasion of loss of wage earner, the payment of monthly allowance on the occasion of loss of wage earner shall be executed in the form of relevant additional payments to the pension payments according to age to the amount of monthly allowance on the occasion of loss of wage earner, established for these unemployable family members.

Footnote. Article 16 is in the wording of the Law of the Republic of Kazakhstan dated 31.03.2014 No. 180-V (shall be enforced from 01.04.2014); as amended by the laws of the Republic of Kazakhstan dated 27.04.2015 No. 311-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016).

Chapter 4. Allowances according to age

Footnote. Chapter 4 was excluded by Law of the Republic of Kazakhstan № 342-V as of 02.08.2015 (take effect on 01.07.2018).

Chapter 5. Final and transitional provisions

Article 19. International treaties

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

Article 20. The state guarantees

1. The state social disablement allowances on the occasion of loss of wage earner and according to age shall be paid from 1 January, 1998 at the expense of budget funds in the amount not less than the amounts of pensions, actually receive until 1 January, 1998, to the persons, to whom the social pensions, disablement pensions and on the occasion of wage earner were assigned on the current legislation until 1 January, 1998.

2. Payment of these allowances shall be carried out in the manner established by this Law.

Footnote. Article 20 as amended by the Law of the Republic of Kazakhstan dated 20 December, 2004 No. 13 (shall be enforced from 1 January, 2005).

Article 21. Responsibility for violation of this Law

Responsibility for violation of this Law is established in accordance with the laws of the Republic of Kazakhstan.

Footnote. Article 21 as amended by Law of the Republic of Kazakhstan № 342-V as of 02.08.2015 (takes effect on 01.07.2018).

Article 22. The procedure of entry into legal force of this Law

This Law shall enter into legal force from 1 January, 1998.

The President

of the Republic of Kazakhstan

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