

On Regulatory Legal Acts

Invalidated Unofficial translation

Law of the Republic of Kazakhstan dated 24 March 1998, No 213.

U n o f f i c i a l t r a n s l a t i o n

Footnote. The Law of the Republic of Kazakhstan dated 06.04.2016 No. 480-V (enforced upon the expiry of ten calendar days after the day of its first official publication) expired.

Chapter 1. General provisions

Article 1. Basic definitions used in this Law

The following basic definitions shall be used in this Law:

1) Law: a regulatory legal act that regulates the most important social relations and establishes basic principles and standards provided by paragraph 3 of Article 61 of the Constitution of the Republic of Kazakhstan, adopted by the Government of the Republic of Kazakhstan, and in cases provided by paragraph 3) of Article 53 of the Constitution of the Republic of Kazakhstan, by the President of the Republic of Kazakhstan;

1-1) legal drafting methodology: a set of methods, requirements and rules for formulating regulatory legal acts;

2) act of legislation: a constitutional law or edict of the President of the Republic of Kazakhstan having the force of a constitutional law, code or law, an edict of the President of the Republic of Kazakhstan having the force of a law, a regulation of the Parliament of the Republic of Kazakhstan, or resolution of the Senate and Mazhilis;

3) sub-statutory regulatory legal acts: other non-legislative regulatory legal acts issuable on the basis of and/or in execution of and/or for further execution of legislative and other higher-ranking of regulatory legal acts;

4) legislation: set of regulatory legal acts adopted in the established manner;

5) code: a law in which legal acts that regulate homogeneous social relations of highest importance are brought together and systematised, as provided by Article 3-1 of this Law;

6) Constitutional Law: a law described in the Constitution of the Republic of Kazakhstan as constitutional and adopted according to the procedure established by paragraph 4 of Article 62 of the Constitution of the Republic of Kazakhstan;

7) State register of regulatory legal acts of the Republic of Kazakhstan: unified system for state recording of regulatory legal acts of the Republic of Kazakhstan, containing details of the regulatory legal acts and other information and reference details concerning these acts;

Note by RCLI!

Subparagraph 8) is in the wording of Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced from 01.01.2015).

8) reference control bank of regulatory legal acts of the Republic of Kazakhstan: set of printed texts of regulatory legal acts (as amended and supplemented) information on which is entered in the Public Register of the regulatory legal acts of the Republic of Kazakhstan;

9) law, introducing amendments and supplements to the Constitution of the Republic of Kazakhstan: law adopted according to the procedure established by paragraph 3 of Article 62 of the Constitution of the Republic of Kazakhstan;

10) provision of law: obligatory rule of conduct of permanent or temporary nature, intended for repeated application and extending to the individual general public within the frame of regulated social relations;

11) regulatory legal act: written official document of set form, adopted for referendum by authorized body or civil servant of the state, laying down a law or amending, terminating or suspending its activity, and a document in electronic-digital form, identical to the written official document and attested by electronic-digital signature;

11-1) Register of state registration of regulatory legal acts: written list, containing a number of state registration and requisites of regulatory legal acts of state bodies, mentioned in subparagraph 4) of paragraph 2 of Article 36 of this Law, subjected to state registration in judicial bodies of the Republic of Kazakhstan;

12) subsequent official publication of texts of regulatory legal acts: publication in print publication of regulatory legal acts subjected to expert examination for compliance with the reference control bank of regulatory legal acts of the Republic of Kazakhstan;

12-1) legal monitoring of regulatory legal acts: activity of state bodies, carried out continuously and involving the gathering, evaluation and analysis of information on the status of Kazakh legislation, and on the forecast dynamics of its development and practice of application aimed at revealing obsolete and corruption-conducive provision of laws contrary to Kazakh legislation and assessing the effectiveness of its realisation;

13) level of regulatory legal act: place of regulatory legal act depending on its legal force in ranking of regulatory legal acts;

14) official publication of regulatory legal act: general information publication of comprehensive text of regulatory legal act in official and periodical print publications,

and on websites determined by the Government of the Republic of Kazakhstan, in graphics format in full conformity with signed original documents;

15) authorized bodies: Kazakh state bodies and civil servants empowered to adopt regulatory legal acts in accordance with their competence, established by the Constitution of the Republic of Kazakhstan, by this Law, and by legislation determining the legal status of these bodies and civil servants (President of the Republic of Kazakhstan, Parliament of the Republic of Kazakhstan, Constitutional Council of the Republic of Kazakhstan, Supreme Code of the Republic of Kazakhstan, Central Election Commission of the Republic of Kazakhstan, central executive bodies, local representative and executive bodies, National Bank of the Republic of Kazakhstan, and other state bodies);

16) designated organisation: organization, determined by the Government of the Republic of Kazakhstan for carrying out scientific linguistic expert examinations with regard to authenticity of Kazakh and Russian language texts on drafts of laws, developed by state bodies of the Republic of Kazakhstan and subject to introduction before the Parliament of the Republic of Kazakhstan.

Footnote. Article 1 is in the wording of Law of the Republic of Kazakhstan dated 29.12.2006 No 209 (the order of enforcement see Article 2); as amended by Laws of the Republic of Kazakhstan dated 29.07.2007 No 271 (shall be enforced from date of official publication); 04.07.2008 No 57-IV (the order of enforcement see Article 2); 10.01.2011 No 383-IV (shall be enforced upon expiry of ten calendar days after first official publication); 01.04.2011 No 425-IV (shall be enforced from date of official publication); and 27.04.2012 No 15-V (shall be enforced upon expiry of ten calendar days after first official publication); and by Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 2. Scope of application of this Law

1. Special aspects of development and presentation, adoption, registration, enforcement, amendment, supplementation, termination and suspension of activity, and publication of legislative and other regulatory legal acts shall be determined, in accordance with its level, by legislative acts regulating the activity of state bodies adopting the regulatory legal acts, by acts determining the legal status of these bodies and provisions on them and their regulations, and other regulatory legal acts, except for special aspects determined by acts of the President of the Republic of Kazakhstan and concerning proposals for legislative acts to be brought before the Mazhilis of the Parliament of the Republic of Kazakhstan according to the legislative initiative procedure of the President of the Republic of Kazakhstan.

2. This law shall not regulate the procedure of adopting, amending and terminating the validity of the Constitution of the Republic of Kazakhstan.

3. This law shall not regulate the procedure of preparation, conclusion, fulfilment and renunciation of international treaties.

4. This law shall not regulate the procedure of development, presentation, adoption, enforcement, action, publication, amendment, supplementation and termination of regulatory acts, adopted in accordance with the legislation, but not consistent with the requirements introduced in paragraph 11) of Article 1 of this Law and having the effect of realising rights and enforcing laws, particularly:

1) regulatory acts of non-state organizations, including public associations and bodies of local self-government;

2) regulatory acts of state organizations, that are not authorized bodies;

3) *excluded by Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after first official publication).*

Regulatory acts mentioned in subparagraphs 1) and 2) of this paragraph shall not contain provisions of law.

Footnote. Article 2 as amended by Laws of the Republic of Kazakhstan dated 06.03.2002 No 298; 16.06.2004 No 566; 29.12.2006 No 209 (the order of enforcement see Article 2); 04.07.2008 No 57-IV (the order of enforcement see Article 2); and 01.04.2011 No 425-IV (shall be enforced from date of official publication); and by Constitutional Law dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 3. Basic and derived types of regulatory legal acts

1. Regulatory legal acts shall be subdivided into basic and derived.

2. Basic regulatory legal acts shall include:

1) the Constitution, constitutional laws, codes and laws;

2) edicts of the President of the Republic of Kazakhstan with force of constitutional law; edicts of the President of the Republic of Kazakhstan with force of law, and other regulatory legal edicts of the President of the Republic of Kazakhstan;

3) regulatory resolutions of the Parliament of the Republic of Kazakhstan and its chambers;

4) regulatory resolutions of the Government of the Republic of Kazakhstan;

5) regulatory resolutions of the Constitutional Council, the Supreme Court of the Republic of Kazakhstan, the Central Election Commission of the Republic of Kazakhstan, and Accounts Committee for Control of Fulfilment of the State Budget;

6) regulatory legal orders of Ministers of the Republic of Kazakhstan and other heads of central state bodies;

7) Regulatory legal resolutions of central state bodies;

7-1) Is excluded – dated 27 July 2007, No 315;

7-2) regulatory legal decisions of maslikhats, regulatory legal resolutions of akimats, regulatory legal decisions of akims;

3. Derived regulatory legal acts shall include:

1) Regulation: regulatory legal act regulating the inner procedure of activity of any state body and its structural subdivisions;

1-1) a technical regulation: regulatory legal act establishing statutory requirements for the production and/or processes of its life cycle, developed and applied in accordance with Kazakh legislation concerning technical regulation;

1-2) *(excluded by Law of the Republic of Kazakhstan dated 04.12.2008 No 97-IV (the order of enforcement see Article 2));*

1-3) state service standard: regulatory legal act specifying requirements for provision of state services and including characteristics of process, form, content and result of provision of state service;

1-4) state service regulation: regulatory legal act, specifying requirements of compliance standards of state service and determining the procedure of activity of service providers and the procedure of interaction with other service providers and public service centres, as well as use of information systems in the process of providing a state service;

1-5) *Is excluded by Law of the Republic of Kazakhstan dated 15.04.2013 No 89-V (shall be enforced upon expiry of thirty calendar days after first official publication);*

2) provision: regulatory legal act determining the status and powers of any state body;

3) rules: regulatory legal act determining the procedure of organizing and carrying out any type of activity;

4) authorization: regulatory legal act detailing application of legislation in any sphere of social relations;

Other forms of derived regulatory legal acts shall be provided by the Laws of the Republic of Kazakhstan.

4-1) Derived regulatory legal acts shall be adopted or confirmed by basic regulatory legal acts and form a unified whole with them. The place of derived regulatory legal acts in the ranking of regulatory legal acts shall be determined by the level the basic act.

5) Territorial bodies of central executive bodies and state bodies directly subordinated and accountable to the President of the Republic of Kazakhstan, and local

executive bodies authorized by akims financed from local budgets, may not issue regulatory legal acts.

6) Individual legislative acts adopted by state bodies and civil servants shall not be regulatory legal acts.

Footnote. Article 3 as amended by Laws of the Republic of Kazakhstan dated 06.03.2002 No 298; 16.06.2004 No 566; 29.12.2006 No 209 (the order of enforcement see Article 2); 18.06.2007 No 262; 29.06.2007 No 271 (shall be enforced from date of official publication); 27.07.2007 No 315 (shall be enforced from date of official publication); 04.12.2008 No 97-IV (the order of enforcement see Article 2); 02.04.2010 No 263-IV (enforced from 01.01.2010); 01.04.2011 No 425-IV (shall be enforced from date of official publication); 27.04.2012 No 15-V (shall be enforced upon expiry of ten calendar days after first official publication); and 15.04.2013 No 89-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 3-1. Social relations regulated by Codes of the Republic of Kazakhstan

Codes of the Republic of Kazakhstan shall be adopted in order to regulate the following homogeneous most important social relations:

- 1) budget;
- 2) civil;
- 3) civil procedural;
- 4) matrimonial;
- 5) ecological;
- 6) water-related;
- 7) land-related;
- 8) forest-related;
- 9) fiscal;
- 10) customs-related;
- 11) *excluded by the Law of the Republic of Kazakhstan dated 28.12.2010 No 369-IV (shall be enforced upon expiry of ten calendar days after first official publication);*
- 12) Labour-related;
- 13) related to execution of criminal penalties;
- 14) related to imposition of administrative sanctions;
- 15) related to criminal prosecution;
- 16) criminal procedural;
- 17) relating to health care service.

Footnote. Chapter is supplemented by Article 3-1 in accordance with Law of the Republic of Kazakhstan dated 16.06.2004 No 566; as amended by the Laws of the Republic of Kazakhstan dated 29.06.2007 No 271 (shall be enforced from date of

official publication); and 28.12.2010 No369-IV (shall be enforced upon expiry of ten calendar days after first official publication).

Article 4. Ranking of regulatory legal acts

1. The Constitution of the Republic of Kazakhstan shall possess the highest legal force.

2. Correlation of legal force of other regulatory legal acts except for the Constitution shall conform to the following descending levels:

- 1) laws introducing amendments and supplements to the Constitution;
- 2) Constitutional Laws of the Republic of Kazakhstan and edicts of the President of the Republic of Kazakhstan with force of Constitutional Law;
- 2-1) codes of the Republic of Kazakhstan;
- 3) laws of the Republic of Kazakhstan and edicts of the Republic of Kazakhstan with force of law;
- 4) regulatory resolutions of the Parliament of the Republic of Kazakhstan and its chambers;
- 5) regulatory edicts of the President of the Republic of Kazakhstan;
- 6) regulatory resolutions of the Government of the Republic of Kazakhstan;
- 7) regulatory legal orders of Ministers of the Republic of Kazakhstan and other heads of central state bodies, regulatory legal resolutions of central state bodies, regulatory resolutions of the Central Executive Commission of the Republic of Kazakhstan and Accounts Committee for Monitoring of Fulfilment of State Budget.
- 7-1) *Is excluded – dated 27 July 2007, No 315;*
- 7-2) regulatory legal decisions of maslikhats, regulatory legal resolutions of akimats, regulatory legal determination of akims.

3. Each regulatory legal act of lower level shall not contravene regulatory legal acts of higher levels.

4. Regulatory resolutions of the Constitutional Council of the Republic of Kazakhstan and Supreme Court of the Republic of Kazakhstan shall not be within the specified ranking.

5. The ranking of regulatory legal decisions of maslikhats, regulatory legal resolutions of akimats and regulatory legal decisions of akims of administrative-territorial entities shall be determined by the Constitution of the Republic of Kazakhstan and legislative acts concerning local state administration.

6. Regulatory resolutions of the Constitutional Council of the Republic of Kazakhstan shall be based only on the Constitution of the Republic of Kazakhstan and no other regulatory legal acts may contravene them.

Footnote. Article 4 as amended by Laws of the Republic of Kazakhstan dated 17.10.2001 No 248; 06.03.2002 No 298; 16.06.2004 No 566; 29.06.2007 No 271 (shall be enforced from date of official publication); 27.07.2007 No 315 (shall be enforced from date of official publication); and 01.04.2011 No 425-IV (shall be enforced from date of first official publication).

Article 5. Direct operation of regulatory legal acts

1. All regulatory legal acts shall have direct operation, unless otherwise provided in the regulatory legal acts themselves or the acts enforcing them.

2. For application of regulatory legal acts in force, no additional guidance shall be required.

3. If the regulatory legal act specifies, that any of its standards of law are applied on the basis of an additional regulatory legal act, this regulation shall be applied in accordance with the basic and additional regulatory legal act. Before adoption of a regulatory legal act, the regulatory legal acts that previously regulated the relevant relations shall be in force.

Footnote. Article 5 as amended by Laws of the Republic of Kazakhstan dated 29.06.2007 No 271 (shall be enforced from date of official publication).

Article 6. Contravention of provisions of law of different regulatory legal acts

1. If there are contraventions in the standards of regulatory acts of different levels, the standards of the higher level acts shall prevail.

2. If they contradict the standards of codes of the Republic of Kazakhstan, standards of laws may be applied until introduction of relevant amendments to the codes.

3. If there are contraventions in the standards of regulatory legal acts of the same level, the standards of acts brought into effect subsequently shall prevail.

Footnote. Article 6 is in the wording of Law of the Republic of Kazakhstan dated 06.03.2002 No 298.

Article 6-1. Calculation of periods of time

1. A period established in accordance with legislation, shall be determined by calendar date or reference to the event that must inevitably happen. The period may be established as a period of time calculated by years, quarters, months, weeks, days or hours.

2. Periods calculated in years, shall begin with a calendar date or event occurrence date that determines its beginning, and shall expire on the corresponding date and

month and date of the last year of the period. If expiry date is in a month without a corresponding date, the period shall expire on the closing day of this month.

Periods calculated in months, shall begin with a calendar date or event occurrence date that determines its beginning, and shall expire on the corresponding day (date) of the last month of the period. If the expiry date is in a month without a corresponding date, the period shall expire on the closing day of this month.

Periods calculated in weeks shall begin with a calendar date or event occurrence date that determines its beginning, and shall expire on the corresponding day of the last week of the period.

Periods calculated in days, shall begin with a calendar date or event occurrence date that determines its beginning, and shall expire on the last day of the established period.

Periods calculated in hours, shall begin with the calendar date or event occurrence date that which determined its beginning, and shall expire in the last minute of the established period.

Footnote. Law is supplemented by Article 6-1 in accordance with the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after first official publication).

Chapter 2. Planning preparation of drafts of regulatory legal acts

Article 7. Planning preparation of drafts of regulatory legal acts

1. Plans for preparation of drafts of regulatory legal acts shall be subdivided into current, compiled for one year, and long-term, compiled for longer periods.

Long-term plans shall provide for development of most important regulatory legal acts and regulatory legal acts preparation of which is planned to last more than one year.

2. The preparation plans shall specify:

- 1) name of regulatory legal act expressing its level, form and subject of regulation;
- 2) preparation periods;
- 3) state bodies and organizations responsible for compiling a draft.

3. Preparation plans for regulatory legal acts shall be compiled and confirmed by state bodies competent to adopt corresponding acts, unless this Law and other legislation provide otherwise.

4. Compilation of preparation plans for drafts of regulatory legal acts shall take account of suggestions of state and other bodies and organizations (including scientific

), and suggestions from the National Chamber of Entrepreneurs of the Republic of Kazakhstan and other interested individuals, prepared according to results of legal monitoring.

5. The state bodies compiling and confirming the preparation plans for drafts of regulatory legal acts, may also include in the plans other indications reflecting the preparation of these acts.

6. The requirements of this Law shall not extend to the preparation of proposals for legislative acts introduced into the Mazhilis of the Parliament of the Republic of Kazakhstan according to the legislative initiative procedure of the President of the Republic of Kazakhstan.

Footnote. Article 7 as amended by Laws of the Republic of Kazakhstan dated 04.07.2008 No 57-IV (the order of enforcement see Article 2); and 04.07.2013 No 130 -V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 8. Planning of preparation of regulatory legal acts issued by President of the Republic of Kazakhstan

The planning procedure and form for preparing drafts of regulatory legal acts issued by the President of the Republic of Kazakhstan shall be determined by the President of the Republic of Kazakhstan.

Article 9. Planning of preparation of legislative acts of the Parliament of the Republic of Kazakhstan

The planning procedure and forms for preparing drafts of legislative acts adopted by the Parliament of the Republic of Kazakhstan shall be determined by the Parliament and its chambers in accordance with its competence, as established by paragraph 3 of Article 61 of the Constitution of the Republic of Kazakhstan.

Article 10. Planning of law drafting works of the Government of the Republic of Kazakhstan

1. The Government of the Republic of Kazakhstan shall compile long-term and annual law drafting work plans.

2. Draft plans shall be developed by the Ministry of Justice of the Republic of Kazakhstan.

3. The Government's law drafting work plans shall be confirmed with the President of the Republic of Kazakhstan.

Article 11. Orders of the Government of the Republic of Kazakhstan concerning preparation of regulatory legal acts

Footnote. Article 11 is excluded by Law of the Republic of Kazakhstan dated 01.04.2011 No 425-IV (shall be enforced from date of first official publication).

Article 12. Special aspects of planning preparation of draft regulatory legal acts of central executive bodies, as included and not included in the composition of the Government of the Republic of Kazakhstan and other central bodies of the Republic of Kazakhstan, and local state government bodies of the Republic of Kazakhstan

Special aspects of planning preparation of draft regulatory legal acts of central executive bodies and other central state bodies of the Republic of Kazakhstan, as included and not included in the Government of the Republic of Kazakhstan and local state government bodies of the Republic of Kazakhstan, are determined by each of these bodies.

Chapter 3. Preparation and formulation of draft regulatory legal acts

Footnote. Chapter 3 is in the wording of Law of the Republic of Kazakhstan dated 01.04.2011 No 425-IV (shall be enforced from date of first official publication).

Article 13. Developers of draft regulatory legal acts

1. Developers of draft legislative acts introduced into the Mazhilis of the Parliament of the Republic of Kazakhstan according to the legislative initiative procedure of the President of the Republic of Kazakhstan, under instructions of the President of the Republic of Kazakhstan or Head of Presidential Administration of the Republic of Kazakhstan based on instructions of the President of the Republic of Kazakhstan, may be the Presidential Administration, the Government and other state bodies, organizations and citizens by agreement with them.

Developers of draft laws prepared according to the legislative initiative procedure of deputies of the Parliament of the Republic of Kazakhstan, shall be the deputies of the Parliament.

2. Suggestions for development of laws introduced into the Mazhilis of the Parliament of the Republic of Kazakhstan according to the legislative initiative procedure of the President of the Republic of Kazakhstan, may be introduced for

examination by the President of the Republic of Kazakhstan, his Administration, Government and central and local state bodies, bodies of local self-government, and organizations and citizens.

3. Draft regulatory legal acts shall be developed by authorized bodies on their initiative or under instructions of higher state bodies, unless Kazakh legislation established otherwise.

4. Other state bodies, organizations and citizens may contribute suggestions on development of regulatory legal acts or refer the initiative drafts of these acts to authorised bodies. The authorized bodies may adopt them as a basis for the draft regulatory legal acts developed by them or recognize further development and approval of a draft as inappropriate.

Article 14. Procedure of development of draft regulatory legal act

1. An authorized body developing the draft regulatory legal act, shall create a draft preparation working group or entrust the preparation to one of its subdivisions, which function as a working group. Workers in legal subdivision bodies preparing a draft shall participate in the preparation of draft regulatory legal acts. Representatives of National Chamber of Entrepreneurs of the Republic of Kazakhstan and accredited free enterprise associations shall participate in the development of regulatory legal acts affecting interests of free entrepreneurs.

The deputies of the Parliament of the Republic of Kazakhstan may participate in the working group at any stage of preparation of draft laws.

2. Specialists in different branches of knowledge, scientific institutions and scientific workers, and representatives of public associations may be involved in preparation of draft the laws, regulatory legal edicts of the President of the Republic of Kazakhstan, regulatory legal regulations of the Government of the Republic of Kazakhstan, and if necessary draft of regulatory legal acts of other authorized bodies.

3. Draft sub-legislative regulatory legal acts of authorized bodies on the same level may be developed, and if necessary adopted, by several authorized bodies.

Draft sub-legislative regulatory legal acts of several authorized bodies shall be developed jointly by them, according to the procedure provided by this Law, and adopted as joint decrees or regulations, signed by the heads of authorized bodies.

Derived types of joint regulatory legal acts (paragraph 3 of Article 3 of this Law) shall be confirmed by the basic regulatory legal acts of authorized bodies adopting the derived regulatory legal act, with specification therein of the basic regulatory legal acts through which the derived act is adopted.

The method for approving draft sub-legislative regulatory legal acts shall be determined by the Government of the Republic of Kazakhstan.

4. The Presidential Administration of the Republic of Kazakhstan or other state body of the Republic of Kazakhstan entrusted with development of a draft legislative act according to the legislative initiative procedure of the President of the Republic of Kazakhstan, shall develop the draft legislative act within one month, unless the President of the Republic of Kazakhstan establishes another term or the Heads of Presidential Administration of the Republic of Kazakhstan issue specific instructions.

5. Drafts regulatory legal acts shall be legally analysed by the Ministry of Justice of the Republic of Kazakhstan, unless these acts are binding upon all, concern the rights and freedom of citizens, or regulate entrepreneurial activity, except for regulatory legal acts of state bodies provided for in subparagraph 4) of paragraph 2 of Article 36 of this Law.

6. Authorized bodies may entrust the preparation of draft regulatory legal acts within their jurisdiction to state bodies and organizations or order their preparation on a contractual basis by specialists, the National Chamber of Entrepreneurs of the Republic of Kazakhstan, scientific institutions, separate scientists or their collectives, including those abroad, with use for these purposes of allocated budget funds and grants, unless Kazakh legislation establishes otherwise.

7. An authorized body may entrust the preparation of alternative draft regulatory legal acts to several state bodies and organizations or entrust its preparation on a contract or competitive tender basis, to the National Chamber of Entrepreneurs of the Republic of Kazakhstan, or to several scientific institutions or scientists.

8. If for realization of standards of law a completed draft legislative act of the Republic of Kazakhstan, regulatory legal edict of the President of the Republic of Kazakhstan or regulatory legal regulation of the Government of the Republic of Kazakhstan shall make the necessary amendments and/or supplements to the regulatory legal acts at the same or a lower level, then the draft basic regulatory legal act shall be prepared with drafts of acts with specified amendments and/or supplements or the tasks will devolve on the relevant bodies on preparation of these acts at the same time.

9. Developed drafts of laws, at the same time they are sent for approval by the interested state bodies, shall be posted on the web-site of the authorized body.

Draft regulatory legal acts concerning the rights, freedom and obligations of citizens shall be posted on the authorized state bodies' website.

Footnote. Article 14 as amended by Laws of the Republic of Kazakhstan dated 27.04.2012 No 15-V (enforced upon expiry of ten calendar days after first official publication); dated 04.07.2013 No 130-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 15. Special aspects of development and adoption of regulatory legal acts affecting interests of free enterprise subjects

1. The central local state representative and executive bodies shall send the draft regulatory legal act affecting the interests of free enterprise subjects through expert councils to the accredited associations of free enterprise subjects and the National Chamber of Entrepreneurs of the Republic of Kazakhstan with an explanatory note for receiving the expert report attached, as well as with every subsequent agreement of this draft with interested state bodies.

The period established by state bodies from presentation of expert report to draft regulatory legal act affecting interests of free enterprise subjects may not be less than ten business days from the date of arrival at the accredited associations of free enterprise subjects and the National Chamber of Entrepreneurs of the Republic of Kazakhstan.

2. An explanatory note to the draft regulatory legal act affecting interests of free enterprise subjects shall contain the results of calculations confirming the reduction and/or increase of expenditure of free enterprise subjects in connection with enforcement of the regulatory legal act.

3. Expert conclusions shall represent the consolidated opinion of members of the accredited associations of free enterprise subjects and the National Chamber of Entrepreneurs of the Republic of Kazakhstan. They are recommendatory in character and shall form an annex to the draft regulatory legal act before its adoption and in every following coordination of this draft with interested state bodies.

Expert reports shall be presented in both Kazakh and Russian.

4. The state body shall introduce the relevant amendments and/or supplements to the draft regulatory legal act once in agreement with the expert report.

In case of contradiction with the expert report the state body shall send a response, with justification for the contradiction, to the accredited associations of enterprise subjects, and the National Chamber of Entrepreneurs of the Republic of Kazakhstan. Such responses with justification shall be attached to the draft regulatory legal act before its adoption.

When the draft regulatory legal act accredited by the associations of free enterprise subjects and the National Chamber of Entrepreneurs of the Republic of Kazakhstan contains an expert report with remarks and a member of the expert council requests a sitting of the expert council, such sitting is obligatory.

The expert council may thus sit by direct assembly members of the expert council or by online meeting held in real-time mode.

5. Deadlines for enforcement of regulatory legal acts affecting the interests of free enterprise subjects shall be established on the basis of terms, necessary for the free enterprise subject for preparing to the carrying out of activity in accordance with the Laws of the Republic of Kazakhstan.

The method and deadlines for enforcing regulatory legal acts shall not damage free enterprise subjects.

6. The procedures provided by this Article, shall be a compulsory condition for adoption of regulatory legal acts affecting the interests of free enterprise subjects.

7. Drafts of regulatory legal acts affecting the interests of free enterprise subjects must be published (distributed) in the mass media, including web-sites, prior to examination by the relevant body or the sitting of the expert council.

Footnote. Article 15 is in the wording of Law of the Republic of Kazakhstan dated 04.07.2013 No 130-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 16. Coordination of the draft regulatory legal act with interested state bodies and organizations

1. The prepared draft of regulatory legal act, and if necessary the draft of another regulatory legal act adopted to develop it, shall be sent for approval by the interested state bodies and organizations. Financial and economic calculations shall be attached to the draft regulatory legal acts providing for reduction in state revenue or increase in state expenditure.

If for realization of standard contained in the draft law sub-legislative regulatory legal acts have to be adopted (the absence of such necessity is mentioned in an attached letter), the draft law shall be attached to draft of sub-legislative regulatory legal acts. If the development of the draft the sub-legislative regulatory legal act is referred to the competence of another state body, this state body shall present the relevant draft sub-legislative regulatory legal act to the state body developing the draft of the law.

2. The list of state bodies, with which draft regulatory legal acts shall be consulted and agreed shall be determined by the Government of the Republic of Kazakhstan, except for draft acts of the President of the Republic of Kazakhstan and draft legislative acts introduced by the President of the Republic of Kazakhstan or the Deputies of the Parliament of the Republic of Kazakhstan according to the legislative initiative procedure.

3. Draft legislative acts prepared according to the legislative initiative procedure of the President of the Republic of Kazakhstan shall be agreed with the interested state bodies of the Republic of Kazakhstan in cases determined by the President of the Republic of Kazakhstan or following instruction of the Head of Presidential Administration of the Republic of Kazakhstan.

4. State bodies and organizations to whom the draft regulatory legal act is sent for agreement, shall prepare their notes and suggestions concerning the draft regulatory legal act or advise their absence to the body that compiled the draft regulatory legal act

within thirty calendar days from date of receipt, unless the authorized body establishes a shorter term, and in case of agreement of draft legislative acts introduced to the Mazhilis of the Parliament of the Republic of Kazakhstan according to the legislative initiative procedure of the President of the Republic of Kazakhstan, within not less than ten business days, unless otherwise the President of the Republic of Kazakhstan sets a shorter term the Dean of the Presidential Administration of the Republic of Kazakhstan issues an instruction.

The state body's remarks on the draft regulatory legal act shall contain the proposals for removal of faults, refer directly to the issues of its competence, and be valid and capable and represented in written form.

5. On the basis of remarks received, the draft regulatory legal act shall if necessary be revised by the body that developed the draft regulatory legal act, and the working group shall make a statement on remarks adopted and discarded. This statement shall be passed to the state body that created the working group, together with the draft regulatory legal act.

6. The state body that created the working group may introduce into the draft regulatory legal act amendments and/or supplements to be discussed with the working group, or return the draft regulatory legal act for refinement by the working group.

Article 17. Details of regulatory legal act

Regulatory legal acts shall contain the following details:

- 1) State Emblem of the Republic of Kazakhstan;
- 2) reference to form of act: Constitutional Law of the Republic of Kazakhstan; edict of the President of the Republic of Kazakhstan with force of the Constitutional Law; Code of the Republic of Kazakhstan; Law of the Republic of Kazakhstan; edict of the President of the Republic of Kazakhstan with force of the Law; regulation of the Parliament of the Republic of Kazakhstan; Senate regulation of the Parliament of the Republic of Kazakhstan; Mazhilis regulation of the Parliament of the Republic of Kazakhstan; edict of the President of the Republic of Kazakhstan; Government regulation of the Republic of Kazakhstan; order of Minister; order of head of the central state body; regulation of central state body; decision of maslikhat; regulation of akimat; decision of akim; other form of regulatory legal act provided for by this Law;
- 3) title indicating the subject of regulation of this regulatory legal act;
- 4) place and date of adoption of regulatory legal act;
- 5) registry number of regulatory legal act;
- 6) signature of person(s) authorized to sign the regulatory legal act;

7) reference to date and number of state registration of regulatory legal act in the regulatory legal acts subject to state registration in the judicial bodies of the Republic of Kazakhstan;

8) the common seal.

Footnote. Article 17 as amended by Laws of the Republic of Kazakhstan dated 27.04.2012 No 15-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 18. Structure of regulatory legal act

1. Basic structural elements of regulatory legal act shall be paragraph, part, sub-point, point and Article, including provisions of law.

In Articles, points and sub-points of regulatory legal acts may a part, a logically completed separate provision of law separated by shift and beginning with a capital letter.

A paragraph shall be recognized as part of the text, representing a logical unit, distinguished by shift in the first line and beginning with lowercase letter, except for the first paragraph of a part, which shall begin with a capital letter. The paragraphs shall end with semicolons (except for first and last paragraph of a part).

Legislative acts, as a rule, consist of Articles referred to as “Article”, which may comprise parts, points, sub-points and paragraph.

Other regulatory legal acts consist of points not specifically referred to as “points”, which may contain sub-points, parts and paragraphs.

2. Articles (paragraphs) significant in terms of volume of regulatory legal acts and similar in content may be united into chapters. Several chapters similar in content may be united in sections, and sections into parts of regulatory legal acts. Chapters and sections of high volume may be separately into paragraphs and subsections.

Paragraphs and subsections in regulatory legal acts shall be respectively referred to as “paragraph” and “subsection”.

3. The Code consists of Articles, which as usual shall be divided into parts not referred to as “part” and numbered with Arabic numerals.

4. Each point, article, paragraph, chapter, subsection and section of a regulatory legal act shall be numbered by Arabic numerals. Numeration of articles, chapters, sections and parts of regulatory legal acts shall be continuous.

5. Numeration of paragraphs in each chapter, and numeration of subsection in each section of a regulatory legal act shall be independent.

Numeration of sub-points in the paragraphs and points in Articles shall be respectively independent. Numeration of sub-points in the points shall be denoted by Arabic numerals with brackets as 1), 2), 3) &c.

6. When it is necessary to explain the aims of adopting of the Law and its basic tasks, an introductory clause (preamble) shall precede the statement of regulation of law.

The introductory clause (preamble) shall not be included in the draft laws concerning introduction of amendments and/or supplementations to legislative acts of the Republic of Kazakhstan.

7. If itemization of terms and definitions used in the regulatory legal act is necessary, an article (paragraph) explaining their meaning shall be included. Terms and definitions in regulatory legal acts expressed in Kazakh language shall be in alphabetical order. Terms and definitions in regulatory legal acts in Russian language shall be consistent with their listing in Kazakh.

Terms and definitions used in the regulatory legal act shall comply with the terms and definitions applied in the higher regulatory legal act regulating homogeneous social relations.

8. Structural elements of regulatory legal acts may be supplemented with explanatory notes when relevant references may not be included in the text of the regulatory legal act without interfering with the meaning of provision of law.

9. To ensure convenience of reference, each chapter, section, part, paragraph of chapter and subsection of section in a regulatory legal act shall have titles.

Articles of legislative acts shall have titles, except for legislative acts concerning introduction of amendments and/or supplements to legislative acts.

Title of parts, sections, subsections, chapters and paragraphs of regulatory legal acts shall be separated from previous text by interline spacing, and from following text – by one line.

10. Tables of content shall be included in the structure of the code.

11. Annexes may be included in the structure of regulatory legal acts.

Article 19. Requirements concerning content and statement of text of regulatory legal act

1. The competence, function and tasks of state bodies in the field of state regulation of social relations shall be established in normative legal acts according to Kazakh legislation concerning administrative procedures with distinct delimitation on level of state government.

Methodological recommendations for determining of typical functions of state bodies shall be applied by the Government of the Republic of Kazakhstan.

2. The text of regulatory legal acts shall be printed in unified font.

3. The text of regulatory legal acts shall be set out with observance of literary standards, legal terminology and legal drafting methodology; its provisions shall be

sufficiently short and contain distinct and unambiguous specifications. The text of regulatory legal acts shall not contain provisions of declarative character without weight of meaning or legal sense.

Use of obsolete and multiple-meaning words and expressions, epithets, metaphors and abbreviations shall not be allowed. Provisions of law stated in a structural element of a regulatory legal act, shall not be repeated in other structural elements of the same act.

4. Orders in the regulatory legal acts shall be referred to state bodies or, if necessary, to their heads.

In relation to the state bodies not subordinate to a commission issuer, provisions in regulatory legal acts shall be stated as recommendations or by agreement with them. In the latter case, name of the state body shall bear the remark “(by agreement)”.

5. The text of regulatory legal acts shall show the name of state bodies and other organizations in full, in keeping with the legal name and uniformly throughout the text.

Reduction of names of state bodies and other organizations, with transcription of the meaning of the reduction or abbreviation in the text of the regulatory legal act shall be allowed in order to ensure simplicity and brevity of the regulatory legal act text.

6. Notation paragraphs with hyphens or other marks, denotation and underlying of separate words and word combinations shall not be allowed in the text of regulatory legal acts.

Article 20. References in regulatory legal acts to structural elements of other regulatory legal acts, references in structural elements of regulatory legal acts to other structural elements of such acts, reproduction in regulatory legal acts of structural elements of other regulatory legal acts

1. If necessary, the regulatory legal acts may make reference to structural elements of higher regulatory legal acts, and separate provisions of law from higher regulatory legal acts shall be reproduced with reference to such acts.

2. References in the structural elements of regulatory legal acts to other structural elements within it shall be allowed when necessary to show interconnection of provision of law or prevent recurrence.

3. When referring to lines and sentences, its numeration shall be denoted by ordinal numerals (in words).

4. References to structural elements shall be presented with reference of their serial numbers in words or numbers (use of adjectives is not allowed for denotation) in the regulatory legal act text.

5. When referring to a regulatory legal act, its form, date of adoption, registered number and title shall be specified in sequence.

When referring to legislative acts the numbers under which they are registered need not be shown, except for edicts of the President of the Republic of Kazakhstan with force of law.

6. If the text of a regulatory legal act presents two or more consecutive references to the same regulatory legal act, the full title of this regulatory legal act shall be specified once (at the first mention in the text), with subsequent reference to it.

7. If the regulatory legal act contains references to annexes, the numbers of annexes adopted according to mention in the regulatory legal act text shall be mentioned, except in cases when there is only one annex to the regulatory legal act.

Article 21. Formulation of regulatory legal acts concerning introduction of amendments and/or supplements to regulatory legal acts

1. The title of regulatory legal acts providing for introduction of amendments and/or supplements to regulatory legal acts shall contain references to the form, date of adoption, registered number and title of the act, except for laws.

The title of the regulatory legal act providing for introduction of amendments and/or supplements to the regulatory legal act(s) shall primarily specify “amendment” or “amendments”.

2. The title and date of adoption of specified legislative acts, and in brackets the year, number and article of its first publication, shall be specified in the text of draft of legislative acts concerning introduction of amendments and/or supplements to legislative acts, and in the case of introduction of amendments and/or supplements, the year, number and article of publication of the relevant legislative act in the compilation “Accounts of the Parliament of the Republic of Kazakhstan” or other source of official publication in accordance with this Law, if the legislative act is not published in the specified compilation.

The title, date of adoption and registered number of specified regulatory legal acts, and in brackets the year, number and article of its first publication in the compilation “Collection of acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan”, or the date of official publication and name of other source of official publication, shall be specified in the text of the draft regulatory legal act concerning introduction of amendments and/or supplements to regulatory legal acts

The text of the regulatory legal act concerning introduction of amendments and/or supplements in the regulatory legal act, as well as the official registration, shall specify the number of its entry in the Register of State Registration of regulatory legal acts.

3. In the event of amendment and/or supplementation of three or more regulatory legal acts, a list formed by separate annexes shall be compiled.

This requirement shall not extend to legislative acts.

4. All amendments and/or supplements introduced to the same regulatory legal act shall be provided by one paragraph or sub-paragraph. Regulatory legal acts, into which amendments and/or supplements are introduced, shall be arranged depending on correlation of its legal force and in chronological order its date of adoption (publication).

Regulatory legal acts with the same date of adoption shall be specified in accordance with its register numbers or article numbers in official publication sources.

5. When amendments and/or supplements are made to the structural element of the regulatory legal act, this structural element shall be redrafted.

Requirements of this paragraph shall be applied when examining draft laws, introduced to the Parliament of the Republic of Kazakhstan.

6. New structural elements and annexes shall be included in the text of regulatory legal act under the sequential serial numbers for the most recent structural element of the same type or between structural elements of the same type under additional numbers that duplicate the numbers of those structural elements in the regulatory legal acts, followed by, for example: paragraphs 2-1,2-2; subparagraphs 8-1), 8-2); section 5 -1; annexes 3-1, 3-2, 3-3.

If a regulatory legal act bears an annex, the paragraph (subparagraph) concerning supplementation of regulatory legal act or derived regulatory legal act shall be introduced to the text of the regulatory legal act in the annex.

7. Regulatory legal acts that are classified or marked as “restricted”, “without publication in print” or “not to be printed”, shall be included in the list without reference to title.

8. If the amendments and/or supplements to the text of the regulatory legal act exceeding a half of its text in volume, the regulatory legal act, shall be redrafted.

When draft laws are redrafted the unit of determination of volume shall be an article.

When other regulatory legal acts are redrafted the unit of determination of volume shall be a paragraph.

The requirements of this paragraph shall not be applied when considering draft laws, brought before the Parliament of the Republic of Kazakhstan.

Footnote. Article 21 as amended by Laws of the Republic of Kazakhstan dated 27.04.2012 No 15-V (shall be enforced upon expiry of ten calendar days after first official publication); by Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 21-1. Formulation of regulatory legal acts concerning regulatory legal acts deemed to have lost force

1. In connection with adoption of a regulatory legal act, other regulatory legal acts or structural elements shall be considered to have lost force if they contravene to provisions of law included in or absorbed by the new regulatory legal act.

2. When a higher regulatory is deemed to have lost force, the lower regulatory legal acts adopted for its realization, are also considered to have lost force.

This requirement also extends to cases where higher regulatory legal acts excluded separate provisions of law for realization of which lower regulatory legal acts are adopted.

Regulatory legal acts deemed to have lost force shall be arranged depending on correlation of their legal force and in chronological order according to date of adoption.

3. The title and date of adoption of specified legislative acts, and in brackets their year, number and article of primary publication, shall be specified in the text of the draft legislative act concerning legislative acts deemed to have lost force, and in the case of introduction of amendments and/or supplements thereto, the year, number and article of publication of the relevant legislative act in the compilation “Accounts of the Parliament of the Republic of Kazakhstan” or other source of official publication in accordance with this Law, if the legislative act is not published in the said compilation.

The title, date of adoption and registered number of the specified regulatory legal acts, and in brackets the year, number and article of its primary publication in the compilation “Collection of Acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan” or the date of official publication and name of other source of official publication, shall be specified in the text of the draft regulatory legal act concerning the regulatory legal acts deemed to have lost force.

The text of the regulatory legal act concerning the officially registered regulatory legal act deemed to have lost force shall also specify the number of its entry in the Register of state registration of regulatory legal acts.

4. The list of regulatory legal acts or structural elements deemed to have lost force in connection with adoption of a regulatory legal act shall be contained or in the regulatory legal act or in the act concerning its enforcement.

5. When structural elements of a regulatory legal act are deemed to have lost force, such elements shall be excluded but their numbers are saved. To the saved number shall be added the reference of the regulatory legal act concerning recognition that the regulatory legal act (or structural element) has lost force. The numeration of saved structural elements shall not be changed.

6. If a large part of the regulatory legal act by volume is deemed to have lost force, the list of recognition of lost force shall include all regulatory legal acts subject to a proviso on structural elements retaining their legal effect.

If a smaller part of the regulatory legal act by volume is deemed to have lost force, the list shall include only those structural elements that contravene the newly adopted regulatory legal act.

In these cases the volume of the regulatory legal act shall be determined in accordance with paragraph 8 of Article 21 of this Law.

7. As well as regulatory legal acts, duplicative provisions of law of other regulatory legal acts not containing the new provisions of law shall be deemed to have lost force.

8. Both basic regulatory legal acts and regulatory legal acts (or structural elements) which introduced the amendments and/or supplements thereto shall be deemed to have lost force. In cases of repeated amendments of wording of any regulatory legal act or structural element being deemed to have lost force, all regulatory legal acts, introducing amendments and/or supplements to the basic regulatory legal act, shall be included in the list as independent paragraphs.

These requirements shall not extend to legislative acts.

9. If a regulatory legal act causes another regulatory legal act or its structural element under which the regulatory legal act is deemed to have lost force to lose force, the latter shall not resume their validity.

10. Regulatory legal acts not enforced shall not be considered to have lost force. If necessary, such regulatory legal acts may be repealed.

11. Regulatory legal acts and structural elements of regulatory legal acts of specified duration shall not be deemed to have lost force.

When the regulatory legal act contains provisions of law of specified duration and provisions of likely to be deemed to have lost force, the whole regulatory legal act shall be included in the list.

12. If the structural element of the regulatory legal act contains reference to an annex likely to be deemed to have lost force, only this structural element shall be included in the list and the annex shall not be separately reserved.

If the structural element of the regulatory legal act, in addition to confirmation of annex, contains a provision of law that saves its validity and the annex likely to be deemed to have lost force, the paragraph relating to the annex shall be included in the list and the annex shall not be separately reserved.

13. If the separate structural elements of regulatory legal act are deemed to have lost force in full and other structural elements only in part, only the structural elements deemed to have lost force in full shall be included initially.

Footnote. Article 21-1 as amended by Laws of the Republic of Kazakhstan dated 27.04.2012 No 15-V (shall be enforced upon expiry of ten calendar days after first

official publication); and by constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 21-2. Formulation of annexes to regulatory legal acts

1. Annexes shall form an integral part of the regulatory legal act.
2. Where graphs, schedules, diagrams, charts, lists and other accessory documents to the regulatory legal act are needed, they shall be formed as separate annexes.
3. The upper right corner of the first sheet of the annex shall contain a reference to the regulatory legal act in accordance with which it is confirmed, and its date of adoption and registered number.
4. If the regulatory legal act has several annexes, its serial number, the type of regulatory legal act in accordance with which it is confirmed, and its date of adoption and registered number shall be specified in the upper right corner of the first sheet of each annex. If the regulatory legal act has only one annex, it shall not be numbered.
5. Annexes to regulatory legal acts classified or marked as “Restricted”, “Without publication in print”, or “Not to be printed”, shall be formulated in accordance with this Article and with Kazakh legislative requirements.

Article 21-3. Introduction of draft legislative act to Mazhilis of the Parliament of the Republic of Kazakhstan and its revocation from the Parliament of the Republic of Kazakhstan

1. In accordance with paragraph 1 of Article 61 of the Constitution of the Republic of Kazakhstan, the competence of the legislative initiative shall rest on the President of the Republic of Kazakhstan, Deputies of the Parliament of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, and shall be realized exclusively in the Mazhilis of the Parliament of the Republic of Kazakhstan. Proposals for legislative acts in paper and electronic media shall be introduced to the Mazhilis of the Parliament of the Republic of Kazakhstan in both Kazakh and Russian.
2. Files presented with a proposal for a legislative act shall contain the following annexes:
 - 1) name of the state body or organization preparing the draft;
 - 2) explanatory note with justification of need for approval of draft, explanation of goals, tasks and basic provisions, and proposal for legislative act brought before the Mazhilis of the Parliament of the Republic of Kazakhstan according to the legislative initiative procedure of the President of the Republic of Kazakhstan – special message;
 - 3) membership of working group when created;

4) agreement sheet with interested state bodies, except for cases determined by the President of the Republic of Kazakhstan, when proposals for a legislative act introduced according to the legislative initiative procedure of the President of the Republic of Kazakhstan do not pass the reconciliation procedure, as well as introduction of draft law according to the legislative initiative procedure of deputies of the Parliament of the Republic of Kazakhstan;

5) conclusion of scientific expert examination according to Article 22 of this Law and other expert reports if any exist;

6) Financial and economic calculations if the proposal for a legislative act provides for reduction of state revenues or increased state expenditures, and also, as a rule, statistical information, and forecast of the presumed economic, social, juridical and ecological consequences of the effect of the legislative act brought before the Mazhilis of the Parliament of the Republic of Kazakhstan according to the legislative initiative procedure of the President of the Republic of Kazakhstan.

The proposal for a legislative act concerning introduction of amendments and/or supplements to legislative acts shall carry a comparison chart of current and proposed wordings of structural elements of the legislative acts with corresponding basis for the amendments and/or supplements introduced.

3. The President of the Republic of Kazakhstan, Deputies of the Parliament of the Republic of Kazakhstan and Government of the Republic of Kazakhstan may call off from the Parliament of the Republic of Kazakhstan the proposal for a legislative act, introduced by them according to legislative initiative, at any stage in its consideration.

Chapter 4. Scientific expert examination of draft regulatory legal acts

Article 22. Tasks of scientific expert examination

1. Scientific expert examinations (anti-corruption, legal, linguistic, ecological, financial and other) may be carried out on draft regulatory legal acts depending on the legal relations regulated by the acts.

For draft regulatory legal acts introduced for consideration by the Parliament of the Republic of Kazakhstan, a scientific expert examination may be avoided, depending on the legal relations by the acts, while scientific anti-corruption expert examinations are obligatory except in cases of introduction of proposals for legislative acts according to the legislative initiative procedure of the President of the Republic of Kazakhstan.

2. Scientific anti-corruption expert examinations shall also be carried out on the following draft regulatory legal acts:

1) regulatory legal regulations of the Government of the Republic of Kazakhstan;

Note by RCLI!

Subparagraph 2) shall be enforced from 01.01.2011 (see Article 2 of Law of the Republic of Kazakhstan dated 14.10.2009 No 194-IV).

2) regulatory legal orders of the Ministers of the Republic of Kazakhstan and other heads of central state bodies, regulatory legal resolutions of central state bodies and regulatory resolutions of the Central Elective Commission of the Republic of Kazakhstan;

Note by RCLI!

Subparagraph 3) shall be enforced from 01.01.2011 (see Article 2 of Law of the Republic of Kazakhstan dated 14.10.2009 No 194-IV).

3) regulatory legal decisions of maslikhats, regulatory legal resolutions of akimats, regulatory legal regulations of akims.

Scientific anti-corruption expert examination shall not be carried out on draft regulatory legal edicts of the President of the Republic of Kazakhstan, or regulatory resolutions of the Constitutional Council and the Supreme Court of the Republic of Kazakhstan.

3. Proposals for legislative and other regulatory legal acts, consequences of adoption of which may create an environmental, radioactive, security or environmental protection threat, shall be subject to an obligatory scientific ecological examination.

4. Expert examinations shall be carried out for:

1) quality rating, relevance, timeliness, legality of drafts, observance of human and civil rights in the draft examined by the Constitution of the Republic of Kazakhstan;

2) determination of possible efficiency of regulatory legal act;

3) revelation of possible negative consequences of approval of draft regulatory legal act.

5. The basic tasks of scientific anti-corruption expert examination of drafts of regulatory legal acts shall be:

1) revelation of standards and gaps in legal regulations likely to lead to corruption;

2) evaluation of consequences of approval of draft regulatory legal act in terms of possibility of corruption being committed;

3) development in terms of recommendations of regulations of draft regulatory legal acts precluding corruption.

6. The procedure for carrying out scientific expert examinations shall be determined by Kazakh legislation.

Footnote. Article 22 is in the wording of Law of the Republic of Kazakhstan dated 14.10.2009 No 194-IV (the order of enforcement see Article 2, published on 20.10.2009); as amended by Laws of the Republic of Kazakhstan dated 10.01.2011 No 383-IV (shall be enforced upon expiry of ten calendar days after first official

publication); and 01.04.2011 No 425-IV (shall be enforced from date of first official publication).

Article 23. Persons and organization carrying out expert examination

1. Scientific expert examination of draft regulatory legal acts shall be carried out by scientific institutions and higher education institutions in the appropriate field and by experts appointed from amongst researchers and experts depending on content of considering draft. The expert examination may be entrusted to one or more experts (commission of expert).

1-1. Draft laws, developed by state bodies of the Republic of Kazakhstan and subject to introduction to the Parliament of the Republic of Kazakhstan shall undergo scientific linguistic expert examination to determine authenticity of Kazakh and Russian texts, carried out by an authorized organization.

2. Comprehensive expert examinations of experts of different specialities, or independent expert examinations of different types, and where necessary repeat expert examinations, may be carried out on drafts.

3. The experts commissioned shall be organizations and persons, not directly participating in preparation of draft.

4. The experts commissioned may be specialists from other countries and international organizations.

The draft may be referred for scientific expert examination to foreign and international organizations.

Footnote. Article 23 as amended by Laws of the Republic of Kazakhstan dated 10.01.2011 No 383-IV (shall be enforced upon expiry of ten calendar days after first official publication).

Article 24. Initiative when sending draft of regulatory legal acts for expert examination

1. The decision to carry out expert examinations of draft regulatory legal acts may be taken by:

1) the President of the Republic of Kazakhstan or, under his instruction, the Head of the Presidential Administration of the Republic of Kazakhstan, Deputies of the Parliament of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, introducing a draft in the Mazhilis according to the legislative initiative procedure;

2) an authorized body;

3) civil servants or structural subdivisions of an authorized body, if such right is granted to this body or these persons and structural subdivisions by other legislation.

2. When the draft regulatory legal act is prepared on a contractual basis (paragraphs 6 and 7 of Article 14 of this Law), an expert examination of the draft may be carried out by decision of its originator.

Footnote. Article 24 as amended by Laws of the Republic of Kazakhstan dated 04.07.2008 No 57-IV (the order of enforcement see Article 2); and 01.04.2011 No 425-IV (shall be enforced from date of first official publication).

Chapter 5. Procedure of adoption and enforcement of regulatory legal act

Article 25. Determination of procedure of adoption of regulatory legal acts

1. The procedure for adoption of regulatory legal acts shall be determined by the Constitution of the Republic of Kazakhstan and by this Law.

2. Special aspects of the procedure of adoption of different types of regulatory legal acts shall also be determined:

1) for Codes: by this Law.

Codes and amendments and supplements thereto shall be adopted after not less than two readings by continuous consideration in separate sittings of chambers of the Parliament of the Republic of Kazakhstan;

2) for Laws: by the Constitution of the Republic of Kazakhstan, the legislative acts concerning the Parliament of the Republic of Kazakhstan and the President of the Republic of Kazakhstan, referendum, other legislative acts, and procedures of the Parliament and its chambers;

2-1) for regulatory resolutions of the Parliament and its chambers: by the Constitution of the Republic of Kazakhstan and legislative acts concerning the Parliament of the Republic of Kazakhstan;

3) for edicts of the President of the Republic of Kazakhstan: by the Constitution of the Republic of Kazakhstan, legislative acts on the President of the Republic of Kazakhstan, and acts of the President of the Republic of Kazakhstan regulating this procedure;

4) for regulations of the Government of the Republic of Kazakhstan: by the Constitution of the Republic of Kazakhstan, and legislative acts concerning the Government, acts of the President and the Government of the Republic of Kazakhstan;

5) for regulatory legal acts of the central executive and other central state bodies included and not included in the composition of the Government of the Republic of Kazakhstan, and the National Bank of the Republic of Kazakhstan: by legislative acts concerning the Government and these bodies, acts of the President and the Government

of the Republic of Kazakhstan, edicts of the President of the Republic of Kazakhstan, and regulations of the Government of the Republic of Kazakhstan, regulating the activity of these bodies;

6) for regulatory resolutions of the Constitutional Council of the Republic of Kazakhstan: by the legislative acts concerning the Constitutional Council of the Republic of Kazakhstan;

7) for regulatory resolutions of the Supreme Court of the Republic of Kazakhstan: by the legislation concerning the courts of the Republic of Kazakhstan;

8) for the regulatory resolutions of the Central Elective Commission (commission on holding of referendum): by legislative acts concerning elections and referendum;

8-1) *Excluded – dated 27 July 2007, No 315;*

9) for regulatory decisions of local representative and executive bodies: by legislative acts concerning these bodies, other legislative acts, and acts of the President and the Government of the Republic of Kazakhstan.

3. Adoption of regulatory legal act by an authorized body shall be allowed only in the cases, when the competence of authorized body on adoption of this act expressly provided by the legislation of the Republic of Kazakhstan.

Footnote. Article 25 as amended by Laws of the Republic of Kazakhstan dated 06.03.2002 No 298; 16.06.2004 No 566; and 27.07.2007 No 315 (shall be enforced from date of official publication).

Article 26. Procedure of enforcement of regulatory legal act

1. The procedure of enforcement of regulatory legal acts may be determined by the regulatory legal act.

2. The procedure of enforcement of Laws and Codes, shall be determined in these Laws (Codes) or by separate Laws.

Article 27. Recognition of amendments and supplements to regulatory legal acts and parts thereof as having lost force in connection with adoption of new regulatory legal act

Footnote. Article 27 is excluded by Law of the Republic of Kazakhstan dated 01.04.2011 No 425-IV (shall be enforced from date of first official publication).

Article 28. Introduction of amendments and supplements to current regulatory legal acts

Footnote. Article 28 is excluded by Law of the Republic of Kazakhstan dated 01.04.2011 No 425-IV (shall be enforced from date of first official publication).

Article 29. Persons authorized to sign regulatory legal acts

1. Official texts of regulatory legal acts shall be signed by the following civil servants:

1) The Constitution, Constitutional Laws, Codes, Laws of the Republic of Kazakhstan, edicts of the President of the Republic of Kazakhstan, and edicts having force of Constitutional Law or Law: by the President of the Republic of Kazakhstan;

2) regulations of the Parliament of the Republic of Kazakhstan: by the dean of the Mazhilis;

3) regulations of the Government of the Republic of Kazakhstan: by the Prime Minister of the Republic of Kazakhstan;

4) decisions of maslikhat: by the dean of the session of maslikhat;

5) regulations of akimat, decisions of akim: by the akim;

6) other regulatory legal act, by the dean of body adopting (issuing) it.

2. On adoption of a derived regulatory legal act by a basic regulatory legal act (paragraph 4 of Article 3 of this Law), only the basic regulatory legal act shall be signed by an authorized person.

Footnote. Article 29 as amended by Laws of the Republic of Kazakhstan dated 06.03.2002 No 298; and 29.06.2007 No 271 (shall be enforced from date of official publication).

Article 29-1. Legal succession in reference To adopted regulatory legal acts

In the event of reorganization of state body empowered to adopt regulatory legal acts, the legal successor empowered within its competence to adopt regulatory legal acts shall acquire the powers to amend, terminate and suspend the activity of regulatory legal acts.

Footnote. Chapter 5 is supplemented by Article 29-1 in accordance with Law of the Republic of Kazakhstan dated 01.04.2011 No 425-IV (shall be enforced from date of first official publication).

Chapter 6. Publication of regulatory legal acts

Article 30. Obligation to officially publish regulatory legal acts

1. All laws and international treaties in which Republic of Kazakhstan participates shall be published. Official publication of regulatory legal acts concerning rights, freedoms and obligations of citizens, shall be a compulsory condition of their adoption.

The official publication shall be the Accounts of the Parliament of the Republic of Kazakhstan, Collection of Acts of the President of the Republic of Kazakhstan and the

Government of the Republic of Kazakhstan, and “News of the National Bank of the Republic of Kazakhstan”, known in Kazakh as “Қазақстан Ұлттық Банкінің Хабаршысы”.

2. Regulatory legal acts shall be officially published in periodical print publications given the right on a competition basis according to the procedure determined by the Government of the Republic of Kazakhstan, with reference to regulatory legal acts of state bodies mentioned in subparagraph 4) of paragraph 2 of Article 36 of this Law, and on the web-site, determined by the Government of the Republic of Kazakhstan.

3. Regulatory legal acts shall be officially published within thirty calendar days of their enforcement.

4. Subsequent official publication of texts of regulatory legal acts shall be in printed publications according to the procedure determined by the Government of the Republic of Kazakhstan, and subject to passing of expert examinations on consistency between texts published by them and the reference control bank of regulatory legal acts of the Republic of Kazakhstan.

Judicial bodies shall monitor observance of the established procedure for subsequent official publication of texts of regulatory legal acts.

The procedure for granting the right to make subsequent official publications of texts of regulatory legal acts shall not extend to the official editions mentioned in the second part of paragraph 1 of this Article; they shall make independent decisions regarding the need for official publication of texts of regulatory legal acts.

5. Law enforcement practices shall use official publications of regulatory legal acts.

6. Unofficial publication of regulatory legal acts shall be allowed only after their official publication.

Footnote. Article 30 is in the wording of Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 31. Official publication of legislative acts

1. Legislative acts of the Republic of Kazakhstan shall be officially published in the Accounts of the Parliament of the Republic of Kazakhstan, and in other printed publications according to the procedure determined by Article 30 of this Law.

2. Official publication of legislative acts may be made only in periodical printed publications, distributed over the whole territory of the Republic of Kazakhstan.

Footnote. Article 31 is in the wording of Law of the Republic of Kazakhstan dated 06.03.2002 No 289 (shall be enforced from 1 January 2002).

Article 32. Official publication of edicts of the President of the Republic of Kazakhstan and regulations of the Government of the Republic of Kazakhstan

1. Edicts of the President of the Republic of Kazakhstan and regulations of the Government of the Republic of Kazakhstan shall be officially published in the Collection of Acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, and in other printed publications according to the procedure determined by Article 30 of this Law.

2. Official publication of the edicts of the President of the Republic of Kazakhstan and regulations of the Government of the Republic of Kazakhstan shall be made only in periodical printed publications distributed over the whole territory of the Republic of Kazakhstan.

Footnote. Article 32 is in the wording of Law of the Republic of Kazakhstan dated 06.03.2002 No 298 (shall be enforced from 1 January 2002).

Article 33. Official publication of regulatory legal acts of the central executive and other central state bodies of the Republic of Kazakhstan

1. Official publication of regulatory legal acts of the central executive and other central state bodies shall be made on a web-site, determined by the Government of the Republic of Kazakhstan, in graphic format fully consistent with signed originals, and in periodical printed publications distributed over the whole territory of the Republic of Kazakhstan, according to the procedure determined by Article 30 of this Law.

2. Copies of registered regulatory legal acts of the central executive and other central state bodies on electronic media, with copy of the paper copy attached and authenticated by the common seal, shall be sent for official publication during the ten calendar days after its state registration with the judicial bodies of the Republic of Kazakhstan, by the bodies representing it in such registration.

Footnote. Article 33 is in the wording of Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 34. Official publication of regulatory legal decisions of maslikhats, regulatory legal resolutions of akimats and regulatory legal decisions of akims

1. Official publication of regulatory legal decisions of maslikhats, regulatory legal resolutions of akimats and regulatory legal decisions of akims shall be made on a web-site determined by the Government of the Republic of Kazakhstan, in graphics

format fully consistent with signed originals, and in periodical print publications distributed over the whole territory of the Republic of Kazakhstan, according to the procedure determined by Article 30 of this Law.

2. Copies of registered regulatory legal decisions of maslikhats, regulatory legal resolutions of akimats and regulatory legal decisions of akims on electronic media with copy of paper copy attached, and authenticated by the common seal shall be sent for official publication during the ten calendar days after its state registration with the judicial bodies of the Republic of Kazakhstan, by the bodies representing it in such registration.

Footnote. Article 34 is in the wording of Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 35. Inadmissibility of incomplete publication of regulatory legal acts

Incomplete official publication of regulatory legal acts, except for regulatory legal acts containing state secrets and other legally protected secrets, shall not be allowed.

Article 35-1. Control of publication of regulatory legal acts of central and local state bodies

1. The Ministry of Justice of the Republic of Kazakhstan and its territorial bodies shall control the publication of regulatory legal acts of central and local state bodies.

2. The procedure controlling publication of regulatory legal acts of central and local state bodies shall be determined by the Government of the Republic of Kazakhstan.

Footnote. Chapter 6 is supplemented by Article 35-1 in accordance with Law of the Republic of Kazakhstan dated 06.03.2002 No 298 (shall be enforced from 1 January 2002).

Chapter 7. Effect of regulatory legal acts in terms of time, space and persons

Article 36. Date of entering into force and enforcement of regulatory legal act

1. Regulatory legal acts, except for regulatory legal acts mentioned in the second part of this paragraph, shall enter into force after their signature.

Regulatory legal acts subject to state registration with judicial bodies in accordance with Article 38 of this Law shall enter into force from date of state registration.

2. Regulatory legal acts shall enter into force in the following times:

1) legislative acts of the Republic of Kazakhstan, except for regulations of the Parliament of the Republic of Kazakhstan and its chambers, regulatory legal edicts of the President of the Republic of Kazakhstan and regulatory legal regulations of the Government of the Republic of Kazakhstan: upon expiry of ten calendar days from date of first official publication, unless these acts or the acts bringing them into effect specify otherwise;

2) regulations of the Parliament of the Republic of Kazakhstan and its chambers and regulatory resolutions of Supreme Court of the Republic of Kazakhstan: from date of first publication, unless these acts specify otherwise;

3) regulations of the Constitutional Council of the Republic of Kazakhstan: from date of adoption;

4) regulatory legal orders of Ministers of the Republic of Kazakhstan and other heads of central state bodies, regulatory legal resolutions of central state bodies, regulatory resolutions of the Central Elective commission, regulatory legal decisions of maslikhats, as well as regulatory legal resolutions of akimats and regulatory legal decisions of akims: upon expiry of ten calendar days from date of first official publication, unless these acts specify otherwise;

5) *excluded by Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after first official publication).*

3. Regulatory legal acts or acts bringing them into effect may specify other enforcement times for separate sections, chapters, articles, parts, points, sub-points and paragraphs of articles of regulatory legal acts, to those established for the act as a whole.

4. Regulatory legal act providing for legal liability for actions that did not previously involve such responsibility, or establishing stricter liability in comparison with previous liability, may not be enforced before expiry of the ten-day term following official publication of this act.

4-1. Regulatory legal acts confirming the qualifying requirements for separate types (subtypes) of activity, the list of documents confirming compliance with qualifying requirements, and the lists of commodity items, export and import of which is subject to licensing, may not be enforced before expiry of the ten-day term following official publication of these acts.

5. If due to its large volume the text of a regulatory legal act is published in several issues of a periodical print publication, the day of official publication shall be the day of publication of the concluding part of the regulatory legal act text.

Regulatory legal acts shall be officially published in Kazakh and Russian simultaneously.

6. Official publication shall be a compulsory condition for enforcement of regulatory legal acts concerning the rights, freedoms and duties of citizens.

7. Regulatory legal acts containing state secrets of the Republic and other legally protected secrets shall be enforced from the date of adoption or within the periods mentioned in this act.

8. All regulatory legal acts shall indicate the time of their introduction into force, taking account of the regulations of this Article.

Footnote. Article 36 is in the wording of Law of the Republic of Kazakhstan dated 16.06.2004 No 566; as amended by Laws of the Republic of Kazakhstan dated 31.01.2006 No 125 (the order of enforcement see Article 2); 12.01.2007 No 222 (enforced upon expiry of six months after official publication); 29.06.2007 No 271 (shall be enforced from date of official publication); 27.07.2007 No 315 (shall be enforced from date of official publication); 15.07.2011 No 461-IV (shall be enforced from 30.01.2012); and 10.07.2012 No 36-V (shall be enforced upon expiry of ten calendar days after first official publication); and by Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 37. Retroactive force of regulatory legal act

1. The effect of a regulatory legal act shall not extend back to relations arising before its enforcement.

2. Exceptions to the rules of paragraph 1 of this Article shall be cases in which retroactive force of a regulatory legal act or part thereof is provided by them by an enforcing a regulatory legal act, and when this last eliminates or reduces liability for a breach of law, provided for earlier.

3. Regulatory legal acts that establishing or increase liability, place new responsibility on citizens or complicate their situation, shall not have retroactive force.

Article 38. State registration of regulatory legal acts the central executive and other central state bodies and maslikhats, akimats and akims, and conditions for their entry into force

1. Regulatory legal acts of state bodies, mentioned in subparagraph 4) of paragraph 2 of Article 36 of this Law, except for regulatory resolutions of the Constitutional Council and Supreme Court of the Republic of Kazakhstan and acts containing state secrets, shall be subject to state registration with the judicial bodies of the Republic of Kazakhstan. Such registration shall be a necessary condition for their entry into force.

Acts brought before judicial bodies shall be registered by conducting a legal analysis regarding availability of provisions of law, consistency of acts with Kazakh

legislation, and introduction into Register of state registration of regulatory legal acts with assignment of state registration number.

Non-registered regulatory legal acts shall not have legal force and be repealed by the bodies issuing them if the decision of judicial bodies is not appealed against according to established procedure.

2. Judicial bodies shall refuse state registration of regulatory legal acts that:

- 1) impede the rights and freedom of citizens, established by law;
- 2) breach the legal interests of legal entities;
- 3) contravene higher regulatory legal acts;
- 4) are outside the competence of bodies, issuing regulatory legal acts;
- 5) are not agreed by the interested bodies;

6) affect the interests of free enterprise subjects and do not the attached expert reports presented by accredited associations of free enterprise subjects;

7) are adopted in breach of the procedure established by state registration rules and without the formulation and coordination of regulatory legal acts subject to state registration.

3. Refusal to register a regulatory legal act subject to state registration may be appealed against by the interested body in judicial proceedings.

4. Rules concerning the formulation, coordination and state registration of regulatory legal acts shall be established by the Government of the Republic of Kazakhstan.

Footnote. Article 38 is in the wording of Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 39. Duration of regulatory legal act

1. Regulatory legal acts shall be in force without limit of time, unless the act or the act bringing it into effect provides otherwise.

2. Temporary duration may be established for all regulatory legal acts or particular part(s) thereof. In this case, the duration of the regulatory legal act or part thereof shall be indicated. The organisation issuing the act may, before expiry of this period, extend its force for a further or unlimited period.

Article 40. Suspension and termination of effect of regulatory legal acts

1. The effect of regulatory legal acts and their individual regulations may be suspended for a specified period. The effect of regulatory legal act or its separate regulations shall be suspended by a separate regulatory legal act.

2. The effects of regulatory legal act (or part(s) thereof) shall terminate in the following cases:

- 1) expiration of period for which the act or part(s) thereof was adopted;
- 2) adoption of a new regulatory legal act that contravenes the provisions of the previously issued regulatory legal act or part(s) thereof, absorbs a previously issued act or part(s) thereof;
- 3) recognition of adopted act as unconstitutional according to the procedure established by the Constitution of the Republic of Kazakhstan;
- 4) recognition that an act or part(s) thereof have lost force, by the bodies adopting this act or other duly authorized bodies.

3. Regulatory legal act terminating or suspending the effect of another regulatory legal act shall be published according to the procedure provided for by this Law.

Footnote. Article 40 as amended by Laws of the Republic of Kazakhstan dated 06.03.2002 No 298; 16.06.2004 No 566; and 31 January, 2006 No 125 (the order of enforcement see Article 2).

Article 41. Effect of regulatory legal acts in space

1. Regulatory legal acts of the Republic of Kazakhstan adopted by the President of the Republic of Kazakhstan, the Parliament of the Republic of Kazakhstan, the central executive and other central authorized bodies, shall be effective over the whole territory of the Republic of Kazakhstan, unless these regulatory legal acts or acts enforcing them establish otherwise.

2. Regulatory legal acts adopted by local representatives and executive bodies, shall be effective in the relevant territory.

Article 42. Effect of regulatory legal acts on persons

1. Regulatory legal acts of the Republic of Kazakhstan shall apply to citizens and legal entities of the Republic of Kazakhstan, and to foreigners and persons without citizenship located in its territory, except for cases provided for by legislative acts and international treaties ratified by the Republic of Kazakhstan.

2. Diplomatic representatives and certain other employees of state bodies of foreign states and international organizations shall be subject to Kazakh regulatory legal acts within the limits provided by international treaties and generally recognized principles and regulations of international law (diplomatic immunity).

Article 43. Measures to ensure legality of regulatory legal acts

1. Legality of regulatory legal acts shall be ensured by the following actions:

- 1) bringing of regulatory legal act into compliance with the Constitution and Law;
- 2) suspension of effect of regulatory legal act in established manner;
- 2-1) legal monitoring of regulatory legal acts;
- 3) check to ensure compliance of regulatory legal acts with laws on state registration.

2. In accordance with the competence established by the Constitution of the Republic of Kazakhstan and other legislative acts, the bodies and state civil servants ensuring legality of regulatory legal acts shall be:

- 1) the Constitutional Council of the Republic of Kazakhstan;
- 2) the courts;
- 3) the General Prosecutor of the Republic of Kazakhstan and prosecutors subordinated to him/her.
- 4) Ministry of Justice of the Republic of Kazakhstan and its territorial bodies;
- 5) State bodies – with reference to regulatory legal acts adopted by lower bodies;
- 6) authorized bodies adopting and/or developing sub-legislative regulatory legal acts: with reference to sub-legislative regulatory legal acts adopted and/or developed by them.

Footnote. Article 43 as amended by Laws of the Republic of Kazakhstan dated 31.01.2006 No 125 (the order of enforcement see Article 2); and 01.04.2011 No 425-IV (shall be enforced from date of first official publication).

Article 43-1. Legal monitoring of regulatory legal acts

Footnote. Title of Article 43-1 amended by Law of the Republic of Kazakhstan dated 01.04.2011 No 425-IV (shall be enforced from date of first official publication).

1. Authorized bodies shall carry out legal monitoring of regulatory legal acts adopted and/or developed by them, and shall take timely action to introduce amendments and/or supplements to them or declare that they have lost force.

2. The rules for legal monitoring of regulatory legal acts shall be confirmed by the Government of the Republic of Kazakhstan.

Footnote. Chapter 7 is supplemented by Article 43-1 in accordance with Law of the Republic of Kazakhstan dated 31.01.2006 No 125 (the order of enforcement see Article 2) as amended by Law of the Republic of Kazakhstan dated 01.04.2011 No 425-IV (shall be enforced from the date of its first official publication).

Article 43-2. Social monitoring of regulatory legal acts

The National Chamber of Entrepreneurs of the Republic of Kazakhstan shall conduct social monitoring of regulatory legal acts that affect the interests of free enterprise subjects.

Footnote. Chapter 7 is supplemented by Article 43-2 in accordance with Law of the Republic of Kazakhstan 04.07.2013 No 130-V (shall be enforced upon expiry of ten calendar days after first official publication).

Chapter 8. Official interpretation of regulatory legal acts

Article 44. Cases and conditions of official interpretation of regulatory legal acts

1. If ambiguity or difference of understanding is discovered in regulatory legal acts, an official interpretation of the meaning of legal regulations in the regulatory acts may be given.

2. During the official interpretation of regulatory legal acts, no introduction of amendments or supplements into them shall be allowed.

3. Regulations of legislative acts shall be interpreted in full consistency with provisions of the Constitution of the Republic of Kazakhstan.

4. The sense of sub-legislative regulatory legal acts, during their interpretation, shall be explained in full compliance with legislative acts.

5. The official interpretation of regulatory legal acts shall be binding in terms of the realization and application of the legal regulations contained within them.

Footnote. Article 44 as amended by Law of the Republic of Kazakhstan dated 31.01.2006 No 125 (the order of enforcement see Article 2).

Article 45. State bodies providing official interpretation of regulatory legal acts

1. The Constitutional Council of the Republic of Kazakhstan shall give an official interpretation of the regulations of the Constitution.

2. Official interpretation of sub-legislative acts shall be given by bodies or civil servants adopting (issuing) them.

Chapter 9. Systematization of regulatory legal acts

Article 46. Systematization of regulatory legal acts

1. State bodies adopting regulatory legal acts shall maintain a systematic record of these acts, check copies of acts adopted by them, and introduce all current amendments and supplements in good time.

2. The procedure for maintaining the systematic record of regulatory legal acts of state bodies shall be determined by the Government of the Republic of Kazakhstan.

Footnote. Article 46 as amended by Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after first official publication).

Article 47. State recording of regulatory legal acts

1. Judicial bodies of the Republic of Kazakhstan shall carry out state recording of regulatory legal acts. State recording shall involve centralized gathering of these acts, introduction of a State register of regulatory legal acts of the Republic of Kazakhstan, and a reference control centre of regulatory legal acts of the Republic of Kazakhstan.

The Government of the Republic of Kazakhstan shall determine the procedure for introducing the State register of regulatory legal acts of the Republic of Kazakhstan and the reference control centre of regulatory legal acts of the Republic of Kazakhstan.

The state bodies shall send copies of regulatory legal acts to the judicial bodies of the Republic of Kazakhstan, subject to inclusion in the State register of regulatory legal acts of the Republic of Kazakhstan, in printed and electronic form, authenticated with the seal of the state body or certified by electronic digital signature.

2. The Ministry of Justice of the Republic of Kazakhstan shall create a unified system of legal information and assist ministers and other central state bodies in communication work.

Footnote. Article 47 in wording of Law of the Republic of Kazakhstan dated 21.10.2005 No 81 (shall be enforced from the date of official publication); as amended by Law of the Republic of Kazakhstan dated 29.06.2007 No 271 (shall be enforced from the date of official publication).

Article 48. Publicity of regulatory legal acts

All authorized bodies shall grant access to interested persons for examination of adopted regulatory legal acts, except for those that contain state or legally protected secrets.

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