

On countering terrorism

Unofficial translation

The Law of the Republic of Kazakhstan dated 13 July, 1999 No. 416.

Unofficial translation

Footnote. Title is in wording of the Law of the Republic of Kazakhstan dated 08.04.2010 No. 226-IV (order of enforcement see Article 2).

This Law establishes principles, purpose, legal and organizational bases of countering the terrorism.

Footnote. Preamble is in wording of the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Footnote. Through the whole text, the word “terrorist sabotage” is substituted respectively by the word “act of terrorism” in accordance with the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Chapter 1. General provisions Article 1. Basic definitions used in this Law

The following basic definitions are used in this Law:

1) objects of mass congestion of people - objects of public catering, transport infrastructure (in the field of automobile and urban rail transport), as well as trade, sports, entertainment facilities, concert halls and other public buildings, educational and healthcare organizations, places of accommodation for tourists;

2) a subdivision of special assignment - subdivision formed for prevention of terrorism acts;

3) a hostage - individual, captured and (or) detained with purpose of concussion of the state body, the body of local self-government or the international organization to commit any action or to abstain from commitment of any action as condition of release of captured and (or) detained person;

3-1) guarded objects - buildings, structures and facilities intended for the stay of protected persons, other buildings, structures and facilities protected by the State Security Service of the Republic of Kazakhstan, as well as the adjacent territory and water area;

4) an ideology of violence - system of public theories, viewpoints and ideas are justifying a violence as well as with appliance of terroristic methods and facilities for achieving of political, religious, ideological and other purposes;

5) a terrorism - ideology of violence and practice of influence on making a decision by the state bodies, the bodies of local self-government or the international organizations by

committing or threat of committing of violent and (or) other criminal actions, linked with deterrence of public and directed on inflicting of damage to person, public and the state;

6) an act of terrorism - commitment or threat of committing of detonation, burning or other actions, creating danger of people death, inflicting of extensive property damage or ensuing of injurious to the public consequences, if these actions were committed in purpose of infraction of public safety, deterrence of population or rendering of influence on making decisions by the state bodies of the Republic of Kazakhstan, the foreign states or the international organizations as well as infringement on life of human, committed in the same purposes, and equally infringement on life of the state or public figure is committed in purpose of cancellation of his (her) state or other political activity or out of revenge for the such activity;

6-1) the call to commit an act of terrorism is an appeal expressed publicly or reflected in the distributed information material, affecting the consciousness, will and behavior of an individual with a view to inducing him to commit an act of terrorism;

7) an antiterrorist action - complex of special measures with appliance of physical force, service dogs, warlike and other equipment, weapon and special facilities on prevention, suppression of the act of terrorism, disarmament of terrorists, explosive devices, provision of safety of individuals and organizations as well as on minimization and (or) liquidation of consequences of acts of terrorism.

Protective measures on provision of safety of secured persons shall be performed within the antiterrorist actions on decision of the head of the Service of the state security of the Republic of Kazakhstan in accordance with this Law.

8) a legal regime of antiterrorist action - special regime of functioning of the state bodies, carrying out countering the terrorism, upon which in the zone of performance of antiterrorist actions shall be admitted the establishment of separate measures, temporary restrictions right of rights and freedom of citizens as well as rights of legal entities on period of performance of antiterrorist actions;

9) a zone of performance of antiterrorist actions - particular sectors of the terrain or water area, air area, motor vehicle, building, structure, construction, premise and adjoining to them territories are defined be head of antiterrorist actions, within of which the stated action shall be performed;

10) countering the terrorism - activity of the state bodies and the bodies of local self-government on:

prevention of terrorism;

detection, suppression of terroristic activity, detection and investigation of terroristic crimes;

minimization and / or liquidation of the consequences of terrorism by rendering of emergency medical assistance, medical and psychological accompaniment, performance of rescue and fire prevention measures, the restoration of normal functioning and ecological

safety of the objects exposed to terrorist attack, social rehabilitation of persons who suffered as a result of the act of terrorism and persons, who participated in its suppression, compensation of moral and material harm to the persons who suffered in the result of act of terrorism;

11) the authorized state body on coordination of activity in the scope of countering the terrorism - the state body is carrying out the interdepartmental coordination of activity in the scope of countering of terrorism within its powers;

12) financing of terrorism is provision or collection of money and (or) other property, a right to property or benefits of a property nature, as well as granting, exchange, donations, charity, provision of information and other services or provision of financial services to an individual or group of individuals, or a legal entity committed by a person who were knowingly aware of the terroristic nature of their activities or that the provided property, information, financial and other services would be used for carrying out terroristic activity or providing terroristic group, a terroristic organization, an illegal paramilitary group;

13) a prevention of terrorism - complex of legal, economic, social, organizational, educational, propagandistic and the other measures are carried out by the state and the local executive bodies on detection, examination, elimination of reasons and conditions are promoting to uprising and expansion of the terrorism;

14) a terrorist - person is participating in carrying out of terroristic activity;

14-1) terroristic materials - any information materials containing information on the ways and means of committing an act of terrorism, as well as signs and (or) calls for carrying out terroristic activities, or substantiating and justifying the need for such activities;

15) A terroristic group is an organized group with the aim of committing one or more terroristic crimes;

16) terrorist-vulnerable objects - especially important state, strategic, hazardous production facilities, as well as objects of economic sectors of strategic importance, objects of mass congestion of people, protected objects that require mandatory organization of anti-terrorist protection;

16-1) anti-terrorist security of objects vulnerable to terrorists - the state of objects vulnerable to terrorists, characterized by the presence of conditions that prevent the commission of an act of terrorism, as well as ensuring the minimization and elimination of consequences in the event of its commission;

16-2) anti-terrorist protection of objects vulnerable to terrorism - a set of legal, organizational measures and technical means aimed at ensuring anti-terrorist protection of objects;

17) a terroristic organization - organization is carrying out the terroristic activity or admitting the possibility of use in its activity of terrorism in relation of which the decision of the court on admitting it as terroristic is enforced;

18) terroristic activity is carrying out of any of the following actions:

organization, planning, preparing, financing and realization of the act of terrorism;
incitement to the act of terrorism;

organization of illegal paramilitary force, criminal community (criminal organization), organized group in purpose of commitment of the act of terrorism, as well as participation in the such structures;

recruiting or training or arming persons for the purpose of organising terrorist activities;

informational and the other collusion in organization, planning, preparing and commitment of the act of terrorism;

propaganda of terrorist ideas, spreading of terrorist materials, including via mass media or telecommunication networks, and public calls to commit an act of terrorism;;

rendering of financial, legal assistance or the other contribution to the terrorist as well as organization, activity of which is admitted as terroristic in accordance with the legislation of the Republic of Kazakhstan, with recognition of the fact than stated actions will be used for carrying out of the terroristic activity or provision of the terroristic organization;

mercenarism;

establishing bases (camps) for the training of mercenaries;

attack on internationally protected persons or organizations;

infringement on life of the President of the Republic of Kazakhstan;

sabotage;

undergoing terrorist training, including travelling to a place of training to participate in terrorist activities;

taking a hostage;

attacking or seizing buildings, facilities, means of communication and communication;

the hijacking or seizure of an aircraft, vessel or railway rolling stock.

Footnote. Article 1 is in wording of the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 04.07.2014 No. 233-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.11.2014 № 244-V (the order of enforcement see Art. 2); dated 16.11.2015 № 403-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 13.05.2020 No. 325-VI (shall be enforced six months after the day of its first official publication); No. 131-VII of 01.07.2022 (shall enter into force sixty calendar days after the date of its first official publication); dated 23.12.2023 No. 51-VIII (shall be enforced ten calendar days after the date of its first official publication).

Article 2. Legislation of the Republic of Kazakhstan on the countering of the terrorism

1. The legislation of the Republic of Kazakhstan on the countering of the terrorism shall base of the Constitution of the Republic of Kazakhstan and consist of this Law and the other regulatory legal acts of the Republic of Kazakhstan.

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

Footnote. Article 2 is in wording of the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Article 3: Purpose, objectives and principles of countering terrorism

1. The purpose of countering terrorism in the Republic of Kazakhstan shall be protection of the individual, society and the state from terrorism.

2. The tasks of countering terrorism shall be:

1) prevention of terrorism;

2) detection, suppression of terrorist activity, disclosure and investigation of terrorist crimes;

3) minimization and (or) elimination of the consequences of terrorism by providing emergency medical assistance, medical and psychological support, rescue and firefighting measures, restoration of normal functioning and environmental safety of the objects affected by terrorism, social rehabilitation of persons who have suffered as a result of an act of terrorism and persons who participated in its suppression, compensation for moral and material damage to persons who have suffered from an act of terrorism.

3. Countering terrorism in the Republic of Kazakhstan shall be based on the following principles:

1) ensuring and protecting the rights and freedoms of man and citizen, priority protection of life and health, rights and legitimate interests of persons exposed to danger as a result of terrorist offenses;

2) observance of the rule of law;

3) proportionality of counter-terrorism measures to the degree of terrorist danger;

4) priority of terrorism prevention;

5) inevitability of punishment for carrying out terrorist activities;

(6) Systematic and comprehensive use of political, informational, and legal measures to counter terrorism;

7) unity of command in the operational management of the forces and means involved during the anti-terrorist operation;

8) combination of open and covert methods of countering terrorism;

9) ensuring limited access to information about tactics, forms, methods, means and composition of participants in anti-terrorist operations.

Footnote. Article 3 as amended by the Law of the Republic of Kazakhstan dated 23.12.2023 No. 51-VIII (shall be enforced ten calendar days after the date of its first official publication).

Chapter 2. Bases of organization of the countering of terrorism

Footnote. Title of Chapter 2 is in wording of the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Article 4. Nationwide system of the countering of the terrorism

1. The subject of provision of the safety from infringement of the terrorists is the state.
2. The President of the Republic of Kazakhstan shall:
 - 1) to determine the basic directions of the state policy in the scope of the countering of the terrorism;
 - 2) establish the rules of organization and functioning of the system of monitoring of the information and notification of the population on uprising of the threat of the act of the terrorism in purpose of timely informing of the population on uprising of the threat of the act of the terrorism and organization of the activity on the countering of its commitment, is carried out by the state bodies and the bodies of local self-government;
 - 3) establish the provision of the Antiterrorist center of the Republic of Kazakhstan;
 - 4) establish the typical provision on the antiterrorist commissions;
 - 5) Approves the regulations on the republican provincial and city of the republican importance, the capital, the district (reginal city) and the maritime operational headquarters for combating terrorism;
 - 6) approves the instruction on the procedure for the use by the Armed Forces of the Republic of Kazakhstan of weapons, military equipment and special means to suppress acts of terrorism in the airspace, in internal and territorial waters, in the fishing zone, on the continental shelf of the Republic of Kazakhstan, while ensuring the safety of navigation;
 - 7) carry out the other powers in accordance with the Constitution and the Laws of the Republic of Kazakhstan.
3. The Government of the Republic of Kazakhstan shall:
 - 1) organize provision of activity if the state and local executive bodies on the countering of terrorism by the necessary forces, facilities and resources;
 - 2) organize elaboration and carrying out of the measures on prevention of the terrorism, minimization and (or) liquidation of the consequences of the terrorism;
 - 3) determine the order of organization of the activity in the scope of the countering of terrorism in the Republic of Kazakhstan;
 - 4) approve the rules and criteria for classifying objects as vulnerable to terrorism, requirements for organizing anti-terrorist protection of objects vulnerable to terrorism;
 - 5) establish the rules of cooperation of the bodies of Internal Affairs, National Security, prosecution office and the Agency of the Republic of Kazakhstan on case if religion on the countering of the religious extremism and terrorism in the special and correctional institutions ;

6) establish the rules of compensation of harm to the individuals and the legal entities is inflicted upon suppression of the act of the terrorism by the rightful actions of the civil servants of the state bodies are carrying out the countering of terrorism;

7) establish the rules of compensation of property harm is inflicted to the individuals and the legal entities in the result of the acts of the terrorism;

8) perform the other functions are imposed in it by the Constitution of the Republic of Kazakhstan in the scope of the countering of the terrorism.

4. The state bodies and the bodies of the local self-government shall carry out the countering the terrorism within its competence.

5. The authorized body on coordination of the activity in the scope of countering of terrorism in the Republic of Kazakhstan is the National Security Committee of the Republic of Kazakhstan which shall:

1) coordinate the activity of the state bodies and the bodies of the local self-government in the scope of the countering of the terrorism;

2) carry out control for realization by the state bodies and the bodies of the local self-government of the Republic of Kazakhstan of the complex of measures on perfection of the systems of security and readiness to the counteraction of the terroristic threats;

3) develop and approve, within the limits of authority, regulatory legal acts in the field of countering terrorism;

4) represent the annual report of applied measures on the countering of terrorism to the President of the Republic of Kazakhstan as well as carry out the current informing of the President and the Government of the Republic of Kazakhstan on the terroristic threats;

5) promote the increase of the level of the antiterrorist protection of objects are attackable in the terrorist relation by the informing of their heads on nature and specificity of the terroristic threats, elaboration of recommendations on the countering of the terrorism and antiterrorist protection, performance of practical antiterrorist trainings on the objects are attackable in the terrorist relation;

6) carry out the other functions are provided by this Law, the other Laws, acts of the President of the Republic of Kazakhstan.

Coordination of the activity of the state bodies in the scope of the countering of the terrorism shall be carried out by achieving of cooperation of these bodies, mutual exchange of the information and coherence of their activities for realization of general objectives and purposes.

Regulatory legal acts and the legal acts of the stated bodies may be issued for the realization of the decisions of the state bodies in the scope of countering the terrorism.

Coordination of activity shall be carried out by:

The bodies of the national security within permanently active the Antiterrorist center of the Republic of Kazakhstan which is created upon the authorized state body on coordination in the scope of countering the terrorism;

Akimats of oblast, city of republican significance, capital, district, (city of oblast significance) within the antiterrorist commissions which are created upon the local executive body of oblast, city of republican significance, capital, district, (city of oblast significance).

To ensure effective interaction of state bodies implementing counterterrorism, their authorized representatives are seconded or sent to the working body of the Antiterrorist Center of the Republic of Kazakhstan.

The procedure of seconding or sending of the authorized representatives of state bodies to the working body of the Antiterrorist Center of the Republic of Kazakhstan is determined by the provision on the Antiterrorist Center of the Republic of Kazakhstan.

Akims of oblast, city of republican significance, capital, district, (city of oblast significance) shall establish provision on antiterrorist commissions on base of typical provision on antiterrorist commissions.

6. The other state bodies may be involved upon necessity to the activity on countering the terrorism within their competence.

The local executive bodies shall coordinate the activity of territorial subdivisions of the central state bodies and the bodies of local self-government on prevention of terrorism as well as minimization and (or) liquidation of consequences of terrorism on the relevant territory through the antiterrorist commissions.

The legal acts of the bodies, representatives of which are included in the structure of the relevant commissions may be issued for the realization of their decisions.

Footnote. Article 4 is in wording of the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 13.02.2012 No. 553-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.11.2014 № 244-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 22.12.2016 № 28-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 12.07.2018 № 180-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); No. 325-VI dated May 13, 2020 (shall be enforced six months after the day of its first official publication); No. 11-VII dated February 23, 2021 (see Article 2 for the order of entry into force); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication); dated 23.12.2023 No. 51-VIII (shall be enforced ten calendar days after the date of its first official publication).

Article 5. Cooperation of the state bodies of the Republic of Kazakhstan are carrying out the countering the terrorism

Footnote. Title of Article 5 as amended by the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

The state bodies of the Republic of Kazakhstan are carrying out the countering the terrorism within their competence shall:

- 1) cooperate among themselves using the possibilities of the state bodies and organizations as well as contribution of the citizens;
- 2) inform on facts and attributes of preparing of actions are falling under the definition of the terroristic activity and relating to the competence of these state bodies and render the mutual necessary assistance;
- 3) perform the participatory antiterrorist actions.

Footnote. Article 5 as amended by the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Article 6. Cooperation of the state bodies of the Republic of Kazakhstan carrying out the countering the terrorism with the bodies of the foreign states and the international law-enforcement organizations

Footnote. Title of Article 6 as amended by the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

The state bodies of the Republic of Kazakhstan carrying out counterterrorism cooperate in the sphere of countering terrorism with the bodies of foreign states, international law enforcement organizations in accordance with national legislation and international treaties, conduct operational search and counterintelligence activities on the territory of the Republic of Kazakhstan or foreign countries in accordance with international treaties, ratified by the Republic of Kazakhstan.

The Republic of Kazakhstan shall pursue on its territory on require of the competent bodies of the other states the persons are accessorial to the terroristic activity, independently from place of commitment by them the act of terrorism.

Footnote. Article 6 as amended by the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2); dated 28.12.2016 № 36-VI (shall be enforced upon expiry of two months after the day its first official publication).

Chapter 3. Competence of the state bodies of the Republic of Kazakhstan are carrying out the countering the terrorism

Footnote. Title is in wording of the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Article 7. Competence of the state bodies of the Republic of Kazakhstan are carrying out the countering the terrorism

The state bodies shall carry out countering the terrorism within competence is established by the legislation of the Republic of Kazakhstan:

1) national security bodies of the Republic of Kazakhstan:

identify, prevent, suppress and investigate terrorist crimes, referred by the laws of the Republic of Kazakhstan to their jurisdiction;

carry out analysis and forecasting of terrorist threats;

organize antiterrorist operations;

counterintelligence measures to counteract terrorist activities;

cooperate with the relevant competent authorities of foreign states, as well as international organizations;

carry out intelligence activities in the field of countering terrorist and extremist organizations;

participate in ensuring the protection of foreign institutions of the Republic of Kazakhstan and their personnel from terrorist threats and determine the compliance of the anti-terrorist protection of foreign institutions of the Republic of Kazakhstan with the requirements provided for by the legislation of the Republic of Kazakhstan on countering terrorism;

develop and approve a list of facilities of the national security bodies of the Republic of Kazakhstan that are vulnerable to terrorism, according to their category;

2) bodies of internal affairs of the Republic of Kazakhstan:

identify, prevent, suppress and investigate terrorist crimes, referred by the laws of the Republic of Kazakhstan to their jurisdiction;

participate in antiterrorist operations;

control the state of anti-terrorist protection of objects vulnerable to terrorist, with the exception of military units and institutions of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, objects of special state bodies of the Republic of Kazakhstan, as well as protected objects and foreign institutions of the Republic of Kazakhstan;

approve, together with the authorized state body for coordinating activities in countering terrorism, a standard passport for anti-terrorism protection of objects vulnerable to terrorism;

coordinate, keep records, store and (or) destroy passports of anti-terrorist protection of objects vulnerable to terrorist, with the exception of passports of military units and institutions of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, objects of special state bodies of the Republic of Kazakhstan, as well as passports of protected objects and foreign institutions of the Republic of Kazakhstan;

3) State Security Service of the Republic of Kazakhstan:

ensures the security of the President of the Republic of Kazakhstan, other protected persons and objects subject to protection in accordance with the Law of the Republic of Kazakhstan "On the State Security Service of the Republic of Kazakhstan", organizes and conducts security measures;

develops and approves a list of objects of the State Security Service of the Republic of Kazakhstan that are vulnerable to terrorism, and establishes requirements for them for the organization of anti-terrorist protection according to their category;

have the right to establish additional requirements for the organization of anti-terrorist protection of objects that are vulnerable in relation to terrorism, intended for the stay of protected persons;

coordinates, keeps records, storage and (or) destruction of passports of anti-terrorist security of protected objects.

By decision of the head of the State Security Service of the Republic of Kazakhstan, anti-terrorist operations are carried out to ensure the security of protected persons;

4) Ministry of Defense of the Republic of Kazakhstan:

participates in ensuring the security of air, water and land space during anti-terrorist operations;

develops and approves a list of military units and institutions of the Ministry of Defense of the Republic of Kazakhstan that are vulnerable to terrorism, according to their category;

organizes anti-terrorist protection of military units and institutions of the Ministry of Defense of the Republic of Kazakhstan that are vulnerable to terrorism;

5) excluded by the Law of the Republic of Kazakhstan dated 13.05.2020 No. 325-VI (shall be enforced six months after the day of its first official publication);

6) the authorized body on financial monitoring of the Republic of Kazakhstan shall carry out the financial monitoring and apply the other measures on countering the financing the terrorism in accordance with the Law of the Republic of Kazakhstan “On countering the legalization (laundering) of incomes are received by the criminal way and financing the terrorism”;

7) the authorized body in the field of civil protection shall carry out measures to protect the population and territories from emergencies of technogenic nature arisen as a result of the committed act of terrorism, and also take part in liquidation of its consequences;

7-1), the authorized body in the field of industrial safety shall participate in monitoring the state of antiterroristic protection of hazardous production facilities;

8) the authorized body in the field of foreign policy ensures the implementation of the foreign policy of the Republic of Kazakhstan in the field of international cooperation in combating terrorism, develops and approves a list of foreign institutions of the Republic of Kazakhstan that are vulnerable to terrorism, according to their category;

9) the authorized body in the field of communication and information shall ensure promotion of socially significant values and interethnic harmony, and also counteract the spread of terrorism ideology in the information space of the Republic of Kazakhstan;

9-1) the authorized body in the field of culture shall ensure implementation of measures aimed at strengthening domestic political stability and interethnic harmony in the Republic of Kazakhstan;

10) the authorized body in the scope of protection of the environment shall participate in the measures on recovery of the normal functioning and ecological safety are subject to the terroristic influence of objects;

11) the authorized body in the sphere of state planning shall carry out the development and implementation of a set of measures aimed at forming main priorities for socioeconomic development of the Republic of Kazakhstan in order to prevent interethnic and inter-confessional conflicts and socio-economic preconditions for the manifestations of terrorism;

12) the authorized body in the scope of the development of the agricultural complex shall participate in the organization of monitoring of status of antiterrorist protection of hydrotechnical constructions, carry out the state veterinary and sanitary control and supervision, the state phytosanitary control for the physical protection of sources of the specially harmful organisms;

13) the authorized body in the scope of transport and commutations shall organize the operational provision of the interested state bodies by the information is necessary for solving of objectives on countering the terrorism on objects of transport and communication branch and provide the measures on their antiterrorist protection within their competence;

14) is excluded by the Law of the Republic of Kazakhstan dated 07.11.2014 № 248-V (shall be enforced upon expiry of ten calendar days after the day its first official publication);

15) Economic Investigation Service carries out measures to detect and prevent the illegal movement across the customs border of the Eurasian Economic Union of weapons, ammunition, explosives and other items that can be used as a means of committing terrorist crimes, as well as to prevent, detect and suppress sources, channels and methods of financing terrorism;

16) the authorized body in the scope of use of atomic power shall carry out the control and supervision for status of antiterrorist protection of nuclear installations, radiation sources, storage facilities of radioactive material, for systems of unified state record and control of nuclear materials, radioactive agents, radioactive residues, participate in the organization of monitoring of the status of antiterrorist protection of the production objects;

17) the bodies of justice shall organize free necessary legal assistance to individuals and legal entities that suffered as a result of the act of terrorism and to persons who participated in its suppression on issues related to their competence, including the issuance of necessary documents;

18) the authorized body in the field of social protection of population shall ensure implementation of measures and coordination of activities of local executive bodies on the issues of persons employment who suffered as a result of the act of terrorism and persons who participated in its suppression;

19) the authorized body in the field of education and science ensures the formation of anti-terrorist consciousness in society by organizing extracurricular activities in general

education and higher educational institutions of the Republic of Kazakhstan, carries out intersectoral coordination on the issues of social rehabilitation of children affected by terrorist activities;

20) the authorized body in the field of public health shall take part in implementation of measures to minimize and (or) eliminate the consequences of the act of terrorism, organize emergency medical assistance, medical and psychological support for persons injured as a result of the act of terrorism;

20-1) the competent authority responsible for biological security shall participate in the development and implementation of a set of measures aimed at preventing acts of terrorism and/or sabotage using pathogenic biological agents and/or against potentially hazardous biological facilities, the use of biological and other related technologies to develop (create), produce (manufacture) and use pathogenic biological agents as bacteriological (biological) and toxin weapons;

21) the authorized body in the sphere of religious activity shall ensure inter-religious consent, the rights of citizens to religious activity and interacts with religious associations in order to prevent propaganda of violence and terrorism ideology.

State bodies of the Republic of Kazakhstan, carrying out counter-terrorism, exercise other powers provided for by the laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. Article 7 is in wording of the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Laws of the Republic of Kazakhstan dated 11.04.2014 No. 189-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.06.2014 No. 206-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2014 No. 233-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 03.11.2014 № 244-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 07.11.2014 № 248-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 22.12.2016 № 28-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 11.07.2017 № 91-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); No. 124-VI of 26 December 2017 (shall be enforced dated 1 January 2018); No. 325-VI dated May 13, 2020 (shall be enforced six months after the day of its first official publication); dated 13.05.2020 No. 326-VI (shall be enforced ten calendar days after the day of its first official publication); No. 123-VII of 21.05.2022 (shall be promulgated six months after the date of its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 8. Competence of the other stated bodies of the Republic of Kazakhstan in countering the terrorism

Footnote. Article 8 is excluded by the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 9. The obligation of contribution to the state bodies of the Republic of Kazakhstan in the countering the terrorism

1. The civil servants of the state bodies and organizations of the Republic of Kazakhstan shall render contribution and necessary assistance to the state bodies are carrying the countering the terrorism.

2. Citizens of the Republic of Kazakhstan shall immediately inform the state bodies are carrying out the countering the terrorism the details on the preparing or committed act of terrorism.

3. Providing information to state bodies about acts of terrorism being prepared or committed shall be regarded as fulfillment of a civic duty. For information that helped prevent or suppress an act of terrorism, a reward shall be established and paid by the authorized state body for coordinating activities in countering terrorism.

Footnote. Article 9 is in wording of the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 02.08.2015 № 343-V (shall be enforced from 01.01.2017); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Chapter 4. Prevention, detection and suppression of the terroristic activity. Article 10. Prevention of the terroristic activity.

1. On the territory of the Republic of Kazakhstan shall be prohibited:

1) the propaganda of the terrorism;
2) creation, registration and functioning of the terroristic organizations as well as illegal paramilitary forces.

2. The bodies of the national security of the Republic of Kazakhstan have a right to prohibit the entrance on the Republic of Kazakhstan to the foreigners and stateless persons which are participated in the terroristic activity.

3. Is excluded by the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Footnote. Article 10 is in wording og the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2); as amended by the Law of the

Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 10-1. Informational and propagandistic countering the terrorism

1. Informational and propagandistic countering the terrorism shall be carried out in purpose of:

- explanation of danger of the terrorism;
- exposure of forms, methods and methods with help of which the terrorist carry out the propaganda of their views and ideas;
- formation in the society of the antiterrorist perception;
- integrating efforts of the state bodies are carrying out the countering the terrorism and institutes of the civic society in the prevention of the terrorism;
- reduction of the social base of support of terrorism.

2. The state bodies are carrying out the countering the terrorism shall:

- organize and coordinate the informational and propagandistic countering the terrorism within their competence;
- stimulate the participation in such activity the representatives of mass media, the legal entities, institutes of the civil society, religious associations;
- participate in formation of antiterrorist perception in the society.

Footnote. Chapter 4 is supplemented by Article 10-1 in accordance with the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 10-2. Anti-terrorist protection of objects vulnerable to terrorist

1. Central state bodies, including state bodies directly subordinate and accountable to the President of the Republic of Kazakhstan, on the basis of the requirements for the organization of anti-terrorist protection of objects vulnerable to terrorist, determined in accordance with subparagraph 4) of paragraph 3 of Article 4 of this Law, develop and approve instructions on the organization of anti-terrorist protection of objects vulnerable to terrorism.

The basis for the development of instructions for the organization of anti-terrorist protection of terrorist-vulnerable objects is the presence of objects that meet the criteria for classifying objects as terrorist-vulnerable, while the objects:

- are departments, territorial subdivisions of a state body, bodies, organizations under their jurisdiction and under the authority of a state body, which are other subordinate organizations , and are also on the organizational and logistical support of a state body;

- are intended (used) for carrying out activities in the field (area) implemented by the state body of policy.

Instructions for the organization of anti-terrorist protection of objects vulnerable to terrorism, with the exception of instructions developed for objects of special state bodies, internal affairs bodies of the Republic of Kazakhstan, as well as military units and institutions of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, are agreed upon:

with the National Security Committee of the Republic of Kazakhstan and the Ministry of Internal Affairs of the Republic of Kazakhstan, with the exception of protected objects;
with the State Security Service of the Republic of Kazakhstan for protected objects;
with subjects of foreign intelligence for foreign institutions of the Republic of Kazakhstan

2. In order to protect terrorist-vulnerable facilities, information on the state of anti-terrorist protection of specific terrorist-vulnerable facilities is information with restricted access. The types of information subject to restriction are determined by regulatory legal acts developed on the basis of subparagraph 4) of paragraph 3 of Article 4 of this Law.

Footnote. Chapter 4 is supplemented by Article 10-2 in accordance with the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated May 13, 2020 No. 325-VI (shall be enforced six months after the day of its first official publication).

Article 10-3. Obligations of owners, owners, managers or other officials of terrorist-vulnerable facilities, subjects of security activities that have concluded an agreement on the provision of security services for terrorist-vulnerable facilities

Footnote. The heading of Article 10-3 is as amended by the Law of the Republic of Kazakhstan dated May 13, 2020 No. 325-VI (shall be enforced six months after the day of its first official publication).

1. Owners, owners, managers or other officials of terrorist-vulnerable facilities, in order to ensure their anti-terrorist protection, are obliged to implement in accordance with the requirements for the organization of anti-terrorist protection of terrorist-vulnerable facilities, provided for in subparagraph 4) of paragraph 3 of Article 4 of this of the Law, and instructions for the organization of anti-terrorist protection of objects vulnerable to terrorism, provided for in paragraph 1 of Article 10-2 of this Law, measures to:

1) provision of the relevant access regime, equipment of objects by the modern engineering and technical security equipment in accordance with the required to the them requirements;

2) development on the basis of a standard passport - a passport for the anti-terrorist security of an object vulnerable to terrorists;

3) organization of preventive and training activities with the personnel of facilities vulnerable to terrorists, to ensure their anti-terrorist protection;

4) participation with authorized state bodies and organizations, operational headquarters for combating terrorism in planning and organizing joint actions by them on issues of responding to acts of terrorism, as well as eliminating man-made threats that have arisen as a result of a committed act of terrorism.

5) excluded by the Law of the Republic of Kazakhstan dated May 13, 2020 No. 325-VI (shall be enforced six months after the day of its first official publication).

In the event of an act of terrorism, the owners, owners, managers or other officials of facilities vulnerable to terrorism are obliged to immediately inform the national security authorities or the internal affairs bodies of the Republic of Kazakhstan about the committed act of terrorism and ensure the evacuation of personnel.

1-1. Subjects of security activities that have concluded agreements on the provision of security services for objects vulnerable to terrorist, perform the duties of ensuring the appropriate access control, organizing training events with their personnel, proper use of technical means of protection in accordance with the requirements for organizing anti-terrorist protection of objects vulnerable to terrorist provided for by subparagraph 4) of paragraph 3 of Article 4 of this Law, and instructions for organizing anti-terrorist protection of objects vulnerable to terrorists, provided for by paragraph 1 of Article 10-2 of this Law.

2. In order to implement the relevant measures, the owners, owners, managers or other officials of objects vulnerable to terrorists are obliged to provide the necessary funding.

3. Failure by the owners, owners, managers or other officials of terrorist-vulnerable facilities, as well as security entities that have concluded agreements on the provision of security services for terrorist-vulnerable facilities, of the obligations provided for by this article shall entail liability under the laws Republic of Kazakhstan.

Footnote. Chapter 4 is supplemented by Article 10-3 in accordance with the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 22.12.2016 № 28-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 13.05.2020 No. 325-VI (shall be enforced six months after the day of its first official publication).

Article 10-4. Prohibition of import, publication, production and (or) distribution of terroristic materials

1. Import, publication, production and (or) distribution of terroristic materials is prohibited on the territory of the Republic of Kazakhstan.

2. Information materials imported, issued, produced and (or) distributed on the territory of the Republic of Kazakhstan and containing signs and (or) calls for the performance of terroristic activities, including the commission of an act of terrorism, or substantiating or justifying the need to carry out such activities, shall be recognized as terroristic on the procurator's application by the court at the location of the prosecutor who stated such

demands, or at the place where such materials are found with prohibition of their import, publication, production and (or) distribution.

Footnote. Chapter 4 is supplemented by Article 10-4 in accordance with the Law of the Republic of Kazakhstan dated 03.11.2014 № 244-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 11. Detection of terroristic activity

1. Detection of terroristic activity by the state bodies of the Republic of Kazakhstan are carrying out the countering the terrorism shall be performed in accordance with the legislation of the Republic of Kazakhstan.

2. The state bodies and organizations on territory of the Republic of Kazakhstan shall inform the bodies are carrying out countering the terrorism on all incidents with the attributes of terroristic activity.

Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Article 12. Suppression of the acts of terrorism

1. Antiterrorist actions shall be performed in purpose of suppression of the act of terrorism, disarmament of terrorists, explosive devices, provision of the safety of individuals and organizations as well as minimization and (or) liquidation of its consequences.

2. Conduct of negotiations with the terrorists shall be admitted in purpose of conservation of life and health of people, material valuables and objects as well as examination of possibility of the suppression of the act of terrorism without act of force. Conduct of negotiations shall be guaranteed to the persons, is specially authorized on this by the head of emergency response center.

The head of the antiterrorist action has a right to decide on liquidation of terrorist (terrorists) in case if in the course of negotiations with terrorist (terrorists) the purpose of negotiations may not be achieved on the reasons of his (her) (their) disagreement to stop act of terrorism and the real threat to life and health of people is preserved.

4. Upon detection of visible threat to the secured person or object and impossibility of its elimination by the other legal facilities terrorist (terrorists) may be liquidated without negotiations and notification under authority of the head of antiterrorist action.

5. Subdivisions of the state bodies are participating in the antiterrorist action shall use the physical force, service dogs, warlike and the other equipment, weapon and the special facilities in accordance with the Laws of the Republic of Kazakhstan.

Footnote. Article 12 is in wording og the Law of the Republic of Kazakhstan dated 08.04.200 No. 266-IV (order of enforcement see Article 2).

Article 12-1. The record of terroristic organizations, information materials recognized as terroristic , and persons brought to responsibility for carrying out terrorist activities

1. For the purposes of prevention, detection and suppression of terrorism, a state body carrying out statistical activities in the field of legal statistics and special records within its competence shall keep records of terroristic organizations, information materials recognized as terroristic, and persons brought to responsibility for implementation of terroristic activities on the basis of courts decisions.

2. If the court recognizes organization of terroristic activity and prohibits this activity through its liquidation for carrying out terroristic activities, as well as recognition of information materials as terroristic or bringing the persons to responsibility for performance of terroristic activities, the court must immediately forward information record documents to the state body carrying out, within its competence, statistical activities in the field legal statistics and special records.

3. The state body carrying out statistical activities in the field of legal statistics and special records within its competence maintains unified lists of organizations and information materials recognized as terroristic by the court.

These lists are subjects to placement on the Internet resource of the state body that carries out, within its competence, statistical activities in the field of legal statistics and special records.

Footnote. The Law is supplemented by Article 12-1 in accordance with the Law of the Republic of Kazakhstan dated 28.08.2009 No. 192-IV (shall be enforced from 08.03.2010); in the new wording of the Law of the Republic of Kazakhstan dated 03.11.2014 № 244-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 13. Emergency response centers

1. In order to counter terrorism, permanent republican and provincial, republican capital city, district (cities of regional importance) and maritime operational headquarters are being established.

2. The head of the republican emergency response center is the Chairman of the National Security Committee.

The head of the oblast, city if the republican significance, capital, district (city of oblast significance) of the emergency response center is the chief officer of the territorial body of the National Security Committee.

The head of the maritime operational headquarters is the head of the territorial division of the Border Service of the National Security Committee, which protects the State Border of the Republic of Kazakhstan and monitors compliance with established regimes in the border space of the Republic of Kazakhstan on the Caspian Sea.

3. The head of the Republican emergency response center upon performance of antiterrorist action is directed on provision of the safety of persons are subject to the security

in accordance with the Law of the Republic of Kazakhstan “On the Service of the state security of the Republic of Kazakhstan” is the chief officer of the service of the state security of the Republic of Kazakhstan.

The head of the oblast, city of the republican significance, capital of the district (city of the oblast significance) of the emergency response center shall be appointed as the chief officer of the Service of the state security of the Republic of Kazakhstan from amount of the representatives of the state bodies are included in the structure of the republican emergency response center, or their territorial bodies.

4. The structure of the republican emergency response center includes the heads of the state bodies which may render the necessary assistance in performance of antiterrorist action within their competence.

The structure of regional, city of republican value, capital, district (city of regional importance) and sea operational staff includes heads of territorial divisions of the state bodies which are carrying out counteraction to terrorism, and other state bodies which within the limits of the competence can render the necessary help in carrying out of antiterrorist operation.

5. Excluded by the Law of the Republic of Kazakhstan dated 12.07.2018 № 180-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Footnote. Article 13 is in wording of the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2014 No. 233-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.11.2014 № 244-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 12.07.2018 № 180-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated November 16, 2020 No. 375 -VI (shall be enforced ten calendar days after the day of its first official publication).

Article 13-1. The administration of the antiterrorist action

1. Depending on the scale and degree of public danger and the expected negative consequences of an act of terrorism, the anti-terrorist operation is managed by the head of the republican or regional, city of republican importance, capital, district (city of regional importance) and maritime operational headquarters.

2. The head of the emergency response center from the beginning of the performance of the antiterrorist actions and before its finality shall be its head and chief officer for all military personnel, servants and specialists of the state bodies of the Republic of Kazakhstan are attracted to its performance. In accordance with the international treaties are ratified by the Republic of Kazakhstan, the head of the emergency response center shall be chief officer for

the specialists of the subdivisions of the special attachment of the foreign states are attracted for participation in the antiterrorist actions.

In the event of social emergencies caused by mass disturbances; inter-ethnic and inter-confessional conflicts; blockades or seizures of certain localities, particularly important and strategic facilities; and the organization and activities of illegal armed groups, the decision to conduct an anti-terrorist operation is taken after agreement with the national and (or) regional operational headquarters established to prevent and eliminate social emergencies.

3. Under a state of emergency, the decision to launch an anti-terrorist operation shall be made with the approval of the State Commission for Ensuring the State of Emergency under the President of the Republic of Kazakhstan or the local commandant.

4. The Head of the Republican Operational Staff shall immediately inform the President of the Republic of Kazakhstan, the Security Council of the Republic of Kazakhstan, the Prosecutor General of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan upon receipt of confirmed information about the committed act of terrorism or its preparation, as well as upon commencement of antiterrorist operation.

5. Illegal interference of the other civil servant independently from the holding office in the operational administration of the antiterrorist action shall be prohibited.

6. Head of the operational headquarters shall:

1) establish the boundaries of the area, the commencement and completion of the anti-terrorist operation, and decides on the direction and limits of the use of attached forces and means.

Depending on the scale and degree of danger to society and the expected negative consequences of an act of terrorism, he/she shall coordinate such decisions with the national or regional operational headquarters established to prevent and eliminate a social emergency or, in a state of emergency, with the State Commission for ensuring a state of emergency under the President of Kazakhstan or the local commandant;

2) appoint a representative of the operational headquarters responsible for liaising with representatives of the media and the public;

3) decide and issue a combat order (battle order) to conduct an anti-terrorist operation.

7. The responsibilities for co-ordinating an anti-terrorist operation under paragraphs 2, 3 and sub-paragraph 1) of paragraph 6 of this Article shall not apply to anti-terrorist operations to ensure the safety of protected persons.

Footnote. Chapter 4 is supplemented by Article 13-1 in accordance with the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.01.2015 № 275-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); No. 180-VI dated 12.07.2018 (shall be enforced upon the expiration of ten

calendar days after its first publications); No. 136-VII of 11.07.2022 (shall come into force sixty calendar days after the date of its first official publication).

Article 14. Forces and facilities are involved for performance of antiterrorist actions

1. For performance of antiterrorist actions by emergency response center shall be added the necessary forces and facilities of the state bodies is carrying out the countering the terrorism.

2. In accordance with the international treaties is ratified by the Republic of Kazakhstan in necessary cases for participating in antiterrorist actions may be involved the subdivisions of the special assignments of the foreign states.

3. The Armed Forces of the Republic of Kazakhstan shall be involved in the performance of anti-terroristic operation by the decision of the President of the Republic of Kazakhstan, in accordance with this Law and the Law of the Republic of Kazakhstan "On Defense and Armed Forces of the Republic of Kazakhstan".

Footnote. Article 14 is in wording of the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 10.01.2015 № 275-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 14-1. Involving of the Armed Forces of the Republic of Kazakhstan to suppress acts of terrorism

Footnote. The title of Article 14-1 in the new wording of the Law of the Republic of Kazakhstan dated 10.01.2015 № 275-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

1. The Armed Forces of the Republic of Kazakhstan shall be involved for:

1) suppression of flights of the aerial vehicles are used for commitment of the act of terrorism or is occupied by terrorists;

2) suppression of acts of terrorism in internal and territorial waters, in the fishing zone, at the objects of maritime economic activity located on the continental shelf of the Republic of Kazakhstan, as well as to ensure the safety of navigation;

3) participating in performance of the antiterrorist action in manner is provided by this Law, the other Laws of the Republic of Kazakhstan, the acts of the President of the Republic of Kazakhstan.

2. The Armed Forces of the Republic of Kazakhstan upon participating in the performance of antiterrorist action shall apply the special facilities, weapon and the warlike equipment in accordance with this Law and the other legislative acts of the Republic of Kazakhstan. Upon this on the military personnel of the Armed Forces of the Republic of Kazakhstan shall be extended the provisions of the Law of the Republic of Kazakhstan "On

the bodies of the national security of the Republic of Kazakhstan” in part is concerning the conditions, order and limits of appliance of the physical force, special facilities, weapon and use of the warlike equipment in the zone of the performance of antiterrorist action.

Footnote. Chapter 4 is supplemented by Article 14-1 in accordance with the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 10.01.2015 № 275-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); No. 11-VII dated February 23, 2021 (see Article 2 for the order of entry into force).

Article 14-2. Suppression of the acts of terrorism in the air area

1. The Armed Forces of the Republic of Kazakhstan shall apply the weapon and the warlike equipment in purpose of elimination of the threat of act of terrorism in the air space or in purpose of its suppression.

2. in case if the aerial vehicle is not react on the radio commands of the ground command points to cancel the infraction of the rules of the use of the air area of the Republic of Kazakhstan and (or) on radio commands and visual signals are raised on the interception of the flying machines of the Armed Forces of the Republic of Kazakhstan or refuse to comply with radio commands and the visual signals without explanation of reasons, the Armed Forces of the Republic of Kazakhstan shall apply the weapon and the warlike equipment for suppression of the flight of the stated aerial vehicle by the compulsion it to the boarding and the real danger of the death of the people or the offence of the technological disaster is existed weapon and the warlike equipment shall be applied for suppression of the flight by its elimination.

3. In case if the true information on use of the aerial vehicle for commitment of the act of terrorism or on despoliation of the aerial vehicle and upon this were exhausted all conditioned established by situations measures are necessary for its boarding and the real danger of death of people or the offence of the technological disaster is existed the Armed Forces of the Republic of Kazakhstan shall apply weapon and the warlike equipment for suppression of the flights of the stated aerial vehicle by its elimination.

Footnote. Chapter 4 is supplemented by Article 14-2 in accordance with the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 14-3. Suppression of acts of terrorism in internal and territorial waters, in the fishing zone, on the continental shelf of the Republic of Kazakhstan and while ensuring the safety of navigation

Footnote. The heading of Article 14-3 as amended by the Law of the Republic of Kazakhstan dated February 23, 2021 No. 11-VII (see Article 2 for the enforcement procedure).

1. The Armed Forces of the Republic of Kazakhstan use weapons, military equipment and special means in order to eliminate the threat of an act of terrorism in internal and territorial waters, in the fishing zone, on the continental shelf of the Republic of Kazakhstan and while ensuring the safety of navigation.

2. In case if the sea or river crafts and the ships (water equipment) are not reacting on commands and (or) signals to cancel the infraction of the rules of use of the water area of the Republic of Kazakhstan or refuse to comply with requirements on the stop, the weapon of the war ships (flying machines) of the Armed Forces of the Republic of Kazakhstan shall be applied for compulsion to the stop of the water equipment in purpose of elimination of the threat of act of terrorism. If the water equipment is not comply with the requirements on the stop and (or) it is impossible to force to it to the stoppage and upon this were exhausted all conditioned established by situations measures are necessary for its stoppage and the real danger of death of people or offence of the ecological disaster is existed the weapon of the war ships (flying machines) of the Armed Forces of the Republic of Kazakhstan shall be applied for suppression of the movement of the water equipment by its elimination.

Footnote. Chapter 4 is supplemented by Article 14-3 in accordance with the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated February 23, 2021 No. 11-VII (see Article 2 for the enforcement procedure).

Article 15. The legal regime in the zone of the performance of the antiterrorist action

1. In purpose of suppression and detection of acts of terrorism, minimization of its consequences, provision of the safety of the secures persons, list of which is established by the Law of the Republic of Kazakhstan “On the Service of the state security of the Republic of Kazakhstan” as well as protection of the of vital concernment interests of the personality, public and the state on decision of the head of the antiterrorist operation within its performance may be introduced the legal regime of the antiterrorist action on period of its performance.

2. Decision on introducing of the legal regime of antiterrorist action (including the determination of the zone (list of objects), within which (on which) such regime shall be entered, and the list of the applied measures and temporary limitations) and decision on its cancellation shall be immediately put across the population, the local executive bodies, and the bodies of the local self-government, administration of organizations, heads of the objects of the relevant territory through the mass media and the network of telecommunication.

Footnote. Article 15 is in wording of the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 04.07.2014 No. 233-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 15-1. Measures and the temporary limitations are applied on period of performance of antiterrorist action

1. In the zone of performance of antiterrorist action of the person are participating in antiterrorist action shall have a right to:

1) checking identity documents and, in their absence, to detain individuals in the manner prescribed by the legislation of the Republic of Kazakhstan and to deliver them to internal affairs bodies or other state bodies for identification;

2) perform the personal inspection and the inspection of property, inspection of motor vehicles as well as with appliance of technical facilities, without participation of witnesses;

3) in the manner established by the legislation of the Republic of Kazakhstan, detain and deliver persons committed or committing offenses or other acts aimed at obstructing legal requirements of persons participating in antiterroristic operation, as well as for actions related to unauthorized penetration or attempts to penetrate the area of antiterroristic operation to the bodies of internal affairs.

4) to remove natural persons from individual objects, terrain and water area, temporarily restrict or prohibit the movement of vehicles, including their towing, including vehicles of diplomatic and consular missions;

5) use in the service purposes of the communication facilities including the special for performance of monitoring of radio broadcasting, control of telephone conversations and the other information is broadcasting on the channels of the telecommunication systems as well as for carrying out of the search on channels of the electric connection and in the postal matters;

6) use the motor vehicles (except of the motor vehicles of the representative of the foreign stated and the international organizations having the diplomatic immunity) for bringing of persons are needed in the emergency medical assistance, in the medical treatment facility, driveway to the place of commitment of the act of terrorism as well as for persecution and arrest of persons are suspected in commitment of the act of the terrorism if the delay may create the real threat of life or the health of people with compensation of material of harm to the owners in case of its infliction in manner is determined by the Government of the Republic of Kazakhstan;

7) apply in relation of terrorists the physical force, service dogs, warlike and the other equipment, weapon and the special facilities without prevention and limitation are provided by the Laws of the of the Republic of Kazakhstan;

8) conveniently penetrate in the dwellings and the other premises are being in ownership or in property and in use of individual and legal entities and on the plots of land are belonged to them on right of the private property or right of land-use if the delay may create the real threat of life or the health of people.

On case of penetration in the dwellings of citizens the head of the emergency response center or the authorized by it person shall inform the procurator during the twenty four hours.

2. In the zone of performance of antiterrorist action on decision of the head of the emergency response center may be applied following temporary limits;

1) stoppage of the activity of the dangerous production objects;

2) suspension of communication services to natural and/or legal persons and (or) restriction of the use of the communication network and facilities under paragraph 1-2 of Article 41-1 of the Law of the Republic of Kazakhstan “On Communication”;

3) strengthening of the security of the public order, objects are subject to the state security and the objects are providing the life-sustaining activity of the population and functioning of the transport as well as objects having the special material, historic, scientific, artistic or the cultural value;

4) temporary evacuation of individuals are residing in the zone of the performance of antiterrorist actions;

5) performance of quarantine, performance of the sanitary and antiepidemic, veterinary measures and measures on quarantine of the plants;

6) limitation or prohibition on the trade in arms, armaments, explosive substances, powerful chemical and poisonous substances, establishing of the special regime of the turnover of the medicines, narcotic drugs, psychotropic substances and precursors, ethanol and the alcoholic products;

7) stoppage of the security activity.

3. In the zone of the performance of the antiterrorist actions may be established (entered) both all complex of measured and temporary limits are provided by the paragraphs 1 and 2 of this Article and the particular measures and temporary limitations.

4. Being in the zone of performance of antiterrorist action of representative of mass media and carrying out by them the sound recordings, photo and video record shall be admitted only by permission of the head of the emergency response center.

5. Action of persons are participating in performance of antiterrorist actions from its beginning and until the moment of finality shall be considered as actions are committed in the status of necessary defense or the emergency necessity.

Footnote. Chapter 4 is supplemented by Article 15-1 in accordance with Law of the Republic of Kazakhstan No. 266-IV dated 08.04.2010 (see Article 2 for the order of enforcement); as amended by Law of the Republic of Kazakhstan No. 63-V dated 08.01.2013 (shall be enforced upon expiry of ten calendar days after its first official publication); № 244-V dated 03.11.2014 (shall be enforced upon expiry of ten calendar days after the day of its

first official publication); dated 12.07.2018 № 180-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); No. 141-VII of 14.07.2022 (shall be brought into force ten calendar days after the date of its first official publication).

Chapter 5. Compensation of the harm and the social rehabilitation of persons are affected in the result of the act of terrorism
Article 16. Compensation of the harm inflicted in the result of the act of terrorism or its suppression

1. Compensation of the property harm is inflicted to the individuals and legal entities in the result of the act of terrorism shall be carried out in manner established by the Government of the Republic of Kazakhstan.

2. Compensation of the moral harm inflicted in the result of the acts of terrorism shall be carried out on account of the persons committed it.

3. Harm is inflicted upon suppression of act of terrorism to the health and property of persons (persons) committed the act of terrorism as well as harm is ascribable of the death of this persons (persons) shall not be subject to compensations.

4. Compensation of harm to the individuals and legal entities is inflicted upon suppression of act of terrorism shall be carried out on account of the budget sources in manner established by the Government of the Republic of Kazakhstan.

Footnote. Article 16 is in wording of the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 17. Social rehabilitation of persons are affected from the act of terrorisms

Social rehabilitation of persons are affected from act of terrorism include if the free necessary legal assistance, psychological and medical rehabilitation in manner established by the Government of the Republic of Kazakhstan.

Article 17-1. Social rehabilitation of children affected by terrorist activities

Children affected by terrorist activities are provided with social rehabilitation in the manner and terms determined by the authorized body in the field of education and science.

Social rehabilitation of children affected by terrorist activities includes legal, educational, psychological, medical, cultural and social services.

Footnote. Chapter 5 is supplemented by Article 17-1 in accordance with the Law of the Republic of Kazakhstan dated May 13, 2020 No. 326-VI (shall be enforced ten calendar days after the day of its first official publication).

Article 18. Protection of persons are participating in the countering the terrorism

Footnote. Title of Article 18 is in wording of the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2)

Servants of the state bodies of the Republic of Kazakhstan are carrying out the countering the terrorism as well as persons rendering contribution in the countering the terrorism, and members of their families in case of threat to life and health may be carried out on their request the changing on face, family name, name and patronymic as well as place of work and place of residence on account of facilities are shared on alimentionation of these bodies.

Footnote. Article 18 as amended by the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Article 19. Liberation from responsibility for inflicting of harm to the terrorist

Upon performance of antiterrorist action on base and within the limits established by this Law shall be admitted the necessary inflicting of harm to the health and property of terrorist as well as other law enforcement interests. Upon this the military personnel, specialists and the other persons participate in countering the terrorism, shall be liberated from responsibility for harm is inflicted upon performance of antiterrorist actions or for appliance of decisions on liquidations of terrorist in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 19 as amended by the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Chapter 6. Responsibility for participation in terroristic activity Article 20. Responsibility of persons for participations in the terroristic activity

1. Persons are participating in terroristic activity shall entail the criminal responsibility is provided by the Criminal Code of the Republic of Kazakhstan.

2. Person is participated in the preparing of the act of terrorism shall be liberated from the criminal responsibility if it promoted to the prevention of act of terrorism by the timely warning of the state bodies or the other way if in its actions the elements of the other crime is not contained.

Footnote. Article 20 as amended by the Law of the Republic of Kazakhstan dated 10.07.2009 No. 175-IV (order of enforcement see Article 2).

Article 21. Responsibility of organizations for terrorist activities

1. The activities of organization, as well as its structural subdivision (branch and representative office) in the event of its terroristic activities are prohibited by recognizing its terrorist and liquidation in the manner prescribed by the laws of the Republic of Kazakhstan.

2. In the event of liquidation of an organization recognized as terroristic, the property belonging to it (the branch and representative office) located on the territory of the Republic of Kazakhstan is confiscated and converted into state income

Footnote. Article 21 in the new wording of the Law of the Republic of Kazakhstan dated 03.11.2014 № 244-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 21-1. Order of burial of persons, death of which is coming in the result of commitment by them act of terrorism as well as upon suppression of committed by them act of terrorism

Burial of persons, criminal prosecution in relation of which in recognition of their participation in the terroristic activity is canceled because of their death is coming in the result of commitment by them act of terrorism as well as upon suppression of committed by them act of terrorism shall be carried out by the Government of the Republic of Kazakhstan. The bodies of the state persons for burial shall not be issued and on place of their burial shall not be reported.

Footnote. Chapter 6 is supplemented by Article 21-1 in accordance with the Law of the Republic of Kazakhstan dated 08.01.2013 No. 63-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 7. Material and technical provision of subdivisions of the special assignment of the state bodies of the Republic of Kazakhstan are carrying out the countering the terrorism

Footnote. Title of Chapter 7 as amended by the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Article 22. Material and technical provision of subdivisions of special assignment of the state bodies of the Republic of Kazakhstan are carrying out the countering the terrorism

Footnote. Title of Article 22 as amended by the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Material and technical provision of subdivisions of special assignment of the state bodies of the Republic of Kazakhstan are carrying out the countering the terrorism shall be performed on account of the budget sources.

Footnote. Article 22 as amended by the Laws of the Republic of Kazakhstan dated 20.12.2004 No. 13 (shall be enforced from 1 January, 2005); dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Chapter 8. Control and supervision for the legality of carrying out of the activity in the scope of countering the terrorism

Footnote. Title of Chapter 8 is in wording of the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Article 23. Control for carrying out of activity in the scope of countering the terrorism

Control for carrying out of activity in the scope of countering the terrorism in the Republic of Kazakhstan shall carry out the authorized state body on coordination of activity in the scope of countering of terrorism.

Footnote. Article 23 is in wording of the Law of the Republic of Kazakhstan dated 08.04.2010 No. 266-IV (order of enforcement see Article 2).

Article 23-1. State control over compliance with the requirements of the legislation of the Republic of Kazakhstan on countering terrorism in terms of ensuring anti-terrorist protection of objects vulnerable to terrorist

1. The subject of state control is the observance by the subjects of control of the requirements of the legislation of the Republic of Kazakhstan on countering terrorism in terms of ensuring anti-terrorist protection of objects vulnerable to terrorism, with the exception of military units and institutions of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, objects of special state bodies, bodies of internal affairs of the Republic of Kazakhstan, as well as protected objects and foreign institutions of the Republic of Kazakhstan.

2. State control is carried out in the form of an inspection by employees of the internal affairs bodies of the Republic of Kazakhstan, with the exception of control over the state of anti-terrorist protection of military units and institutions of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, objects of special state bodies, internal affairs bodies of the Republic of Kazakhstan, as well as protected objects and foreign institutions of the Republic of Kazakhstan.

3. The procedure for conducting an audit is determined by Article 23-2 of this Law.

4. Control over the state of anti-terrorist protection of military units and institutions of the Armed Forces of the Republic of Kazakhstan, other troops and military formations, objects of special state bodies, internal affairs bodies of the Republic of Kazakhstan, foreign institutions of the Republic of Kazakhstan, vulnerable to terrorist, is carried out in the manner determined by the first leaders of the relevant government agencies.

Control over the state of anti-terrorist protection of protected objects is carried out in the manner determined by the head of the State Security Service of the Republic of Kazakhstan.

Footnote. Chapter 18 is supplemented by Article 23-1 in accordance with the Law of the Republic of Kazakhstan dated 07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated May 13, 2020 No. 325-VI (shall be enforced six months after the day of its first official publication).

Article 23-2. Check procedure

1. Inspection of the subjects (objects) of control is carried out by the internal affairs bodies of the Republic of Kazakhstan on a periodic basis and unscheduled during the working hours of the subject (object) of control.

2. Checking on a periodic basis is carried out once every two years by visiting the object of control.

3. An unscheduled inspection is carried out by visiting the object of control on the basis of :

- 1) monitoring the execution of issued orders to eliminate identified violations;
- 2) decisions of the head of the republican, regional, city of republican significance, the capital of the operational headquarters for combating terrorism when introducing a level of terrorist threat throughout the territory, regions or settlements of the Republic of Kazakhstan;
- 3) decisions of the chairman of the anti-terrorist commission of the region, the city of republican significance, the capital in the event of receipt of information about possible threats of an act of terrorism at facilities vulnerable to terrorism.

4. An unscheduled inspection, carried out on the basis of subparagraph 1) of paragraph 3 of this article, is appointed by the internal affairs bodies of the Republic of Kazakhstan in order to verify the facts and circumstances that served as the basis for the appointment of an unscheduled inspection, and no later than thirty working days after the expiration of the period for eliminating violations specified in the order to eliminate the identified violations.

5. An inspection on a periodic basis after an unscheduled inspection is scheduled after two years from the date of completion of an unscheduled inspection in the event that the identified violations are eliminated.

6. An inspection is carried out on the basis of an act on the appointment of an inspection without prior notification of the subject of control.

7. An employee (employees) of the internal affairs bodies of the Republic of Kazakhstan, when inspecting objects vulnerable to terrorism, is obliged (obliged) to present:

- 1) an act on the appointment of an inspection;
- 2) service certificate.

8. The term of the audit is established taking into account the scope of the forthcoming work, the tasks set and should not exceed seven working days.

9. The term for conducting an inspection can be extended only once by the head of the internal affairs body of the Republic of Kazakhstan or by a person replacing him, only if it is necessary to conduct complex and (or) lengthy examinations. The term for extending the check should not exceed three working days from the date of receipt of the results of the examination.

The extension of the inspection period is formalized by an additional act on the extension of the inspection with the obligatory notification of the subject of control or its authorized

person. The additional act on the extension of the inspection shall indicate the number and date of registration of the previous act on the appointment of the inspection and the reason for the extension.

A notice of the extension of the inspection period shall be handed in by an employee (employees) of the internal affairs bodies of the Republic of Kazakhstan at least one working day before the extension.

10. The beginning of the inspection is the date of delivery to the subject of control or his authorized person of the act on the appointment of the inspection.

11. The act on the appointment of the inspection shall indicate:

1) number and date of the act;

2) the name of the subdivision of the internal affairs body of the Republic of Kazakhstan;

3) last name, first name, patronymic (if it is indicated in the identity document) and position of the employee (employees) of the internal affairs bodies of the Republic of Kazakhstan, authorized (authorized) to conduct an inspection;

4) information about specialists, consultants and experts of state bodies and organizations involved in the audit;

5) name of the subject of control (name of the legal entity or its branch and (or) representative office) or last name, first name, patronymic (if it is indicated in the identity document) of the individual in respect of whom the audit is scheduled, business identification number or individual identification number of the subject of control;

6) the name of the object of control, indicating the location;

7) the subject of the scheduled inspection, including regulatory legal acts, the mandatory requirements of which are subject to verification;

8) the term for the inspection;

9) legal grounds for conducting the inspection;

10) the rights and obligations of the subject of control, provided for in Article 23-5 of this Law;

11) last name, first name, patronymic (if it is indicated in the identity document) of the employee (employees) of the internal affairs bodies of the Republic of Kazakhstan, authorized (authorized) to sign the act, seal of the internal affairs body of the Republic of Kazakhstan;

12) the signature of the subject of control (the head of a legal entity, an individual) or an authorized person on receipt or refusal to receive an act on the appointment of an audit.

12. The act on the appointment of an inspection, an additional act on the extension of the inspection is recorded in the register of inspections in the units of the internal affairs bodies of the Republic of Kazakhstan that appointed the inspection.

An employee of the internal affairs bodies of the Republic of Kazakhstan registers an act on the appointment of an inspection with the authorized body in the field of legal statistics and special records within the next business day after the start of the inspection, an additional

act of extending the inspection registers within the next business day after notifying the subject of control or his authorized person of the extension checks.

13. In cases of refusal to adopt an act on the appointment of an inspection or obstruction of the access of an employee (employees) of the internal affairs bodies of the Republic of Kazakhstan to the object of control, failure to provide materials and information necessary for conducting an inspection, measures are taken in accordance with the laws of the Republic of Kazakhstan.

14. Based on the results of the inspection, the employee (employees) of the internal affairs body of the Republic of Kazakhstan, carrying out (carrying out) the inspection, shall draw up in two copies:

- 1) an act on the results of the inspection;
- 2) an order to eliminate the identified violations in cases of detection of a violation.

15. The act on the results of the inspection shall indicate:

- 1) number, date, time and place of drawing up the act;
- 2) the name of the subdivision of the internal affairs body of the Republic of Kazakhstan;
- 3) the date and number of the act on the appointment of the inspection, on the basis of which the inspection was carried out;

4) last name, first name, patronymic (if it is indicated in the identity document) and position of the employee (employees) of the internal affairs bodies of the Republic of Kazakhstan who conducted (conducted) the check;

5) information about specialists, consultants and experts of state bodies and organizations involved in the audit;

6) name of the subject of control (name of the legal entity or its branch and (or) representative office) or last name, first name, patronymic (if it is indicated in the identity document) of the individual in respect of whom the audit is scheduled, position (if any) of the authorized faces;

7) the name of the object of control, indicating the location;

8) date, place and period of the inspection;

9) information about the results of the audit, including the violations found, their nature;

10) information about familiarization or refusal to familiarize with the act on the results of the audit of the subject of control or an authorized person of the subject of control, their signatures or refusal to sign, as well as a note on the presence of comments and (or) objections based on the results of the audit;

11) the signature of the employee (employees) of the internal affairs bodies of the Republic of Kazakhstan who conducted (conducted) the inspection.

16. The end of the inspection period is considered the day of delivery to the subject of control or its authorized person of the second copy of the act on the results of the inspection no later than the deadline for the end of the inspection specified in the act on appointment of the inspection or in the additional act on prolonging the inspection.

17. If there is no violation during the inspection, an appropriate entry is made in the act on the results of the inspection.

18. An order to eliminate the identified violations in cases of detection of violations shall be handed over within ten working days after the end of the inspection.

19. The order to eliminate the identified violations shall indicate:

1) the date, time and place of drawing up the order;

2) last name, first name, patronymic (if it is indicated in the identity document) and position of the employee (employees) of the internal affairs bodies of the Republic of Kazakhstan who conducted (conducted) the check;

3) name of the subject of control (name of the legal entity or its branch and (or) representative office) or last name, first name, patronymic (if it is indicated in the identity document) of the individual in respect of whom the audit is scheduled, position (if any) of the authorized the person who was present during the inspection;

4) the name of the object of control, indicating the location;

5) number and date of the act on the results of the inspection;

6) a list of identified violations and requirements to eliminate the identified violations with an indication of the period for their elimination;

7) information about familiarization or refusal to familiarize with the order to eliminate the identified violations of the subject of control or its authorized person, their signature or refusal to sign;

8) the signature of the employee (employees) of the internal affairs bodies of the Republic of Kazakhstan who conducted (conducted) the inspection.

20. The terms for eliminating the identified violations specified in the order to eliminate the identified violations are determined taking into account the circumstances that affect the real possibility of its execution, but not less than thirty calendar days and not more than twelve months from the date of delivery of the order to eliminate the identified violations.

When determining the terms for eliminating the identified violations specified in the order to eliminate the identified violations, the following are taken into account:

1) the subject of control has organizational, technical capabilities to eliminate violations;

2) features of the technical condition of engineering and technical means of protection;

3) the terms for obtaining in state bodies, local executive bodies of mandatory conclusions, approvals and other documents established by the legislation of the Republic of Kazakhstan;

4) the timeliness, completeness of allocation or lack of receipt from the state budget of money for the organization of anti-terrorist protection of objects vulnerable to terrorism, financed from the state budget, in the presence of supporting documents drawn up in accordance with regulatory legal acts in the field of budget planning.

21. If, as a result of the inspection, the facts of non-fulfillment and (or) improper fulfillment by the subject of control of the duties established by this Law and regulatory legal acts on countering terrorism in terms of ensuring the anti-terrorist protection of objects

vulnerable to terrorism are revealed, except for the circumstances stipulated by subparagraphs 3) and 4) paragraph 20 of this article, an employee (employees) of the internal affairs bodies of the Republic of Kazakhstan, within the limits of authority, is obliged (shall) take measures to bring the subject of control to liability established by the laws of the Republic of Kazakhstan.

22. If there are comments and (or) objections based on the results of the audit, the subject of control shall state them in writing. Comments and (or) objections are attached to the act on the results of the inspection, about which an appropriate note is made.

23. The act on the results of the inspection and (or) the order to eliminate the identified violations may be appealed to a higher division of the internal affairs body of the Republic of Kazakhstan or to the court in the manner prescribed by the legislation of the Republic of Kazakhstan.

24. The act on the results of the audit and (or) the order to eliminate the identified violations, recognized by a higher subdivision of the internal affairs bodies of the Republic of Kazakhstan or by a court as invalid, cannot be evidence of a violation by the subject of control of the requirements of the legislation of the Republic of Kazakhstan on countering terrorism in terms of ensuring the anti-terrorist protection of objects that are vulnerable in terms of terrorism.

25. Gross violations of the requirements for organizing and conducting inspections include:

- 1) lack of grounds for conducting an audit;
- 2) the absence of an act on the appointment of an inspection;
- 3) appointment of an audit on issues that are not within the competence of the internal affairs body of the Republic of Kazakhstan;
- 4) violation of the deadline for conducting an audit, provided for by this article.

Footnote. Chapter 8 is supplemented by Article 23-2 in accordance with the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated May 13, 2020 No. 325-VI (shall be enforced six months after the day of its first official publication).

Article 23-3. Results of control for status of antiterrorist protection of objects at attackable in terroristic relation

Footnote. Chapter 8 is supplemented by Article 23-3 in accordance with the Law of the Republic of Kazakhstan dated 04.07.2013 No. 132-V (shall be enforced upon expiry of ten calendar days after its first official publication); excluded by the Law of the Republic of Kazakhstan dated 13.05.2020 No. 325-VI (shall be enforced six months after the day of its first official publication).

Article 23-4. Rights and obligations of employees of the internal affairs bodies of the Republic of Kazakhstan during the inspection

1. An employee (employees) of the internal affairs bodies of the Republic of Kazakhstan, during an inspection, has the right to:

1) unhindered access to the territory and premises of the subject (object) of control upon presentation of the documents specified in paragraph 7 of Article 23-2 of this Law;

2) receive materials and information on paper and (or) electronic media or their copies for attachment to the act on the results of the audit, as well as access to engineering and technical means of protection, information systems and automated databases in accordance with the subject of the audit;

3) involve specialists, consultants and experts of state bodies and organizations in accordance with the purpose of the object of control in agreement with the relevant state bodies;

4) to carry out audio, photo and video filming.

2. When conducting an inspection, an employee (employees) of the internal affairs bodies of the Republic of Kazakhstan shall not have the right to:

1) check the fulfillment of the requirements not established by the legislation of the Republic of Kazakhstan on countering terrorism in terms of ensuring the anti-terrorist protection of objects vulnerable to terrorism;

2) demand the submission of materials and information if they do not relate to the subject of verification;

3) seize engineering and technical means of protection (their elements, information carriers) without drawing up a protocol on seizure;

4) to exceed the established term for the inspection;

5) to carry out, in accordance with the subject of the audit, measures that are costly in nature, at the expense of the subject of control;

6) disclose and (or) disseminate information obtained as a result of an audit, constituting a commercial, tax or other secret protected by law, except for cases provided for by the laws of the Republic of Kazakhstan.

3. An employee (employees) of the internal affairs bodies of the Republic of Kazakhstan, when conducting an inspection, is obliged to:

1) comply with the legislation of the Republic of Kazakhstan, the rights and legitimate interests of subjects of control;

2) conduct inspections on the basis and in accordance with the procedure determined by this Law;

3) not interfere with the established mode of operation of the subject (object) of control during the period of the inspection;

- 4) not to prevent the subject of control or his authorized person from being present during the inspection, to give explanations on issues related to the subject of the inspection;
- 5) provide the subject of control with the necessary information related to the subject of the audit during its implementation;
- 6) ensure the safety of materials and information obtained as a result of the audit.

Footnote. Chapter 8 is supplemented by Article 23-4 in accordance with the Law of the Republic of Kazakhstan dated May 13, 2020 No. 325-VI (shall be enforced six months after the day of its first official publication).

Article 23-5. Rights and obligations of the subject of control or its authorized person during the inspection

1. The subject of control or his authorized person, when carrying out an inspection, shall have the right to:

1) not to allow an employee (employees) of the internal affairs bodies of the Republic of Kazakhstan who arrived (arrived) to conduct an inspection at the control object, in the following cases:

lack of documents provided for in paragraph 7 of Article 23-2 of this Law;
expiration of the inspection period specified in the act on the appointment of the inspection, or the period specified in the additional act on the extension of the inspection in case of extension of the inspection;

2) not to submit materials and information if they do not relate to the subject of verification;

3) appeal against the act on the appointment of the inspection, the act on the results of the inspection, the order to eliminate the identified violations and actions (inaction) of the employee (employees) of the internal affairs bodies of the Republic of Kazakhstan in the manner determined by the legislation of the Republic of Kazakhstan;

4) not to comply with the requirements of an employee (employees) of the internal affairs bodies of the Republic of Kazakhstan that are not provided for by the laws of the Republic of Kazakhstan and restrict the activities of subjects (objects) of control;

5) record the process of carrying out the inspection, individual actions of an employee (employees) of the internal affairs bodies of the Republic of Kazakhstan, involved specialists, consultants and experts of state bodies and organizations using audio, photo and video equipment, without creating obstacles to their activities, without the right to free distribution information received, including in the media and the Internet;

6) involve third parties in the ongoing verification in order to represent their rights and legitimate interests.

2. The subject of control or his authorized person during the inspection shall:

1) ensure unimpeded access to the territory and premises of the subject (object) of control to the employee (employees) of the internal affairs bodies of the Republic of Kazakhstan

upon presentation of the documents specified in paragraph 7 of Article 23-2 of this Law, as well as specialists, consultants and experts of state bodies and organizations involved in the audit;

2) to ensure the safety of the employee (employees) of the internal affairs bodies of the Republic of Kazakhstan, who arrived (arrived) for the inspection, as well as specialists, consultants and experts involved in the inspection, from harmful and hazardous production factors in accordance with the standards established for this facility ;

3) provide the employee (employees) of the internal affairs bodies of the Republic of Kazakhstan with materials and information on paper and (or) electronic media or copies thereof for attachment to the act on the results of the inspection and the order to eliminate the identified violations, as well as access to engineering and technical means of protecting objects terrorist vulnerable, including to information systems and automated databases, in accordance with the subject of verification;

4) make a note of receipt on the second copy of the act on the appointment of the inspection;

5) make a note on receipt on the second copy of the act on the results of the inspection on the day the inspection was completed and on the second copy of the order to eliminate the violations found upon receipt;

6) prevent changes and additions to the materials, as well as changes to the configuration and characteristics of engineering and technical means, information systems and automated databases related to the subject of the audit during the audit;

7) comply with the order to eliminate the identified violations.

Footnote. Chapter 8 is supplemented by Article 23-5 in accordance with the Law of the Republic of Kazakhstan dated May 13, 2020 No. 325-VI (shall be enforced six months after the day of its first official publication).

Article 24. Supervision for the legality of activity in the sphere of countering terrorism

The General Procurator of the Republic of Kazakhstan and the prosecutors subordinate to him shall carry out the highest supervision of observance the legality in performing activities in the field of countering terrorism.

Footnote. Article 24 in the new wording of the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication).

**The President
of the Republic of Kazakhstan**

