

On legal acts

Unofficial translation

The Law of the Republic of Kazakhstan dated April 6, 2016 № 480-V LRK.

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This Law regulates public relations related to the procedure for development, submission, discussion, acceptance, registration, enactment, amendment, addition, termination, suspension and publication of legal acts of the Republic of Kazakhstan.

SECTION 1. GENERAL PROVISIONS

Chapter 1. GENERAL PROVISIONS

Article 1. General provisions, used in this Law

The following basic concepts are used in this Law:

1) body-developer - state bodies, local representative and executive bodies that develop regulatory legal acts in accordance with their competence, established by the Constitution of the Republic of Kazakhstan, this Law and other regulatory legal acts;

2) provision - a normative legal act that defines the status and powers of a public body;

3) legal act of individual application - a written official document of the established form that applies to an individually defined scope of persons (individuals and (or) legal entities) that implement their rights and obligations as established by the legislation of the Republic of Kazakhstan and does not contain the norms of law;

4) law - a normative legal act that regulates the most important social relations, establishes the fundamental principles and norms provided for by the Constitution of the Republic of Kazakhstan;

5) subordinate regulatory legal acts - other normative legal acts that are not legislative acts, issued on the basis of (and) or in execution of and (or) for further implementation of legislative and other hierarchical normative legal acts;

6) concept of a draft law - a document containing the rationale for development of a draft law on the initiative of the Government of the Republic of Kazakhstan, the objectives of its adoption and other provisions determined by the Government of the Republic of Kazakhstan;

7) legislative act - law making amendments and additions to the Constitution of the Republic of Kazakhstan, a constitutional law, a code, a consolidated law, a law, a resolution of the Parliament of the Republic of Kazakhstan, resolutions of the Senate and the Majilis of the Parliament of the Republic of Kazakhstan;

8) legal examination - verification of a draft normative legal act or an adopted normative legal act for its compliance with the Constitution of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan, including legislation in the field of combating corruption;

9) legal technique - a set of methods, requirements and rules for formulation of legal acts;

10) analogy of law - application of norms of laws, regulating similar social relations to the unregulated public relations;

11) code - a law, which combines and systematizes the rules of law, governing the homogeneous most important social relations provided for by Article 8 of this Law;

12) constitutional law - a law adopted on issues stipulated by the Constitution of the Republic of Kazakhstan in the manner established by paragraph 4 of Article 62 of the Constitution of the Republic of Kazakhstan;

13) rules - a normative legal act that determines the procedure for organization and implementation of an activity;

14) State register of normative legal acts of the Republic of Kazakhstan - a unified system of state registration of normative legal acts of the Republic of Kazakhstan, containing requisites of normative legal acts and other information of reference nature about these acts;

15) reference control bank of normative legal acts of the Republic of Kazakhstan - a set of normative legal acts on paper and an electronic system of normative legal acts in the form of an electronic document, information on which is included in the state register of normative legal acts of the Republic of Kazakhstan;

16) legislation of the Republic of Kazakhstan - a set of normative legal acts adopted in accordance with the established procedure;

17) law introducing amendments and additions to the Constitution of the Republic of Kazakhstan - a law adopted in accordance with the procedure established by paragraph 3 of Article 62 and paragraph 1 of Article 91 of the Constitution of the Republic of Kazakhstan;

18) the norm of law - a generally binding rule of behavior of a permanent or temporary character, designed for repeated application, extending to an individually indeterminate scope of persons within the framework of regulated public relations;

19) legal act - a written official document of the established form containing the norms of law or individual power legal regulations adopted at the national referendum or authorized bodies;

20) legal monitoring - a system of ongoing monitoring, collection, analysis of information on the state of the legislation of the Republic of Kazakhstan and the practice of its application, carried out in accordance with Articles 50 and 51 of this Law;

21) analogy of the right - application of the meaning of legislation, general principles of law and the principles of specific branches of law to the unresolved social relations;

22) is excluded by the Law of the Republic of Kazakhstan dated 25.11.2019 No. 272-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

23) is excluded by the Law of the Republic of Kazakhstan dated 25.11.2019 No. 272-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

24) non-normative legal act - a written official document that does not contain the norms of law, issued (adopted) by the authorized body within its competence, applying and (or) implementing the rights and obligations of the individually defined persons established by law or clarifying the norms contained in the normative legal act, and legal acts in the field of the state planning system;

25) normative legal act - a written official document on paper and an identical electronic document of the established form, adopted at the national referendum or by an authorized body, establishing the norms of law, changing, supplementing, terminating or suspending their effect;

26) excluded by the Law of the Republic of Kazakhstan dated 24.05.2018 № 156-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication);

27) Register of state registration of regulatory legal acts - a list containing the number of state registration and details of regulatory legal acts specified in subparagraphs 6), 7), 8) and 9) of paragraph 2 of Article 7 of this Law, which have passed state registration in the justice authorities of the Republic of Kazakhstan ;

28) level of a normative legal act - a place of a normative legal act depending on its legal force in the hierarchy of normative legal acts;

29) legal force of a normative legal act - a characteristic of a normative legal act that determines the binding nature of its application to the relevant social relations, as well as the advantage or subordination in relation to other normative legal acts;

30) official publication of a normative legal act - a publication for the public of the full text of a normative legal act in Kazakh and Russian in the Reference Control Bank of the normative legal acts of the Republic of Kazakhstan electronically, in official print media, and in periodicals in cases provided for by this law;

31) an act of an official clarification of a normative legal act - a written official document of the established form clarifying the norms contained in a normative legal act that meets the requirements and conditions specified in Chapter 13 of this Law;

32) instruction - a normative legal act detailing the application of legislation in any sphere of public relations;

33) technical regulation - a normative legal act that establishes mandatory requirements for products and (or) processes of their life cycle, developed and applied in accordance with the legislation of the Republic of Kazakhstan on technical regulation;

34) an authorized body - the state bodies and officials of the Republic of Kazakhstan who are entitled to adopt legal acts in accordance with their competence established by the Constitution of the Republic of Kazakhstan, this Law, and also the legislation of the Republic of Kazakhstan, defining the legal status of these bodies and officials (President of the Republic of Kazakhstan, Parliament of the Republic of Kazakhstan, the Chambers of Parliament, the Government of the Republic of Kazakhstan, the Constitutional Council of the Republic of Kazakhstan, the Supreme Court of the Republic of Kazakhstan, the Central Election Commission of the Republic of Kazakhstan, the Accounts Committee for Control over Execution of the Republican Budget of the Republic of Kazakhstan, the National Bank of the Republic of Kazakhstan, central executive bodies, local representative and executive bodies, mayors, other state bodies and officials);

35) excluded by the Law of the Republic of Kazakhstan dated 21.01.2019 № 217-VI (shall be enforced upon expiration of ten calendar days after the day of its first official publication);

36) a consolidated law - a law regulating complex social relations in the spheres (areas) stipulated by Article 9 of this Law.

Note. Article 1 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 days after the day of its first official publication); dated 24.05.2018 № 156-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 21.01.2019 № 217-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 25.11.2019 No. 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 2. Scope of this Law

1. This Law determines the system of legal acts of the Republic of Kazakhstan, delineates the legal status of normative legal acts and non-normative legal acts.

2. This Law does not regulate:

1) the procedure for adopting, amending, supplementing and terminating the Constitution of the Republic of Kazakhstan;

2) the procedure for adopting, amending, supplementing and terminating the regulatory decisions of the Constitutional Council of the Republic of Kazakhstan and the Supreme Court of the Republic of Kazakhstan;

3) the procedure for concluding, executing, amending, supplementing and terminating international treaties of the Republic of Kazakhstan;

4) the procedure for adopting, amending, supplementing and terminating the legal acts of individual application established by the legislation of the Republic of Kazakhstan on administrative offenses, criminal procedural and civil procedural legislation of the Republic of Kazakhstan;

5) procedure for planning, development, approval, registration, accounting, publication, monitoring and updating of documents on standardization established by the legislation of the Republic of Kazakhstan in the field of standardization.

Footnote. Article 1 with the change introduced by the Law of the Republic of Kazakhstan dated 05.10.2018 № 184-VI (shall be enforced upon the expiration of six months after the day of its first official publication).

Article 3. General requirements for legal acts. Types of legal acts

1. Legal acts shall meet the following general requirements:

1) contain normative or individual authoritative legal regulations;

2) to be adopted at a republican referendum or in accordance with the procedure established by this Law and other legislative acts;

3) should be addressed to an indefinite scope of persons or to individually identified persons;

4) should be aimed at regulation of public relations;

5) should be aimed at emergence, modification, addition or termination of the rights and obligations of individuals and (or) legal entities.

2. Legal acts are divided into the following types:

1) normative legal acts;

2) non-normative legal acts.

Chapter 2. LEGISLATION OF THE REPUBLIC OF KAZAKHSTAN

Article 4. The system of legislation of the Republic of Kazakhstan, ensuring its integrity

1. The system of legislation of the Republic of Kazakhstan consists of the Constitution of the Republic of Kazakhstan, relevant legislative acts, other normative legal acts, including regulatory decisions of the Constitutional Council of the Republic of Kazakhstan and the Supreme Court of the Republic of Kazakhstan.

2. The integrity of the system of legislation of the Republic of Kazakhstan is provided through:

1) compliance with the procedure for adoption of normative legal acts, amendments and additions thereto established by the Constitution of the Republic of Kazakhstan, legislative and other normative legal acts;

2) observance of the hierarchy of normative legal acts, enshrined by the Constitution of the Republic of Kazakhstan and this Law;

3) official publication of normative legal acts concerning the rights, freedoms and duties of citizens.

Article 5. Normative decisions of the Constitutional Council of the Republic of Kazakhstan and the Supreme Court of the Republic of Kazakhstan

1. Normative decisions of the Constitutional Council of the Republic of Kazakhstan are based only on the Constitution of the Republic of Kazakhstan, and all other normative legal acts may not contradict them.

2. Normative decisions of the Constitutional Council of the Republic of Kazakhstan have the legal force of those norms of the Constitution of the Republic of Kazakhstan, on the basis of which they are adopted.

3. The normative resolution of the Supreme Court of the Republic of Kazakhstan contains explanations on judicial practice issues.

Article 6. International treaties of the Republic of Kazakhstan

1. The procedure for concluding, executing, amending, supplementing and terminating international treaties of the Republic of Kazakhstan is determined by a special law.

2. International treaties ratified by the Republic of Kazakhstan shall take precedence over its laws and shall be applied directly, unless an international treaty states that the law is required for its application.

SECTION 2. NORMATIVE LEGAL ACTS

Chapter 3. GENERAL PROVISIONS ON NORMATIVE LEGAL ACTS

Article 7. Basic and derived types of normative legal acts

1. Normative legal acts are subdivided into basic and derivative.

2. The basic types of normative legal acts are:

1) the Constitution of the Republic of Kazakhstan, constitutional laws of the Republic of Kazakhstan, codes of the Republic of Kazakhstan, consolidated laws of the Republic of Kazakhstan, laws of the Republic of Kazakhstan;

2) normative legal decrees of the President of the Republic of Kazakhstan;

2-1) Normative legal acts of the President of the Security Council of the Republic of Kazakhstan;

3) normative legal decisions of the Parliament of the Republic of Kazakhstan and its Chambers;

- 4) normative legal decisions of the Government of the Republic of Kazakhstan;
- 5) normative resolutions of the Constitutional Council of the Republic of Kazakhstan, the Supreme Court of the Republic of Kazakhstan;
- 6) normative legal decisions of the Central Election Commission of the Republic of Kazakhstan, the Accounts Committee for Control over Execution of the Republican Budget of the Republic of Kazakhstan, the National Bank of the Republic of Kazakhstan and other central state bodies;
- 7) normative legal orders of ministers of the Republic of Kazakhstan and other heads of central state bodies;
- 8) normative legal orders of heads of departments of central state bodies;
- 9) normative legal decisions of maslikhats, normative legal resolutions of akimats, normative legal decisions of akims and normative legal resolutions of revision commissions.

3. The derived types of normative legal acts are:

- 1) provision;
- 2) technical regulation;
- 3) is excluded by the Law of the Republic of Kazakhstan dated 25.11.2019 No. 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication);
- 4) is excluded by the Law of the Republic of Kazakhstan dated 25.11.2019 No. 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication);
- 5) rules;
- 6) instruction.

Legislative acts of the Republic of Kazakhstan may provide for other forms of normative legal acts of a derived type.

4. Normative legal acts of derived types are adopted or approved through normative legal acts of the basic types and make a whole with them.

5. Territorial subdivisions of authorized bodies, as well as local executive bodies authorized by the akim, financed from local budgets, are not entitled to issue normative legal acts.

6. Normative legal orders are adopted by heads of departments of central state bodies, subject to the existence of direct competence for their approval in the normative legal acts of the state body, the structure of which includes the department, and may not affect the rights and freedoms of an individual and a citizen.

Note. Article 7 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 calendar days after the day of its first

official publication); dated 05.07.2018 № 179-VI (shall be enforced from the date of its first official publication); dated 25.11.2019 No. 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 8. Public relations regulated by the Codes of the Republic of Kazakhstan

The Codes of the Republic of Kazakhstan are adopted with the aim of regulating the following homogeneous important social relations:

- 1) budget;
- 2) civil;
- 3) civil procedural;
- 4) marriage and family;
- 5) ecological;
- 6) water;
- 7) land;
- 8) forest;
- 9) tax;
- 10) customs;
- 11) labor;
- 12) related to execution of criminal penalties;
- 13) related to bringing to administrative responsibility;
- 14) related to bringing to criminal liability;
- 15) criminal procedure;
- 16) in healthcare area;
- 17) in entrepreneurship area;
- 18) in subsoil and subsoil use area.

Article 9. Relations governed by consolidated laws

Consolidated laws of the Republic of Kazakhstan are adopted with a view to improve the structure of legislation and unite laws that regulate the complex social relations in the sphere (area) of:

- 1) state property;
- 2) local government and self-government;
- 3) education and science;
- 4) civil protection;
- 5) housing relations;
- 6) regulation, supervision and control of the financial market and financial organizations;
- 7) transport;
- 8) permits and notifications;

- 9) rehabilitation and bankruptcy;
- 10) architecture, town-planning and construction;
- 11) advocate's activity and legal assistance.

Footnote. Article 9 with the change introduced by the Law of the Republic of Kazakhstan dated 05.07.2018 № 177-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 10. Hierarchy of normative legal acts

1. The highest legal force belongs to the Constitution of the Republic of Kazakhstan.

2. The ratio of the legal force of other normative legal acts other than the Constitution of the Republic of Kazakhstan corresponds to the following subordinate levels:

- 1) laws that introduce amendments and additions to the Constitution;
- 2) constitutional laws of the Republic of Kazakhstan;
- 3) codes of the Republic of Kazakhstan;
- 4) consolidated laws, laws of the Republic of Kazakhstan;
- 5) normative decrees of the Parliament of the Republic of Kazakhstan and its Chambers;
- 6) normative legal decrees of the President of the Republic of Kazakhstan;
- 7) normative legal resolutions of the Government of the Republic of Kazakhstan;
- 8) normative legal orders of ministers of the Republic of Kazakhstan and other heads of central state bodies, normative legal resolutions of the Central Election Commission of the Republic of Kazakhstan, the Accounts Committee for Control over Execution of the Republican Budget of the Republic of Kazakhstan, the National Bank of the Republic of Kazakhstan and other central state bodies;
- 9) normative legal orders of heads of departments of central state bodies;
- 10) normative legal decisions of maslikhats, normative legal resolutions of akimats, normative legal decisions of akims and normative legal resolutions of revision commissions.

3. Each of the normative legal acts of the subordinate level should not contradict the normative legal acts of the higher levels.

4. The place of a normative legal act of the derived type in the hierarchy of normative legal acts is determined by the level of the act of the basic type.

5. Acts of the Chairman of the Security Council of the Republic of Kazakhstan, normative resolutions of the Constitutional Council of the Republic of Kazakhstan and the Supreme Court of the Republic of Kazakhstan are outside the hierarchy of normative legal acts established by this article.

Note. Article 10 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 calendar days after the day of its first official publication); dated 05.07.2018 № 179-VI (shall be enforced from the date of its first official publication).

Article 11. Direct effect of normative legal acts

1. All normative legal acts have direct effect, unless otherwise stipulated in the normative legal acts themselves or in the acts on putting them into effect.

2. No additional instructions are required for application of normative legal acts in effect.

3. If a normative legal act itself states that any of its norms of law is applied on the basis of an additional normative legal act, then this norm is applied in accordance with the basic and additional normative legal act.

Before adoption of an additional normative legal act, the normative legal acts regulating the relevant relations are applied.

Article 12. Contradictions of norms of law of various normative legal acts

1. In the presence of contradictions in the norms of normative legal acts of different levels, the norms of an act of a higher level apply.

2. Norms of laws in cases of their discrepancy with the norms of the codes of the Republic of Kazakhstan may be applied only after entering appropriate changes and (or) additions into the codes.

3. In the presence of contradictions in the norms of normative legal acts of one level, the norms of the act, which were later put into effect, apply.

Article 13. Procedure for using analogy of law and analogy of right

1. In the absence of norms of law governing specific social relations, analogy of law or analogy of right may be applied.

2. In the absence of norms of law governing specific social relations, analogy of law is applied.

3. If it is not possible to use the analogy of law in the cases provided for in paragraph 2 of this article, the analogy of right is applied.

4. In the process of applying the analogy of law and the analogy of right, the establishment of new obligations or restriction of the rights of individuals or legal entities is not allowed.

The possibility of applying the analogy of law and the analogy of right in relations regulated by specific branches of legislation is determined by the relevant legislative acts.

Article 14. Calculation of terms

1. The term established by the legislation is determined by the calendar date or indication of an event that must inevitably occur. The term can also be set as a period of time that is calculated by years, quarters, months, weeks, days (days and nights) or hours.

2. The term, calculated in years, begins with the calendar date or the day of the event, which determine its beginning, and expires in the relevant month and date of the last year of the term. If the end of the term falls on a month in which there is no corresponding date, then the term expires on the last day of this month.

The term, calculated in months, begins with the calendar date or the day of the event, which determine its beginning, and expires on the corresponding day (date) of the last month of the term. If the end of the term falls on a month in which there is no corresponding date, then the term expires on the last day of this month.

The term, calculated in weeks, begins with the calendar date or the day of the occurrence of the event, which determine its beginning, and expires on the corresponding day of the last week of the term.

The term, calculated in days, begins on the day following the calendar date or the date (day) of the event, which determine its beginning, with the exception of constitutional terms, which begin from the day of the event referred to in the Constitution of the Republic of Kazakhstan, and expire in the last day of the established term.

The term, calculated in hours, begins from the minute of occurrence of the event, which determines its beginning, and expires at the last minute of the established period.

3. The duration of term, determined by the period of time, begins on the day after the calendar date or the occurrence of the event that determine its beginning, except for the constitutional terms that begin from the day of the event specified in the Constitution of the Republic of Kazakhstan.

If the last day of the term falls on a non-working day, the day of expiry of the term is considered to be the next business day following it.

Chapter 4. PLANNING OF PREPARATION OF DRAFT NORMATIVE LEGAL ACTS

Article 15. Plans for preparation of draft normative legal acts

1. Plans for preparation of draft normative legal acts are divided into current ones, those compiled for one year, and long-term ones, compiled for longer periods.

The long-term plans envisage development of the most important normative legal acts, as well as normative legal acts, the preparation of which is planned for a period of more than one year.

2. The plans of preparation specify:

1) the name of the normative legal act reflecting its level, form and subject of regulation;

2) terms of preparation;

3) bodies and organizations responsible for development of the draft.

3. Plans for preparation of normative legal acts may be drawn up and approved by authorized bodies, entitled to adopt the relevant acts, unless otherwise provided by this Law and other legislation of the Republic of Kazakhstan.

4. When drawing up the plans for preparation of draft normative legal acts, the recommendations of state and other bodies and organizations are taken into account, including scientific ones, as well as recommendations of the National Chamber of Entrepreneurs of the Republic of Kazakhstan and other interested persons, prepared on the basis of the results of legal monitoring.

5. Authorized bodies drawing up and approving plans for preparation of draft normative legal acts may enter other indicators reflecting preparation of these acts into the plans.

6. Procedure and forms for planning the preparation of draft normative legal acts issued by the President of the Republic of Kazakhstan are determined by the President of the Republic of Kazakhstan.

Article 16. Planning of preparation of draft legislative acts

1. Long-term planning of preparation of draft legislative acts is carried out within the framework of the Conceptual Plan for legislative work.

2. Conceptual plan for legislative work is adopted for the period of the next convocation of the Parliament of the Republic of Kazakhstan and reflects the branches (spheres) of legislation, within the framework of which it is planned to draft legislative acts in the context of the sessions of the Parliament of the Republic of Kazakhstan (with the exception of the resolutions of the Parliament of the Republic of Kazakhstan and its Chambers).

3. Conceptual plan for legislative work is drawn up on the basis of the consolidated recommendations of the Chambers of the Parliament of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

4. Conceptual plan for legislative work is developed by the Ministry of Justice of the Republic of Kazakhstan, is submitted by the Government of the Republic of Kazakhstan for approval with the chairmen of the Chambers of the Parliament of the Republic of Kazakhstan and approved by the President of the Republic of Kazakhstan.

5. In order to implement the Conceptual Plan for legislative work, the Government of the Republic of Kazakhstan approves the current plans of legislative works, compiled for one year.

6. Current plans for legislative works are developed by the Ministry of Justice of the Republic of Kazakhstan and coordinated with the President of the Republic of Kazakhstan.

7. Current plans of legislative works of the Government of the Republic of Kazakhstan shall contain:

1) the name of the draft law, the development of which is expected in the coming year, reflecting its level, form and subject of regulation;

2) terms of development of the draft law and its submission to the Parliament of the Republic of Kazakhstan;

3) bodies and organizations responsible for drafting the law.

8. Procedure and forms for planning the preparation of draft legislative acts adopted by the Parliament of the Republic of Kazakhstan are determined by the Parliament and its Chambers in accordance with their competence established by paragraph 3 of Article 61 of the Constitution of the Republic of Kazakhstan.

9. Requirements of this article do not apply to the preparation of draft legislative acts submitted to the Majilis of the Parliament of the Republic of Kazakhstan in the manner of the legislative initiative of the President of the Republic of Kazakhstan and the deputies of the Parliament of the Republic of Kazakhstan.

Chapter 5. PREPARATION AND FORMULATION OF DRAFT NORMATIVE LEGAL ACTS

Article 17. Developers of draft normative legal acts

1. Developers of draft legislative acts, submitted to the Majilis of the Parliament of the Republic of Kazakhstan in the manner of the legislative initiative of the President of the Republic of Kazakhstan, on the instructions of the President of the Republic of Kazakhstan or the Head of the Administration of the President of the Republic of Kazakhstan, based on the instructions of the President of the Republic of Kazakhstan, may be the Administration of the President, the Government, other state bodies, organizations and citizens in agreement with them.

Developers of draft legislative acts, prepared in the manner of the legislative initiative of deputies of the Parliament of the Republic of Kazakhstan, are the deputies of the Parliament.

Developers of draft legislative acts, prepared in the manner of the legislative initiative of the Government of the Republic of Kazakhstan, are the central state bodies.

2. Recommendations on development of draft laws submitted to the Majilis of the Parliament of the Republic of Kazakhstan in the manner of the legislative initiative of the President of the Republic of Kazakhstan may be submitted for consideration to the President of the Republic of Kazakhstan by the Administration, the Government of the

Republic of Kazakhstan, central state, local executive and representative bodies, local self-government bodies, as well as organizations and citizens.

3. Drafts of other normative legal acts are developed by state bodies in accordance with their competence, established by the legislation of the Republic of Kazakhstan, on their own initiative or on instructions from higher state bodies and officials, unless otherwise stipulated by the legislation of the Republic of Kazakhstan.

4. Other bodies, organizations and citizens have the right to make recommendations for development of normative legal acts or to submit the initiative drafts of such acts to the bodies-developers. The bodies-developers may take them as a basis for the draft normative legal acts that they develop or recognize their further development and adoption of projects as impractical.

Article 18. Procedure for drafting a normative legal act

1. A body-developer creates a working group for preparation of the draft or assigns its preparation to its subdivisions.

A body-developer, unless otherwise established by the legislation of the Republic of Kazakhstan, may assign the drafting of a normative legal act to its subordinate bodies and organizations and order its preparation on a contractual basis by specialists, the National Chamber of Entrepreneurs of the Republic of Kazakhstan, associations of private business entities, scientific institutions, individual scientists and collectives, including foreign ones, experts in the relevant spheres with the use of budget funds allocated for this purpose and grants.

An authorized body has the right to assign preparation of alternative drafts of normative legal acts to several state bodies and organizations or to assign their development on a contractual basis, including through a competitive tender, the National Chamber of Entrepreneurs of the Republic of Kazakhstan, several scientific institutions or scientists.

Drafting of a normative legal act involves employees of a legal department of the body-developer, responsible for drafting a normative legal act.

In development of normative legal acts, affecting interests of subjects of private business, except for projects of normative legal acts of central and local executive bodies, and also the akims, providing decision-making on establishment (cancellation) of a quarantine zone with introduction of a quarantine mode on corresponding territory, on establishment (removal) of quarantine and (or) restrictive actions in the cases provided by the legislation of the Republic of Kazakhstan in the field of veterinary science, and also announcement of emergency.

Deputies of the Parliament of the Republic of Kazakhstan have the right to participate in the work of the working group for preparation of the draft law at any stage.

2. An authorized body before development of a draft law develops its concept.

This requirement does not apply to cases of drafting laws in the manner of the legislative initiative of the President of the Republic of Kazakhstan.

Procedure for reviewing the concepts of draft laws and requirements for them are determined by the Rules for organization of legislative work in the authorized bodies of the Republic of Kazakhstan, approved by the Government of the Republic of Kazakhstan.

The concept of the draft law affecting the interests of private business entities shall be sent to the Expert Council established in accordance with the Entrepreneurial Code of the Republic of Kazakhstan under the state body - the developer of the relevant concept of the draft law, and the National Chamber of Entrepreneurs of the Republic of Kazakhstan to obtain an expert opinion in the manner prescribed by Article 19 of this Law.

3. Specialists of various fields of knowledge, scientific institutions and scientists, representatives of public associations may be involved in drafting laws, normative legal decrees of the President of the Republic of Kazakhstan, normative legal decisions of the Government of the Republic of Kazakhstan and draft normative legal acts of other authorized bodies.

The authorized bodies at working out of projects of standard legal acts have the right to use scientific concepts of development of the legislation of the Republic of Kazakhstan, results of the spent fundamental and applied scientific researches of the authorized organization defined by the Government of the Republic of Kazakhstan, in the field of legal maintenance of activity of the state.

4. Drafts of by-laws of the authorized bodies of the same level may be developed, and if necessary - adopted by several authorized bodies.

Drafts of by-laws of several authorized bodies are developed by them jointly in the manner prescribed by this Law and adopted in the form of joint normative legal acts signed by the heads of authorized bodies.

The derived types of joint normative legal acts are approved through the basic normative legal acts of the authorized bodies that adopted the derived normative legal act, specifying in it the main normative legal acts through which the derivative act was adopted.

5. The Administration of the President of the Republic of Kazakhstan or other state bodies of the Republic of Kazakhstan entrusted with development of a draft legislative act in the manner of a legislative initiative of the President of the Republic of Kazakhstan shall develop a draft legislative act within a month if another term is not

established by the President of the Republic of Kazakhstan or on his instructions by the Head of the Administration of the President of the Republic of Kazakhstan.

6. The Ministry of Justice of the Republic of Kazakhstan conducts legal expertise of the drafts of normative legal acts developed in the manner of the legislative initiative of the Government of the Republic of Kazakhstan with the exception of the normative legal acts provided for in subparagraphs 3), 5), 6), 7), 8) and 9) of paragraph 2 of Article 7 of this Law.

7. If implementation of norms of law of a draft legislative act of the Republic of Kazakhstan, a normative legal order of the President of the Republic of Kazakhstan, a normative legal regulation of the Government of the Republic of Kazakhstan, requires introduction of amendments and / or additions to normative legal acts of one or the lower level, then simultaneously with the draft normative legal act of the basic type the draft acts with the indicated amendments and (or) additions must be prepared or instructions to be given to the relevant body about preparation of such acts.

8. The developed drafts of concepts of draft laws and normative legal acts together with explanatory notes and comparative tables to them (in cases of introducing amendments and / or additions to legislative acts), with the exception of normative decisions of the Constitutional Council of the Republic of Kazakhstan and the Supreme Court of the Republic of Kazakhstan, are posted for public discussion on the Internet portal of open normative legal acts before submission for consideration to the interested state bodies.

Procedure for posting and public discussion of draft concepts of draft laws and draft normative legal acts on the Internet portal of open normative legal acts is established by the authorized body in the field of informatization in coordination with the Ministry of Justice of the Republic of Kazakhstan.

The drafts of normative legal acts relating to trade in goods, services or intellectual property rights are posted on Internet resources of authorized state bodies in a period not less than 30 calendar days before their acceptance for public discussion unless otherwise provided by the laws of the Republic of Kazakhstan and the ratified international treaties.

9. The provisions of this article do not apply to relations linked with the right of legislative initiative of deputies of the Parliament of the Republic of Kazakhstan.

Footnote. Article 18 as amended by the laws of the Republic of Kazakhstan dated 24.05.2018 No. 156-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); dated 21.01.2019 No. 217-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 19. Features of development and adoption of normative legal acts affecting the interests of private business entities

1. Bodies-developers send to the expert councils and the National Chamber of Entrepreneurs of the Republic of Kazakhstan a notice of the placement of the relevant draft regulatory legal act affecting the interests of business entities on the Internet portal of open regulatory legal acts to obtain expert opinions, including each subsequent coordination of the project with interested government agencies.

In case of non-submission by members of expert councils and the National Chamber of Entrepreneurs of the Republic of Kazakhstan of expert opinions in due time, the draft regulatory legal act is considered to be agreed without comments.

It is forbidden for the state bodies to demand from the state bodies-developers to receive expert opinions from the members of the expert councils and the National Chamber of Entrepreneurs of the Republic of Kazakhstan, who have not submitted their expert opinion within the terms determined by the relevant state body, but not less than ten working days from the date of receipt of notifications by the member of the expert council and the National Chamber of Entrepreneurs of the Republic of Kazakhstan.

1-1. The requirement to obtain an expert opinion, specified in paragraph 1 of this article, does not apply to the draft regulatory legal acts of central and local executive bodies, as well as the akims, providing for the adoption of decisions on the establishment (cancellation) of the quarantine zone with the introduction of a quarantine regime in the relevant territory, on the establishment (removal) of quarantine and (or) restrictive measures in cases provided for by the legislation of the Republic of Kazakhstan in the field of veterinary medicine, as well as the declaration of an emergency situation of natural and technogenic characters.

2. With regard to the draft regulatory legal acts affecting the interests of private business entities, the analysis of regulatory impact in the cases and order established by the Entrepreneurial Code of the Republic of Kazakhstan is carried out.

3. expert opinions represent a written position of a member of the Expert Council or the National Chamber of Entrepreneurs of the Republic of Kazakhstan, have a recommendatory character and are mandatory annexes to the concept of the draft law, the draft regulatory legal act prior to its adoption, including each subsequent approval of the project by the state authorities concerned.

Expert opinions shall be submitted in Kazakh and Russian languages.

4. Consideration of expert opinions by the developer bodies shall be carried out in accordance with the Entrepreneurial Code of the Republic of Kazakhstan.

5. The terms of enactment of the normative legal act affecting the interests of private business entities shall be established based on the terms necessary for private business entities to prepare for the implementation of activities in accordance with the requirements established by the laws of the Republic of Kazakhstan.

The procedure and terms of introduction of normative legal acts should not cause damage to private business entities.

6. The procedures provided for in this article are mandatory conditions for the adoption of regulatory legal acts affecting the interests of private business entities.

7. Draft regulatory legal acts affecting the interests of private business entities are subject to mandatory publication (distribution) in the media, including placement on Internet resources, before their consideration by the expert council and the National Chamber of Entrepreneurs of the Republic of Kazakhstan.

Footnote. Article 19 of the Law of the Republic of Kazakhstan of 24.05.2018 № 156-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication); with the change introduced by the Law of the Republic of Kazakhstan of 21.01.2019 № 217-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 20. Specifics of development and adoption of normative legal acts concerning the rights, freedoms and duties of citizens

1. In order to involve non-profit organizations and citizens in the process of drafting normative legal acts concerning the rights, freedoms and duties of citizens, public councils are formed in the order established by the Law of the Republic of Kazakhstan "On Public Councils".

2. The central state bodies, local representative and executive bodies send the project of the normative legal act, concerning the rights, freedoms and duties of citizens, to the public councils formed in an order established by the Law of the Republic of Kazakhstan "About public councils", except for the projects of normative legal acts of the central and local executive bodies, and also the akims, providing decision-making on an establishment (cancellation) of a quarantine zone with introduction of a quarantine mode in corresponding territory, establishment (removal) of quarantine and (or) restrictive measures in cases provided for by the legislation of the Republic of Kazakhstan in the field of veterinary medicine, as well as declaration of an emergency of natural and man-made nature.

The term, set for submitting recommendations on a draft normative legal act affecting the rights and freedoms of citizens may not be less than ten working days from the moment of its receipt by the Public Council.

In the event that the Public Council fails to provide the recommendations within the time period established by the state body, the draft normative legal act shall be considered agreed without comment.

Recommendations are a mandatory annex to the draft normative legal act before it is adopted, including with each subsequent approval of this draft with interested government bodies.

The recommendations are presented in Kazakh and Russian.

3. The central state body, the local representative or local executive body, if agreed with the recommendations of the Public Council, shall make relevant amendments and / or additions to the draft normative legal act.

In case of disagreement with the recommendations, the central state body, the local representative or local executive body shall send a response with a justification of the reasons for disagreement to the relevant Public Council within ten working days. Such responses with justification are a mandatory annex to the draft normative legal act before it is adopted.

Footnote. Article 20 with the change introduced by the Law of the Republic of Kazakhstan dated 21.01.2019 № 217-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 21. Adjustment of draft normative legal act with interested state bodies and organizations

1. A prepared draft normative legal act and, if necessary, a draft of another normative act adopted for its implementation, are sent for agreement with the interested state bodies and organizations.

The drafts of normative legal acts providing for the reduction of state revenues or the increase of state expenditures are attached with financial and economic calculations.

If implementation of norms of law, contained in the draft law, requires the adoption of by-laws of normative legal acts (if this is not necessary, it is indicated in the cover letter), the draft law is attached by the drafts of by-laws. In the event that the development of a draft by-law normative legal act falls within the competence of another state body, this state body submits the corresponding draft of a by-law normative legal act to the body-developer.

2. The list of state bodies with which the drafts of normative legal acts are subject to mandatory agreement is determined by the Government of the Republic of Kazakhstan, except for the draft acts of the President of the Republic of Kazakhstan and draft legislative acts introduced by the President of the Republic of Kazakhstan or the deputies of the Parliament of the Republic of Kazakhstan as legislative initiative.

3. Draft legislative acts prepared in accordance with the legislative initiative of the President of the Republic of Kazakhstan are coordinated with the interested state bodies of the Republic of Kazakhstan in cases determined by the President of the Republic of Kazakhstan or on his behalf by the Head of the Administration of the President of the Republic of Kazakhstan.

4. The state bodies and organizations to which the draft normative legal act is sent for adjustment should prepare their comments and suggestions on the draft normative legal act or report about their absence to the body-developer that drafted the normative legal act, within thirty calendar days from the date of receipt, unless otherwise specified by the President of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan.

The term of adjustment of draft legislative acts submitted to the Majilis of the Parliament of the Republic of Kazakhstan in the manner of the legislative initiative of the President of the Republic of Kazakhstan may not exceed ten working days unless another shorter term has been established by the President of the Republic of Kazakhstan or on his behalf by the Head of the Administration of the President of the Republic of Kazakhstan.

Comments of the state body on the draft normative legal act should contain recommendations for elimination of deficiencies, be substantiated and comprehensive, submitted in writing.

5. Based on the comments received, the draft normative legal act is finalized by the body-developer, which compiles a report on the accepted and rejected comments, reasons for rejecting comments.

6. The body-developer that created the working group may make amendments and / or additions to the draft normative legal act, which should be discussed with the working group, or return the draft normative legal act for revision to the working group.

7. The order of development, coordination of drafts of by-law normative legal acts is determined by the Government of the Republic of Kazakhstan.

Article 22. Requisites of normative legal act

Normative legal acts shall have the following requisites:

1) the State Emblem of the Republic of Kazakhstan;

2) an indication of the form of the act: the law of the Republic of Kazakhstan on introducing amendments and additions to the Constitution of the Republic of Kazakhstan; the constitutional law of the Republic of Kazakhstan; the Code of the Republic of Kazakhstan; the consolidated law of the Republic of Kazakhstan; the law of the Republic of Kazakhstan; the resolution of the Parliament of the Republic of Kazakhstan; the resolution of the Senate of the Parliament of the Republic of

Kazakhstan; the resolution of the Majilis of the Parliament of the Republic of Kazakhstan; the decree of the President of the Republic of Kazakhstan; the resolution of the Government of the Republic of Kazakhstan; the order of the Minister; the order of the head of the central state body; the order of the head of the department; the resolution of the central state body; the decision of maslikhat; the resolution of akimat; the decision of akim; the resolution of the Revision Commission and other form of the normative legal act provided for by this Law;

3) the heading, indicating the subject of regulation of a normative legal act;

4) the place and date of adoption of a normative legal act;

5) registration number of a normative legal act;

6) signatures of a person or persons authorized to sign normative legal acts;

7) indication of the date and number of state registration of a normative legal act provided for in subparagraphs 6), 7), 8) and 9) of paragraph 2 of Article 7 of this Law;

8) official seal.

Note. Article 22 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 calendar days after the day of its first official publication).

Article 23. Structure of normative legal act

1. The main structural elements of a normative legal act are a paragraph, a part, a subparagraph, an item and an article containing the rules of law.

Inside an article, an item and sub-paragraph of a normative legal act there may be a part - a logically complete separate norm of law, separated by indentation, which begins with a capital letter. In the event that the subparagraph contains several parts, the first part of the subparagraph begins with a lowercase letter.

A paragraph is considered to be a part of the text, which is a semantic unity, indented in the first line and beginning with a lowercase letter, except for the first paragraph of the part that begins with a capital letter. The paragraphs end with a semicolon (except for the first and last paragraphs of the part).

Legislative acts, as a rule, consist of articles with the name "article", which may include part, item, subparagraph and paragraph.

Other normative legal acts consist of items without their name by the word "item", which may include subparagraphs, parts, paragraphs.

2. Articles (items) of large normative legal acts, closely related in content, may be combined into chapters. Several chapters, close in content, may be united into sections, and sections – into the parts of a normative legal act. In large-volume chapters and sections, paragraphs and subsections, respectively, can be singled out. In the codes, other designations of the internal structure may be used.

Chapter, paragraph, section, sub-section in normative legal acts are designated respectively with the words "chapter", "paragraph", "section", "subsection".

3. A code consists of articles that, as a rule, are subdivided into parts without their name "part", which are numbered with Arabic numerals.

4. Each item, article, paragraph, chapter, subsection and section of a normative legal act is numbered in Arabic numerals. The numbering of articles, chapters, sections and parts of a normative legal act is cross-cutting. The numbering of paragraphs in each chapter and the numbering of subsections in each section of a normative legal act is independent.

5. The numbering of subparagraphs in items (articles), items in articles of normative legal acts, as well as parts in articles of individual codes, is independent for each article. The numbering of subparagraphs in items is indicated by Arabic numerals with brackets as follows: 1), 2), 3) and further.

6. In cases where it is necessary to clarify the objectives of adoption of the law and its main tasks, the introduction of the norms of law is preceded by an introductory part (preamble).

The introductory part (preamble) is not set out in the draft laws on the introduction of amendments and (or) additions to the legislative acts of the Republic of Kazakhstan.

7. If it is necessary to clarify the terms and definitions used in a normative legal act, it contains an article (item) explaining (clarifying) their meaning. The terms and definitions in the normative legal act in the Kazakh language are arranged in alphabetical order. The terms and definitions in a normative legal act in Russian must correspond to the order of their presentation in the Kazakh language.

Terms and definitions used in a normative legal act must comply with the terms and definitions used in a higher-level normative legal act regulating homogeneous public relations.

8. A structural element of a normative legal act may be supplemented with a note when the relevant instructions cannot be stated in the text of a normative legal act without prejudice to the meaning of the norm of law.

9. For convenience of use, every article, chapter, section, part, and paragraph of the chapter and subsection of the section of a normative legal act should have the headings.

This requirement does not apply to the law on the republican budget and articles of legislative acts on introducing amendments and (or) additions to legislative acts.

Headings of parts, sections, subsections, chapters and paragraphs of a normative legal act are separated from the previous text by two line spacing, and from the subsequent text - by one line spacing.

The heading of a normative legal act, its articles, chapters, parts, sections, subsections and paragraphs should reflect the subject of regulation of the normative legal act itself, as well as the relevant article, chapter, part, section, subsection and paragraph.

10. The structure of a code includes a table of contents. When making amendments and / or additions to the heading of the article, as well as when supplementing the code with articles or excluding of articles from the code, it is necessary to make appropriate amendments and (or) additions to the table of contents.

11. The structure of a normative legal act may include annexes.

Article 24. Requirements for content and style of text of normative legal act

1. Competence, functions and tasks of state bodies in state regulation of public relations should be established in normative legal acts in accordance with the legislation of the Republic of Kazakhstan on administrative procedures with a clear delineation on the level of public administration.

Methodological recommendations for determining the model functions of state bodies are adopted by the Government of the Republic of Kazakhstan.

2. The text of a normative legal act shall be printed in a single font.

3. The text of a normative legal act is stated in compliance with the norms of the literary language, legal terminology and legal technique, its provisions should be extremely short, contain a clear meaning that is not subject to a different interpretation. The text of a normative legal act should not contain provisions of declarative nature that do not carry a semantic and legal burden.

It is not allowed to use obsolete and poly-semantic words and expressions, epithets, metaphors, abbreviations of words. The norm of law, set out in the structural element of a normative legal act, is not re-stated in other structural elements of the same act.

Texts of normative legal acts in the Kazakh and Russian languages shall be authentic.

4. A legislative act may establish the basic principles of legal regulation, the basic concepts used in its text, the procedure and conditions for application of other normative legal acts after the enactment of the legislative act.

The transitional provisions of a legislative act reflect the order of regulation of relations before its enactment; the terms and methods of transition to new norms of law are established.

The final provisions of a legislative act stipulate the rules on enactment of this act, on recognition as invalid, on cancellation of an earlier issued act. For the purpose of execution and development of this act, the requirements are established if necessary for the issuance of acts by other state bodies.

The requirements established by this item do not apply to decisions of the Parliament of the Republic of Kazakhstan and its Chambers.

5. Instructions in normative legal acts should be addressed to state bodies or, if necessary, to their heads.

In relation to state bodies that are not subordinate to the person giving the instruction, the instructions in normative legal acts should be stated in a recommendatory form or in agreement with them. In the latter case, after the name of the state body, the note "(as agreed)" is indicated.

6. In the text of a normative legal act, the names of state bodies and other organizations are set out in full in accordance with the official name and uniformly throughout the text.

In order to ensure the simplicity and minimalism of the text of a normative legal act, it is allowed to abbreviate the names of state bodies and other organizations with interpretation of the meaning of the abbreviation or abbreviation in the text of the normative legal act.

7. In the text of normative legal acts it is not allowed to mark paragraphs with dashes or other signs, indention and underlining of individual words and phrases.

Article 25. References and reproductions in normative legal acts

1. If necessary, normative legal acts may contain references to structural elements of normative legal acts of higher levels, and also reproduce separate norms of law from normative legal acts of higher level with reference to such acts.

2. References in structural elements of a normative legal act to its other structural elements are allowed only in cases where it is necessary to show the mutual connection of the norms of law or to avoid repetition.

3. When referring to lines and sentences, their numbering is indicated by ordinal numerals (in words).

4. In the text of a normative legal act, a reference to a structural element is given with the indication of its serial number in words or figures (for their designation, adjectives are not allowed).

5. When referring to a normative legal act, its form, date of adoption, registration number and heading of this normative legal act are given in this order.

When referring to a normative legal act that has passed a state registration, the number under which it is registered in the Register of State Registration of normative legal acts is additionally indicated.

When referring to legislative acts, the indication of the numbers under which they are registered is not required.

When reference is made in normative legal acts to standardization documents, their name or type shall be indicated, except for legislative acts in which only the type of standardization document shall be indicated.

The order of application of national, interstate standards and national classifiers of technical and economic information in normative legal acts is determined by the authorized body in the field of standardization.

6. If two or more consecutive references to the same normative legal act are given in the text of a normative legal act, the full heading of this normative legal act is indicated once (at the first mention in the text) followed by a reference to it.

7. If a normative legal act contains references to the annexes, then the annex numbers assigned in the order of their mention in the text of the normative legal act are indicated, except for the cases when there is one annex to the normative legal act.

Note. Article 25 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 calendar days after the day of its first official publication); The authorized body in the sphere of standardization shall be established in accordance with the Law of the Republic of Belarus No. 184-VI dated 05.10.2018 (shall be enforced upon the expiration of six months after the date of its first official publication).

Article 26. Formulation of normative legal acts on introducing amendments and (or) additions to normative legal acts

1. The heading of a normative legal act providing for introduction of amendments and / or additions to the normative legal act should contain a reference to the form, the date of adoption, the registration number and the heading of the act, with the exception of laws.

In the heading of a normative legal act providing for introduction of amendments and additions to a normative legal act or normative legal acts, the word "of amendments" or "amendments" is firstly indicated.

2. The text of a draft legislative act on amendments and / or additions to legislative acts specifies the heading, the date of adoption of these legislative acts, and also in brackets - the year, number and article of their initial publication, and in the event of amendments and / additions – the year, the number and the article of publication of relevant legislative acts in the "Bulletin of the Parliament of the Republic of Kazakhstan" or other source of official publication in accordance with this Law, if the legislative act is not published in this bulletin.

In the text of another draft normative legal act on introduction of amendments and / or amendments to normative legal acts, the heading, the date of adoption, registration number of these normative legal acts are indicated, and also in brackets - the year, number and article of their publication in the "Collection of acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan" or the date of the first official publication and the name of another source of official publication in accordance with this Law, if the normative legal act was subject to the official publication.

In the text of a normative legal act on amendments and / or additions to the normative legal act that has passed state registration, the number under which it is registered in the Register of state registration of normative legal acts is additionally indicated.

3. In the event that amendments and additions are made to the norm of law adopted by the normative legal act on amendments and additions but not put into effect, the amendments and additions are made to the normative legal act on introducing amendments and additions.

4. When three or more normative legal acts are amended and / or supplemented, a list, made in the form of a separate annex, is drawn up.

This requirement does not apply to legislative acts.

5. All amendments and (or) additions made to the same normative legal act are provided for by one item or subparagraph. Normative legal acts, in which amendments and / or additions are introduced, are ranged depending on correlation of their legal force, and also in chronological order on the date of their adoption (publication).

Within the same date of adoption, the normative legal acts are indicated in accordance with their registration numbers or article numbers in official sources of publication.

6. When making amendments and (or) additions to the structural element of a normative legal act, such a structural element is set out in a new wording.

The requirements of this paragraph may not apply when considering draft laws submitted to the Parliament of the Republic of Kazakhstan, as well as regarding draft laws and decrees of the President of the Republic of Kazakhstan.

7. New structural elements, as well as annexes, are included in the text of a normative legal act under subsequent ordinal numbers following the last structural element of the same type or between structural elements of the same type under additional numbers duplicating the numbers of those structural elements of the normative legal act followed, for example, by: paragraphs 2-1, 2-2; subparagraphs 8-1), 8-2); section 5-1; annex 3-1, 3-2, 3-3.

In the event that a normative legal act is supplemented by an annex, an item (sub-item) is added to the text of the normative legal act on addition of a normative legal act with an annex or a normative legal act of the derived type.

8. Normative legal acts having security labels or marks "For official use", "Without publication in the press", "Not for publication", are included in the list without specifying their heading.

9. When making amendments and / or additions to the text of a normative legal act in the amount exceeding half the text of a normative legal act, a new version is adopted.

When formulating draft laws in a new edition, the unit for determining the volume is an article.

When formulating other normative legal act in a new edition, the unit for determining the volume is an item.

The requirements of this item are not applied when considering draft laws submitted to the Parliament of the Republic of Kazakhstan.

Article 27. Formulation of normative legal acts on recognition of normative legal acts as invalid

1. In connection with adoption of a normative legal act, the normative legal acts or their structural elements shall be recognized as invalid if they contradict or are absorbed by the norms of law included in the new normative legal act.

2. If a normative legal act of a higher level is recognized as invalid, the normative legal acts of the subordinate level accepted for its implementation shall be recognized as invalid.

This requirement also extends to the cases where separate norms of law are excluded from the normative legal act of a higher level, for implementation of which the normative legal acts of the subordinate level were adopted.

Normative legal acts, subject to recognition as invalid, are ranged in accordance with correlation of their legal force, and also in chronological order by the date of their adoption.

3. The text of a draft legislative act on recognition of legislative acts as invalid indicates the heading, the date of adoption of these legislative acts, also in brackets - the year, the number and the article of their first official publication, and in case of making amendments and / or additions – the year, the number and the article of publication of the relevant legislative acts in the collection "Bulletin of the Parliament of the Republic of Kazakhstan" or other source of official publication in accordance with this Law, if the law is not published in the said collection.

The text of a draft normative legal act on recognition of normative legal acts as invalid indicates the heading, date of adoption, registration number of these normative legal acts, as well as in brackets - the year, number and article of their initial

publication in the "Collection of Acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan" or the date of its official publication and the name of another source of official publication in accordance with this Law, if the normative legal act was subject to official publication.

In the text of a normative legal act on recognition of a normative legal act that passed state registration as invalid, the number under which it is registered in the Register of State Registration of normative legal acts is indicated.

4. The list of normative legal acts or their structural elements that are subject to recognition as invalid in connection with adoption of a normative legal act should be contained either in the normative legal act itself or in the act on the procedure for its enactment.

5. If three or more normative legal acts or their structural elements are declared invalid, a list shall be drawn up as a separate annex.

6. When recognizing the structural elements of a normative legal act as invalid, such elements are excluded, but their numbers are preserved. The preserved number is attached with a reference to the normative legal act on recognition of a normative legal act (or its structural element) as invalid. The numbering of the preserved structural elements does not change.

7. If a large part of a normative legal act is recognized as invalid, then the whole normative legal act with a reservation on structural elements that retain their legal force is included in the list for recognition as invalid.

If a smaller part of a normative legal act is recognized as invalid, then only those structural elements that contradict or are absorbed by the newly adopted normative legal act are included in the list for recognition as invalid.

In these cases, the volume of a normative legal act is determined in accordance with paragraph 9 of Article 26 of this Law.

8. The normative legal acts that duplicate the norms of law of other normative legal acts and do not contain new norms of law are subject to recognition as invalid.

9. Both the basic normative legal act and the normative legal acts (or their structural elements) that have amended and / or supplemented it are subject to recognition as invalid. In cases of repeated amendments and (or) additions to the wording of a normative legal act or its structural element that is subject to recognition as invalid, all normative legal acts that introduced amendments and / or additions to the basic normative legal act are included in the list in the form of independent paragraphs.

This requirement does not apply to legislative acts.

10. In the event that another normative legal act or its structural element is recognized as invalid by a normative legal act, in which it was envisaged to recognize the normative legal acts as invalid, the latter do not resume their validity.

11. The normative legal acts that have not entered into force cannot be recognized as invalid. If necessary, such normative legal acts can be revoked.

12. Normative legal acts and structural elements of normative legal acts, that have expired, cannot be recognized as invalid.

In the event when a normative legal act, along with the norms of law, the validity of which has expired, contains the norms of law, which are subject to recognition as invalid, the list includes the entire normative legal act.

13. If the structural element of a normative legal act contains an indication of an annex that is subject to recognition as invalid, then only this structural element is included in the list, and the annex is not separately specified.

In the event that the structural element of a normative legal act, along with the approval of an annex, contains a norm of law that preserves its validity and the annex is to be recognized as invalid, the item in the part relating to the annex is included in the list, and the annex is not separately specified.

14. If separate structural elements of a normative legal act are subject to recognition as invalid in full, and the other structural elements in part, then the structural elements to be declared invalid in full are specified first.

Article 28. Formulation of annexes to normative legal acts

1. Annexes are an integral part of a normative legal act.

2. If necessary, graphs, tables, charts, maps, lists and other supporting documents to a normative legal act are formulated in separate annexes.

3. In the upper right corner of the first sheet of the annex there should be an indication to the normative legal act, according to which it was approved, the date of adoption of the act and its registration number.

4. In the event that there are several annexes to a normative legal act, in the upper right corner of the first sheet of each annex its serial number is indicated, as well as the type of normative legal act, according to which it is approved, the date of adoption of the act and its registration number. If there is one annex to the normative legal act, then it is not numbered.

5. Formulation of annexes to normative legal acts with security labels or with the notes "For official use", "Without publication in the press", "Not for publication" is carried out in accordance with this article and the requirements of the legislation of the Republic of Kazakhstan.

Article 29. Submission of draft legislative act to Majilis of the Parliament of the Republic of Kazakhstan and its withdrawal

1. In accordance with paragraph 1 of Article 61 of the Constitution of the Republic of Kazakhstan, the right of legislative initiative belongs to the President of the Republic of Kazakhstan, the deputies of the Parliament of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan and is implemented exclusively in the Majilis of the Parliament of the Republic of Kazakhstan.

Draft legislative act on paper and electronic media is submitted to the Majilis of the Parliament of the Republic of Kazakhstan in the Kazakh and Russian languages.

2. The submitted materials on a draft legislative act should contain the following annexes:

1) an explanatory note to the draft legislative act with justification of the need to adopt the draft, the detailed description of the goals, objectives, basic provisions, and a special message - for draft legislative acts, submitted to the Majilis of the Parliament of the Republic of Kazakhstan in the manner of the legislative initiative of the President of the Republic of Kazakhstan;

2) composition of a working group in the event of its creation;

3) a list of approvals with the interested state bodies, except for cases determined by the President of the Republic of Kazakhstan, when the draft legislative acts, introduced as a legislative initiative of the President of the Republic of Kazakhstan, did not pass the approval procedure, as well as the cases of introducing a draft legislative act in the manner of legislative initiative of the deputies of the Parliament of the Republic of Kazakhstan;

4) conclusion of scientific expertise according to Article 30 of this Law and other expert opinions of members of the Expert Council and the National Chamber of Entrepreneurs of the Republic of Kazakhstan, if any;

5) financial and economic calculations, if the draft law provides for a reduction in state revenues or an increase in public expenditure, forecasts of possible economic, social, legal, environmental consequences of the law, and, if available, statistical data, with the exception of draft laws submitted to the Majilis of the Parliament of the Republic of Kazakhstan in the manner of a legislative initiative of the President of the Republic of Kazakhstan;

6) analysis of regulatory impact in cases provided for by the Entrepreneurial Code of the Republic of Kazakhstan in respect of draft regulatory legal acts affecting the interests of private business entities.

A draft legislative act on introducing amendments and / or additions to the legislative acts is attached with a comparative table of the current and proposed versions of the structural elements of the legislative act with the appropriate justification for amendments and / or additions introduced.

3. Draft laws that provide for reduction of state revenues or increase in public expenditure may be submitted only if there is a positive conclusion of the Government of the Republic of Kazakhstan.

For draft legislative acts that are submitted to the Majilis of the Parliament in the manner of the legislative initiative of the President of the Republic of Kazakhstan, the existence of such a conclusion is not required.

4. The President of the Republic of Kazakhstan, the deputies of the Parliament of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan have the right to withdraw a draft legislative act from the Parliament of the Republic of Kazakhstan, introduced by them in the manner of the legislative initiative, at any stage of its consideration.

Footnote. Article 29 as amended by the Law of the Republic of Kazakhstan dated 24.05.2018 No. 156-VI (shall be enforced upon expiration of ten calendar days after the day of its first official publication).

Chapter 6. SCIENTIFIC EXAMINATION OF DRAFT NORMATIVE LEGAL ACTS

Article 30. Tasks of scientific expertise

1. A scientific expertise (legal, anti-corruption, linguistic, environmental, economic and others) can be carried out on draft regulatory legal acts, depending on the legal relationship regulated by these acts.

The conduct of scientific expertise is mandatory on the draft normative legal acts submitted for consideration to the Parliament of the Republic of Kazakhstan, depending on the social relations regulated by them, except for the cases when draft legislative acts are introduced in the manner of the legislative initiative of the President of the Republic of Kazakhstan, when scientific expertise may not be conducted.

2. Scientific expertise is carried out for:

1) assessment of quality, validity, timeliness, legality of the draft, compliance of the draft with the human and citizen rights, enshrined in the Constitution of the Republic of Kazakhstan;

2) determination of possible effectiveness of a normative legal act;

3) identification of possible negative consequences of adoption of the draft as a normative legal act.

3. Draft legislative and other normative legal acts, the consequences of which may create a threat to environmental, including radiation, safety, environmental protection, are subject to mandatory scientific environmental expertise.

4. The procedure for conducting scientific expertise is determined by the legislation of the Republic of Kazakhstan.

Footnote. Article 30 as amended by the Law of the Republic of Kazakhstan dated 26.11.2019 No. 273-VI (shall be enforced from 01.01.2020).

Article 31. Persons and organizations that carry out expertise

1. Scientific expertise of draft normative legal acts is carried out by scientific institutions, authorized organization, determined by the Government of the Republic of Kazakhstan, and higher educational institutions of the relevant profile, experts involved from among scientists and specialists, depending on the content of the project under consideration. The expertise may be entrusted to one or more experts (expert commission).

2. A scientific linguistic expertise regarding the authenticity of texts in the Kazakh and Russian languages is carried out by the authorized organization for the draft laws developed by the state bodies of the Republic of Kazakhstan and subject to submission to the Parliament of the Republic of Kazakhstan.

3. A complex examination of the draft may be conducted by experts of various specialties or independent expertise of various types, and if necessary - a re-examination.

4. Organizations and persons who did not take part in preparation of the draft may be involved as experts.

5. Specialists from other states and international organizations may be involved as experts.

The draft can be sent for scientific examination to foreign and international organizations.

Footnote. Article 31 with the change introduced by the Law of Republic of Kazakhstan dated 21.01.2019 № 217-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 32. Initiative for sending draft normative legal acts for examination

1. A decision on examination of a draft normative legal act can be made:

1) by the President of the Republic of Kazakhstan or, on his behalf, by the Head of the Administration of the President of the Republic of Kazakhstan, deputies of the Parliament of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, who submit a draft to the Majilis of the Parliament of the Republic of Kazakhstan as legislative initiative;

2) by the authorized body;

3) by the body-developer, if such a right is granted to these persons and structural subdivisions by the regulations of this body or other normative legal acts.

2. In cases where a draft normative legal act is prepared on a contractual basis, an expertise of a draft can be carried out upon the decision of the draft's customer.

Article 33. Scientific linguistic examination of draft normative legal acts

1. Scientific linguistic expertise is carried out on draft legislative acts in terms of authenticity of their texts in Kazakh and Russian languages.

1-1. Scientific linguistic expertise shall be conducted by an authorized organization, determined by the Government of the Republic of Kazakhstan.

2. The procedure and terms for the conduct of a scientific linguistic examination shall be determined by the Government of the Republic of Kazakhstan.

Footnote. Article 33 as amended by the Law of the Republic of Kazakhstan No. 217-VI dated 21.01.2019 (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 33-1. Scientific anti-corruption expertise of draft regulatory legal acts

1. The goals of scientific anti-corruption expertise of draft regulatory legal acts are to identify corruptogenic norms, as well as to develop recommendations aimed at their elimination.

2. In addition to draft legislative acts submitted for consideration to the Parliament of the Republic of Kazakhstan, other draft regulatory legal acts are also subject to scientific anti-corruption expertise, with the exception of regulatory resolutions of the Parliament of the Republic of Kazakhstan and its Chambers, regulatory legal decrees of the President of the Republic of Kazakhstan, regulatory resolutions of the Constitutional Council and the Supreme Court of the Republic of Kazakhstan, as well as regulatory legal acts determined by the Government of the Republic of Kazakhstan in agreement with the Administration of the President of the Republic of Kazakhstan.

3. Scientific anti-corruption expertise of draft regulatory legal acts is carried out in the manner and terms determined by the Government of the Republic of Kazakhstan.

Footnote. Chapter 6 is supplemented with Article 33-1 in accordance with the Law of the Republic of Kazakhstan dated 26.11.2019 No. 273-VI (shall be enforced from 01.01.2020).

Chapter 7. PROCEDURE FOR ADOPTION OF NORMATIVE LEGAL ACT

Article 34. Determination of procedure for adoption of normative legal acts

1. The procedure for adoption of normative legal acts is determined by the Constitution of the Republic of Kazakhstan and this Law.

2. The specifics of the procedure for adoption of various types of normative legal acts are also determined:

1) for Codes – by this Law.

Codes, amendments and additions to them are adopted in at least two readings by successive consideration at separate sessions of the Chambers of the Parliament of the Republic of Kazakhstan;

1-1) Changes and additions to the codes may be made and adopted in special procedures established by the respective codes;

2) for consolidated laws and laws – by the Constitution of the Republic of Kazakhstan, legislative acts on the President of the Republic of Kazakhstan, the Parliament of the Republic of Kazakhstan, the republican referendum, other legislative acts, including the regulations of Parliament and its Chambers;

3) for resolutions of the Parliament and its Chambers - by the Constitution of the Republic of Kazakhstan, by legislative acts on the Parliament of the Republic of Kazakhstan;

4) for decrees of the President of the Republic of Kazakhstan – by the Constitution of the Republic of Kazakhstan, the legislative act on the President of the Republic of Kazakhstan, as well as acts of the President of the Republic of Kazakhstan regulating this order;

5) for resolutions of the Government of the Republic of Kazakhstan – by the Constitution of the Republic of Kazakhstan, the legislative act on the Government of the Republic of Kazakhstan, the acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan;

6) for normative legal acts of central executive and other central state bodies both included and not included in the structure of the Government of the Republic of Kazakhstan and departments of central state bodies, including the National Bank of the Republic of Kazakhstan and the Accounts Committee for Control over Execution of the Republican Budget – by the legislative acts on the Government of the Republic of Kazakhstan and these bodies, the acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, decrees of the President of the Republic of Kazakhstan, regulations of the Government of the Republic of Kazakhstan, regulating the activities of these bodies;

7) for normative resolutions of the Constitutional Council of the Republic of Kazakhstan - by the legislative act on the Constitutional Council of the Republic of Kazakhstan;

8) for normative resolutions of the Supreme Court of the Republic of Kazakhstan – by the legislation on courts of the Republic of Kazakhstan;

9) for normative resolutions of the Central Election Commission (Central Referendum Commission) – by the legislative acts on elections and republican referendum;

10) for normative decisions of local representative and executive bodies and audit commissions – by the legislative acts on these bodies, other legislative acts, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

3. Adoption of a normative legal act by an authorized body is allowed only in cases when the competence of the authorized body for adoption of this act is directly stipulated by the legislation of the Republic of Kazakhstan.

Footnote. Article 34 with the change introduced by the Law of the Republic of Kazakhstan dated 21.01.2019 № 217-VI (shall be enforce upon the expiration of ten calendar days after the day of its first official publication).

Article 35. Persons authorized to sign normative legal acts

1. Official texts of normative legal acts are signed by the following officials:

1) the Constitution, laws making amendments and additions to the Constitution, constitutional laws, codes, consolidated laws, laws of the Republic of Kazakhstan, decrees of the President of the Republic of Kazakhstan – by the President of the Republic of Kazakhstan;

2) resolutions of the Parliament of the Republic of Kazakhstan – by the Chairman of the Majilis of the Parliament of the Republic of Kazakhstan; resolutions of the Majilis of the Parliament of the Republic of Kazakhstan – by the Chairman of the Majilis of the Parliament of the Republic of Kazakhstan, resolutions of the Senate of the Parliament of the Republic of Kazakhstan – by the Chairman of the Senate of the Parliament of the Republic of Kazakhstan;

3) resolutions of the Government of the Republic of Kazakhstan – by Prime Minister of the Republic of Kazakhstan;

4) decisions of maslikhat – by chairman of the Maslikhat session and secretary of Maslikhat;

5) resolutions of akimat, decisions of akim – by the akim;

6) another normative legal act – by the head of the body that adopted (issued) it.

2. When adopting a normative legal act of a derived type by means of a normative legal act of the basic type, the authorized person signs only the normative legal act of the basic type.

Note. Article 35 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 calendar days after the day of its first official publication).

Article 36. Rights to amend, supplement, terminate and suspend operation of normative legal acts in case of reorganization or liquidation of an authorized body

In case of reorganization or liquidation of an authorized body, entitled to adopt normative legal acts, the successor or the authorized body that receives the functions of the liquidated authorized body, within its competence, along with the right to adopt normative legal acts, also receives the right to amend, supplement, terminate and suspend action of normative legal acts.

Chapter 8. PUBLICATION OF NORMATIVE LEGAL ACTS

Article 37. Obligation of official publication of normative legal acts

1. Official publication of normative legal acts concerning the rights, freedoms and duties of citizens is an indispensable condition for their application.

The official editions are the Bulletin of the Parliament of the Republic of Kazakhstan, the Collection of Acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, "Bulletin of the National Bank of the Republic of Kazakhstan."

2. Official publication of legislative acts is also carried out by periodicals that receive such a right on a competitive basis in the manner determined by the Government of the Republic of Kazakhstan.

Official publication of normative legal acts is also carried out in the Reference Control Bank of the normative legal acts of the Republic of Kazakhstan in electronic form.

3. The first official publication of normative legal acts must be carried out simultaneously in the Kazakh and Russian languages within thirty calendar days after the day of their entry into force.

4) Excluded by the Law of the Republic of Kazakhstan dated 24.05.2018 № 156-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

5. In law enforcement practice, the official publications of normative legal acts shall be used.

6. Informal publication of normative legal acts is allowed only after their official publication.

Note. Part three of item 2 was effective until 01/01/2017 in accordance with the Law of the Republic of Kazakhstan dated 06.04.2016 No. 480-V (the procedure for enactment see Article 67); No. 156-VI dated 24.05.2018 (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 38. Official publication of normative legal acts of central executive and other central state bodies of the Republic of Kazakhstan

1. Official publication of normative legal acts of central executive and other central state bodies is carried out in the Reference control bank of normative legal acts of the Republic of Kazakhstan in electronic form.

Official publication of normative legal acts of central executive and other central state bodies may also be carried out in periodicals distributed throughout the territory of the Republic of Kazakhstan in the manner determined by Article 37 of this Law.

2. Regulatory legal acts of the central executive and other central state bodies registered by the justice authorities are automatically sent by the justice authorities for official publication to the Reference Control Bank of regulatory legal acts of the Republic of Kazakhstan in the form of an electronic document within one day from the moment they are entered into the Register of state registration of regulatory legal acts.

3. Was effective until 01/01/2017 in accordance with the Law of the Republic of Kazakhstan dated 06.04.2016 No. 480-V (the procedure for enactment see Article 67).

Footnote. Article 38 as amended by the Law of the Republic of Kazakhstan dated 25.11.2019 No. 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 39. Official publication of normative legal decisions of maslikhats, normative legal resolutions of akimats, normative legal resolutions of revision commissions and normative legal decisions of akims

1. Official publication of normative legal decisions of maslikhats, normative legal resolutions of akimats, normative legal resolutions of revision commissions and normative legal decisions of akims is carried out in the Reference Control Bank of normative legal acts of the Republic of Kazakhstan in electronic form.

Official publication of normative legal decisions of maslikhats, normative legal resolutions of akimats, normative legal decisions of revision commissions and normative legal decisions of akims may also be carried out in periodicals distributed in the territory of the corresponding administrative territorial unit in the manner defined by Article 37 of this Law.

2. Regulatory legal decisions of maslikhats, regulatory legal decisions of akimats, regulatory legal decisions of audit commissions and regulatory legal decisions of akims registered by the justice authorities are automatically sent by the justice authorities for official publication to the Reference Control Bank of regulatory legal acts of the Republic of Kazakhstan in the form of electronic documents within one day from the moment they are entered into the Register of state registration of regulatory legal acts.

3. Was effective until 01/01/2017 in accordance with the Law of the Republic of Kazakhstan dated 06.04.2016 No. 480-V (the procedure for enactment see Article 67).

Footnote. Article 39 as amended by the Law of the Republic of Kazakhstan dated 25.11.2019 No. 272-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 40. Inadmissibility of publication of normative legal acts in incomplete statement

1. Official publication of normative legal acts in an incomplete statement is not allowed, except for normative legal acts containing state secrets and other secrets protected by law, as well as normative legal acts that bear the mark "For official use", "Without publication in the press", "Not for publication."

2. If, due to a significant volume of a normative legal act, its text is published in several issues of a periodical publication, the day of its official publication is the day of publication of the final part of the text of the normative legal act in the Kazakh and Russian languages.

Article 41. Control over official publication of normative legal acts of central executive and other central state bodies, as well as maslikhats, akimats, revision commissions and akims

Control over official publication of normative legal acts of central executive and other central state bodies, as well as maslikhats, akimats, revision commissions and akims is carried out by the Ministry of Justice of the Republic of Kazakhstan and its territorial bodies in the manner determined by the Government of the Republic of Kazakhstan.

Chapter 9. OPERATION OF NORMATIVE LEGAL ACTS IN TIME, SPACE AND A SCOPE OF PERSONS

Article 42. Time of entry into force and enactment of normative legal acts

1. Normative legal acts, except for the normative legal acts specified in part two of this paragraph, come into force after their signing.

Normative legal acts subject to state registration in the justice bodies in accordance with Article 44 of this Law shall come into force from the date of state registration.

2. An obligatory condition for enactment of normative legal acts concerning the rights, freedoms and duties of citizens is their official publication.

3. Normative legal acts shall come into force within the following terms:

1) legislative acts of the Republic of Kazakhstan, except for resolutions of the Parliament of the Republic of Kazakhstan and its Chambers, normative legal decrees of the President of the Republic of Kazakhstan, Chairman of the Security Council of the Republic of Kazakhstan, normative legal resolutions of the Government of the Republic of Kazakhstan - upon expiration of ten calendar days after the day of their first official publication, if the acts or acts on their introduction into effect are not specified other terms;

2) resolutions of the Parliament of the Republic of Kazakhstan and its Chambers, normative resolutions of the Supreme Court of the Republic of Kazakhstan - from the date of the first official publication, unless the acts themselves specify other terms;

3) resolutions of the Constitutional Council of the Republic of Kazakhstan - from the date of their adoption;

4) normative legal orders of the ministers of the Republic of Kazakhstan and other heads of central state bodies and their departments, normative legal resolutions of the Central Election Commission of the Republic of Kazakhstan, the Accounts Committee for Control over Execution of the Republican Budget of the Republic of Kazakhstan, the National Bank of the Republic of Kazakhstan and other central state bodies, normative legal decisions of maslikhats, normative legal resolutions of akimats, normative legal resolutions of the revision commissions and normative decisions of akims – upon expiry of ten calendar days after their first official publication, unless the acts themselves specify other terms.

4. The normative legal acts or acts on enactment may specify other terms for enactment of separate sections, sub-sections, paragraphs, chapters, articles, parts, items, subparagraphs and paragraphs of articles of normative legal acts than those established for the entire act as a whole.

5. The law providing for legal liability for actions (inaction) that previously did not entail such responsibility, or establishing a more strict liability in comparison with the previous one, cannot be put into effect until expiration of a ten-day period after the day of its first official publication.

6. Normative legal acts that approve qualifying or permissive requirements for individual types (sub-types) of activities, and a list of documents that confirm compliance with qualifying or permissive requirements, as well as the lists of individual goods whose export and import are subject to licensing, cannot be enacted before the expiry of the twenty-one-day period after the day of their first official publication.

7. Normative legal acts containing state secrets or other secret protected by law shall be put into effect from the date of their adoption or within the periods specified in the act itself.

8. All normative legal acts shall specify the term for putting them into effect, taking into account the norms of this article.

Footnote. Article 42 as amended by the Law of the Republic of Kazakhstan dated 05.07.2018 No. 179-VI (shall be enforced from the date of its first official publication).

Article 43. Retroactive effect of normative legal act

1. The effect of a normative legal act does not apply to relations that arose before its enactment.

2. Exceptions to the rule of paragraph 1 of this article represent cases where the retroactive effect of a normative legal act or part thereof is provided for by it or by an act on enactment of a normative legal act, and also when the latter excludes the duties imposed on citizens or improves their condition.

3. Normative legal acts that impose new duties on citizens or worsen their situation do not have retroactive effect.

4. Legislative acts that establish or enhance responsibility, which impose new duties on citizens or worsen their situation, do not have retroactive effect. If after commission of an offense the responsibility for it is repealed or mitigated by law, a new law is applied.

Article 44. State registration of normative legal acts of central executive and other central state bodies, their departments, as well as maslikhats, akimats and akims as a condition for their enactment

1. Normative legal acts specified in subparagraphs 6), 7), 8) and 9) of paragraph 2 of Article 7 of this Law shall be subject to state registration in the bodies of justice of the Republic of Kazakhstan. Such registration is a prerequisite for their entry into force.

A state registration of a normative legal act includes the conduct of legal expertise by the judicial bodies for the existence of a norm of law in the act and a decision-making on the need for its state registration, determining the compliance of a normative legal act with the legislation of the Republic of Kazakhstan and introducing it into the Register of State registration of normative legal acts with the assignment of a number of the state registration.

2. The requirements of paragraph 1 of this article do not apply to:

1) normative decrees of the Constitutional Council of the Republic of Kazakhstan and the Supreme Court of the Republic of Kazakhstan;

2) normative legal acts regulating interaction of authorized bodies with other state bodies and do not apply to third parties;

3) normative legal acts defining the status and powers of the state body;

4) normative legal acts establishing qualification requirements for applicants (candidates) for holding public office and developed on the basis of standard qualification requirements;

5) normative legal acts containing state secrets.

3. The justice bodies of the Republic of Kazakhstan refuse to conduct a state registration of a normative legal act, if such an act:

1) infringes on the rights and freedoms of citizens established by law;

2) violates legitimate interests of legal entities;

3) contradicts the normative legal acts of a higher level;

4) goes beyond the competence of the body that issued the normative legal act;

5) is not agreed with the authorities concerned;

6) affects the interests of private business entities and is adopted without following the procedure of coordination with the expert council of the relevant state body and the National Chamber of Entrepreneurs of the Republic of Kazakhstan, established by the Entrepreneurial Code of the Republic of Kazakhstan;

7) concerns the rights, freedoms and duties of citizens and was adopted without the recommendations of the Public Council, with the exception of the cases provided for in part 3 of paragraph 2 of Article 20 of this Law;

8) was adopted in violation of the rules of state registration, formulation and approval of normative legal acts subject to state registration.

Refusal to register a normative legal act subject to state registration may be appealed by the interested state body in a judicial procedure.

4. Normative legal acts, subject to state registration, that were not registered in the order, established by the law, shall be canceled by the authority that issued them.

5. The rules for formulation, adjustment, state registration of normative legal acts and their cancellation are approved by the Government of the Republic of Kazakhstan.

Footnote. Article 44 with the change introduced by the Law of the Republic of Kazakhstan dated 24.05.2018 № 156-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 45. Duration of validity of normative legal act

1. A normative legal act is valid for an indefinite period, unless the act itself or the act on its enactment otherwise provides herein.

2. A temporary validity period may be established for the entire normative legal act or its separate part (separate parts). In this case, it should be indicated for how long the normative legal act or its part remains effective. Before the expiry of this period, the body that issued the act may extend the validity of the act for a new term or give it an open-ended time frame.

Article 46. Suspension and termination of normative legal act

1. Effect of a normative legal act or its separate norms may be suspended for a certain period. The suspension of the effect of a normative legal act or its separate norms is carried out by a separate normative legal act.

2. A normative legal act (its part or parts thereof) ceases to be valid in cases of:

1) expiration of the period for which the act was adopted (its part or parts thereof);

2) adoption of a new normative legal act contradicted by the provisions of a previously issued normative legal act, its part (part) or which absorbs the previously issued act or its part (parts);

3) recognition of the adopted act as unconstitutional in the manner established by the Constitution of the Republic of Kazakhstan;

4) recognition of an act or its part (parts) as invalid by the body that adopted this act, or another authorized body.

3. Publication of a normative legal act on termination or suspension of another normative legal act is carried out in the manner provided for in this Law.

Article 47. Effect of normative legal acts in space

1. Normative legal acts of the Republic of Kazakhstan adopted by the President of the Republic of Kazakhstan, the Chairman of the Security Council of the Republic of Kazakhstan, the Parliament of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan, central executive and other central state bodies shall extend their actions to the entire territory of the Republic of Kazakhstan, unless otherwise stipulated in the normative legal acts or acts on their implementation.

2. Normative legal acts adopted by local representative and executive bodies, revision commissions, operate on the territory of the respective administrative-territorial unit.

Footnote. Article 47 as amended by the Law of the Republic of Kazakhstan dated 05.07.2018 No. 179-VI (shall be enforced from the date of its first official publication).

Article 48. Effect of normative legal acts in a scope of persons

1. Effect of normative legal acts of the Republic of Kazakhstan extends to citizens and legal entities of the Republic of Kazakhstan, as well as foreigners and stateless persons residing on its territory, legal entities of foreign states, their branches and representative offices, with the exception of cases provided for by legislative acts and international treaties ratified by the Republic Kazakhstan.

2. Normative legal acts of the Republic of Kazakhstan extend to diplomatic representatives and some other employees of state bodies of foreign states and international organizations within the limits provided for by international treaties and generally recognized principles and norms of international law (diplomatic immunity).

Article 49. Measures to ensure legality of normative legal acts

1. Legality of normative legal acts is ensured by the following measures:

1) harmonization of a normative legal act with the Constitution of the Republic of Kazakhstan and legislative acts;

2) suspension of operation of a normative legal act in accordance with the established procedure;

3) conducting legal monitoring of normative legal acts;

4) verification of compliance with the Constitution of the Republic of Kazakhstan and legislative acts in the state registration of normative legal acts.

2. In accordance with the competence established by the Constitution of the Republic of Kazakhstan and other legislative acts, the bodies and officials of the state that ensure legality of normative legal acts are:

1) the Constitutional Council of the Republic of Kazakhstan;

2) courts;

3) the Prosecutor General of the Republic of Kazakhstan and the prosecutors subordinate to him;

4) the Ministry of Justice of the Republic of Kazakhstan and its territorial bodies;

5) the authorized bodies - with regard to normative legal acts adopted by subordinate bodies;

6) the authorized bodies that have adopted by-law normative legal acts and (or) are their developers - with regard to the by-law normative legal acts that they have adopted and (or) the developers of which they were.

3. If the justice bodies revealed violations in a normative legal act, registered in the bodies of justice, provided for in subparagraphs 1) -4) of paragraph 3 of Article 44 of this Law, the justice bodies notify the authorized body that adopted the relevant normative legal act on the need to eliminate violations.

In the event that the authorized body fails to take measures to bring the normative legal act specified in part one of this paragraph into line with the current legislation of the Republic of Kazakhstan, the justice bodies of the Republic of Kazakhstan shall issue an appropriate conclusion and apply to the court for abolition of the state registration of such a normative legal act.

4. Information on abolition of state registration is subject to publication in the sources of official publication.

A normative legal act whose state registration has been canceled is not applicable.

Cancellation of state registration of a normative legal act may be appealed by the authorized body in a judicial procedure.

Chapter 10. MONITORING

Article 50. Legal monitoring

1. Legal monitoring is conducted with the purpose of assessing and forecasting the effectiveness of the legislation by identifying the norms of law, contradictory to the legislation of the Republic of Kazakhstan, obsolete, corrupt and inefficiently implemented, as well as developing proposals for its improvement.

2. The state bodies monitor the normative legal acts adopted by them and (or) the developers of which they were or are within their competence, and take timely measures to amend them and (or) supplement or to recognize them as invalid.

3. When conducting legal monitoring, the state bodies have the right to involve public and scientific organizations, citizens in the manner established by the legislation of the Republic of Kazakhstan.

When conducting legal monitoring by state bodies, the results of the analysis of the effectiveness of legislation (analysis of regulatory legal acts) conducted by the authorized organization, determined by the Government of the Republic of Kazakhstan, may be used.

4. The rules for conducting a legal monitoring are approved by the Government of the Republic of Kazakhstan.

Footnote. Article 50 with the change introduced by the Law of the Republic of Kazakhstan dated 21.01.2019 No. 217-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 51. Public monitoring of normative legal acts

1. The National Chamber of Entrepreneurs of the Republic of Kazakhstan conducts public monitoring of normative legal acts affecting the interests of private business entities.

2. The results of public monitoring are posted annually on the official Internet resource of the National Chamber of Entrepreneurs of the Republic of Kazakhstan.

Chapter 11. SYSTEMATIZATION AND RECORD OF NORMATIVE LEGAL ACTS

Article 52. Systematization of normative legal acts

1. Authorized bodies that adopt normative legal acts record and systematize these acts, keep control copies of the acts they have adopted, in which all current amendments and additions are timely made.

2. The procedure for recording and systematization of normative legal acts by authorized bodies is determined by the Government of the Republic of Kazakhstan.

Article 53. State recording of normative legal acts

1. The state recording of normative legal acts includes the maintenance of the State Register of normative legal acts of the Republic of Kazakhstan, the Reference Control Bank of the normative legal acts of the Republic of Kazakhstan.

2. The State Register of Regulatory Legal Acts of the Republic of Kazakhstan and the Reference Control Bank of Regulatory Legal Acts of the Republic of Kazakhstan are maintained by an authorized organization determined by the Government of the Republic of Kazakhstan.

3. The authorized bodies send copies of normative legal acts for inclusion in the State Register of normative legal acts of the Republic of Kazakhstan, the Reference Control Bank of the normative legal acts of the Republic of Kazakhstan to the state enterprise responsible for their maintenance, in paper and electronic form, certified by an electronic digital signature of the person authorized to sign normative legal acts in accordance with Article 35 of this Law.

The authorized bodies send copies of the normative legal acts specified in subparagraphs 6), 7), 8) and 9) of paragraph 2 of Article 7 of this Law for inclusion in the State Register of normative legal acts of the Republic of Kazakhstan, the Reference Control Bank of the normative legal acts of the Republic of Kazakhstan through the bodies of justice in accordance with the procedure established by part one of this paragraph.

4. The Government of the Republic of Kazakhstan determines the procedure for maintaining the State Register of normative legal acts of the Republic of Kazakhstan, the Reference Control Bank of the normative legal acts of the Republic of Kazakhstan.

5. The Ministry of Justice of the Republic of Kazakhstan creates a unified system of legal information, assists central executive and other central state bodies in reference and information work.

Footnote. Article 53 as amended by the Law of the Republic of Kazakhstan No. 217-VI dated 21.01.2019 (shall be enforced upon the expiration of ten calendar days after the date of its first official publication).

Article 54. Publicity of normative legal acts

All authorized bodies are obliged to grant access to interested persons for acquaintance with the adopted normative legal acts, except those containing state secrets or legally protected secret.

SECTION 3. NON-NORMATIVE LEGAL ACTS

Chapter 12. GENERAL PROVISIONS ON NON-NORMATIVE LEGAL ACTS

Article 55. Types of non-normative legal acts

Non-normative legal acts are:

- 1) acts of official clarification of normative legal acts;
- 2) legal acts of individual application;
- 3) legal acts in the field of the state planning system.

Types and procedure for development of legal acts in the field of the state planning system are established by laws, acts of the Government of the Republic of Kazakhstan and authorized bodies.

Note. Article 55 as amended by the Law of the Republic of Kazakhstan dated 03.07.2017 No. 86-VI (comes into force 10 days after the day of its first official

publication).

Article 56. Conditions for adoption of non-normative legal acts

1. Non-normative legal acts are adopted on the basis of normative legal acts and for the purpose of their implementation.

2. Non-normative legal acts are adopted by the authorized bodies specified in this Law and other normative legal acts.

3. Specifics of adoption of non-normative legal acts may be established in other normative legal acts.

Article 57. Appeal and protest against non-normative legal acts

Non-normative legal acts may be appealed and protested in the manner and on the grounds provided for by the legislation of the Republic of Kazakhstan.

Chapter 13. ACTS OF OFFICIAL CLARIFICATION OF NORMATIVE LEGAL ACTS

Article 58. General provisions on acts of official clarification of normative legal acts

1. In cases of unclearness and different understanding of normative legal acts, contradictions in the practice of their application, a formal clarification of the norms contained in the normative legal act may be given.

2. Acts of official clarification of normative legal acts do not establish the norms of law and do not fill the gap in the legislation of the Republic of Kazakhstan.

3. The official clarification of a normative legal act is given solely for the purpose of clarifying and explanation of the content of the norms of law; it may not change the meaning of the norms of law and go beyond the clarified norm.

4. The official clarification of the norms contained in normative legal acts is carried out on the initiative of the authorized bodies or individuals and legal entities in the manner prescribed by the Law of the Republic of Kazakhstan dated January 12, 2007 "On the Procedure for Consideration of Appeals from Individuals and Legal Entities".

5. Acts of official clarification are mandatory in implementation of the norms contained in them, including when applying them, except for the cases, provided in paragraph 4 of Article 60 of this Law and in administration of justice.

6. The procedure and conditions for official clarification of normative legal acts established by this chapter do not apply to the clarification of the law carried out in accordance with the Law of the Republic of Kazakhstan "On the Prosecutor's Office."

Note. Article 58 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 calendar days after the day of its first official publication).

Article 59. Conditions for official clarification of normative legal acts

1. The meaning of by-law normative legal acts in their clarification should be disclosed in full compliance with the Constitution of the Republic of Kazakhstan and legislative acts.

2. Norms of legislative acts should be clarified in full compliance with the provisions of the Constitution of the Republic of Kazakhstan.

3. *Is excluded by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 calendar days after the day of its first official publication).*

Note. Article 59 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 calendar days after the day of its first official publication).

Article 60. State bodies, officials carrying out official clarification of normative legal acts

1. *Is excluded by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 calendar days after the day of its first official publication).*

2. An official clarification of the normative legal acts of the Government of the Republic of Kazakhstan is carried out on behalf of the Prime Minister by the Ministry of Justice of the Republic of Kazakhstan jointly with the interested state bodies.

3. An official clarification of the normative legal acts specified in subparagraphs 6), 7), 8) and 9) of paragraph 2 of Article 7 of this Law is given by the authorized bodies or officials who adopted (issued) them.

4. State bodies that conduct state policy, which regulate and manage in a certain industry (sphere of activity) or whose competence is related to the resolution of relevant issues, or other state bodies in accordance with the powers granted to them, may, within their competence, clarify normative legal acts with respect to specific subjects or in relation to a specific situation.

Such explanations are not legally binding and are of a recommendatory nature.

Note. Article 60 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 calendar days after the day of its first official publication).

Article 61. Structure of acts of official clarification of normative legal acts

1. An act of an official clarification of a normative legal act consists of introductory, descriptive and resolute parts.

2. The introductory part of the act of an official clarification of a normative legal act specifies:

1) the name of the authorized body clarifying the normative legal act;

2) the name of the act of official clarification with an indication of the structural element of the normative legal act, which contains the clarified norm, the date of adoption and the number of the normative legal act containing the clarified norm;

3) place and date of adoption of the act of official clarification of the normative legal act;

4) the name of a body or an individual or a legal entity which initiated clarification of the normative legal act.

3. The descriptive part of the act of an official clarification of a normative legal act should contain a description and an analysis of the content of the clarified norm.

4. The resolute part of the act of official clarification of the normative legal act should contain the conclusion of the authorized body, clarifying the meaning and content of the normative legal act.

Article 62. Publication of acts of official clarification of normative legal acts

1. Publication of acts of official clarification of normative legal acts is carried out on the Internet resource of the authorized body (official), which clarified the norms contained in the normative legal act.

2. The requirements of this article are not applied in cases specified in paragraph 4 of Article 60 of this Law.

Note. Article 62 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 calendar days after the day of its first official publication).

Chapter 14. LEGAL ACTS OF INDIVIDUAL APPLICATION

Article 63. General provisions on legal acts of individual application

1. A legal act of individual application is a written official document of the established form and:

1) applies to an individually defined scope of individuals (individuals and legal entities);

2) does not contain the norms of law;

3) implements the rights and duties of individually defined persons established by law.

2. Legal acts of individual application are not included in the legislation of the Republic of Kazakhstan and do not refer to normative legal acts.

Article 64. Requirements for legal acts of individual application and their formulation

1. A legal act of individual application must meet the following requirements:

1) not to contradict the Constitution of the Republic of Kazakhstan, legislation and legal acts of higher state bodies;

2) its structure should provide a comprehensive disclosure of the subject of regulation, and the content should provide a uniform understanding and application, clearly state the content of the planned measures, comprehensively determine the

scope of persons covered by the legal act and (or) who are responsible for their implementation within the established time limits.

2. Legal acts of individual application that contradict the requirements of the Constitution of the Republic of Kazakhstan and the legislation of the Republic of Kazakhstan are null and void from the moment of adoption and should not be applied in the territory of the Republic of Kazakhstan.

2-1. Legal acts of individual application that are recognized as unconstitutional, including those infringing on the rights and freedoms of a person and citizen enshrined in the Constitution, are abolished and are not subject to application.

3. In case of contradiction of legal acts of individual application adopted by authorized bodies of different levels, a legal act of a higher authorized body shall be applied if the adoption of such an act was within its competence.

4. In case of contradiction of the legal acts of individual application adopted by the authorized bodies of the same level, the legal act of the authority whose competence includes the adoption of this decision shall be applied. At the request of the person concerned, the decision on the priority of one legal act over another is made by a higher-level authorized body or court.

5. A legal act of individual application, in addition to the requirements provided for in paragraph 1 of this article, must also contain the following requisites:

- 1) the name of the legal act ;
- 2) the heading, indicating the subject of consideration of this act;
- 3) place and date of adoption of the act;

4) signature (signatures) of the person (persons) authorized (entitled) to sign the relevant act;

5) seal of the body, except for cases stipulated by the legislation of the Republic of Kazakhstan.

The procedures for adoption of legal acts of individual application, the organization of their formulation, execution and control over the execution are determined by this Law and other normative legal acts.

Note. Article 64 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (comes into force 10 calendar days after the day of its first official publication).

Article 65. Entry into force and termination of legal acts of individual application

1. A legal act of individual application comes into force from the moment of adoption, if it does not specify a later period.

2. A legal act of individual application ceases to be valid from the moment of execution of its requirements or the instructions contained therein by persons to whom this legal act is addressed.

3. Until termination, a legal act of individual application may be suspended, amended and / or supplemented or canceled by the authorized body that adopted this legal act, a higher state body or court.

4. Submission of an application by interested parties for cancellation, amendment, addition or suspension of a legal act of individual application to a higher state body or court suspends the legal act (except for a legal act adopted by the authorized body for regulation, control and supervision of the financial market and financial organizations or the National Bank of the Republic of Kazakhstan, within its competence, to suspend actions and (or) revoke licenses to carry out activities in the financial market, to shutdown financial organizations, its written instructions, a legal act adopted by the authorized body for regulation, control and supervision of the financial market and financial organizations or the National Bank of the Republic of Kazakhstan, within its competence, on the application of supervisory response measures (except for recommendatory supervisory response measures), on classification of the bank as a bank with an unstable financial position, posing a threat to the interests of its depositors and creditors and (or) a threat to the stability of the financial system, on classification of a bank as insolvent one and applying a settlement measure to it in accordance with the Law of the Republic of Kazakhstan "On banks and banking activity in the Republic of Kazakhstan", as well as legal acts of the state audit and financial control bodies related to the revealed facts of inappropriate and unjustified use of budgetary funds) until an appropriate decision is made.

Footnote. Article 65 as amended by the Laws of the Republic of Kazakhstan dated 02.07.2018 No. 168-VI (shall be enforced from 01.01.2019); dated 03.07.2019 No. 262-VI (shall be enforced from 01.01.2020).

Chapter 15. TRANSITIONAL AND FINAL PROVISIONS

Article 66. Transitional Provisions

State enterprise that maintains the State Register of normative legal acts of the Republic of Kazakhstan, the Reference Control Bank of the normative legal acts of the Republic of Kazakhstan:

1) provides formation of the Reference Control Bank of normative legal acts of the Republic of Kazakhstan, adopted before January 1, 2015, in electronic and digital form from an Internet resource determined by the Government of the Republic of Kazakhstan;

2) until January 1, 2018 ensures harmonization of the established normative legal acts adopted before January 1, 2015, in electronic and digital form with normative legal acts in printed form.

Article 67. Order of enactment of this Law

1. This Law shall enter into force upon expiry of ten calendar days after the date of its first official publication.

2. Part three of paragraph 2 of Article 37, paragraph 3 of Article 38 and paragraph 3 of Article 39 shall be valid until January 1, 2017.

3. To recognize as invalid the Law of the Republic of Kazakhstan dated March 24, 1998 "On normative legal acts" (Bulletin of the Parliament of the Republic of Kazakhstan, 1998, № 2-3, art. 25; 2001, № 20, art. 258; 2002, № 5, art. 50; 2004, № 5, art. 29; № 13, art. 74; 2005, № 17-18, art. 73; 2006, № 3, art. 22; № 24, art. 148; 2007, № 2, art. 18; № 12, art. 86; № 13, art. 100; № 19, art. 147; 2008, № 13-14, art. 55; № 21, art. 97; 2009, № 15-16, art. 74; № 18, art. 84; № 22, art. 94; 2010, № 5, art. 23; № 7, art. 29; № 24, art. 146; 2011, № 1, art. 7; № 7, art. 54; № 11, art. 102; № 12, art. 111; 2012, № 8, art. 64; № 15, art. 97; 2013, № 5-6, art. 30; № 14, art. 72; № 15, art. 81; 2014, № 10, art. 52; № 19-I, 19-II, art. 94, 96; № 23, art. 143; 2015, № 21-I, art. 121; № 22-I, art. 141; № 22-II, art. 145).

*President of the
Republic of Kazakhstan*

N. NAZARBAYEV