

On Local Government and Self-government in the Republic of Kazakhstan

Unofficial translation

The Law of the Republic of Kazakhstan dated 23 January, 2001 No. 148.

Unofficial translation

Footnote. Title as amended by the Law of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2).

Footnote. Throughout the whole text of the Law: the words “territorial subdivisions of central executive bodies” shall be substituted by the word “territorial subdivisions of central state bodies” by the Law of the Republic of Kazakhstan dated 10.01.2006 № 116 (the order of enforcement see Article 2 of the Law No 116);

the words “military service” shall be substituted by the word “military service”; the word “universal” is excluded in accordance with the Law of the Republic of Kazakhstan dated 22.05.2007 № 255 (shall be enforced from the date of its official publication);

the words “regions (city of republican significance and the a capital city)”, “urban (cities of republican significance and the a capital city)” in all cases shall be respectively substituted by the words “regions, city of republican significance and the a capital city”, “urban, city of republican significance and the capital city” by the Law of the Republic of Kazakhstan dated 22.07.2011 № 479-IV (shall be enforced upon expiry of ten calendar days after its first official publication)

Footnote. Throughout the whole text, the word “aul (village)” is respectively substituted by the word “village” by the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 № 121-V (shall be enforced upon expiry of ten calendar days after its first official publication).

This Law in accordance with the Constitution of the Republic of Kazakhstan shall regulate social relations in the field of local government and self – government, determine the competence, organization, procedure of activity of local representative and executive bodies, as well as the legal status of deputies of Maslikhats.

Footnote. The Preamble as amended by the Law of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2).

Chapter 1. General provisions

Article 1. Basic definitions, used in this Law

The following definitions shall be used in this Law:

1) akim - representative of the President and the Government of the Republic of Kazakhstan, head of the local executive body (in case of its creation) and providing of holding the state policy in relevant territory, coordinated functioning of all territorial subdivisions of central government bodies of the Republic of Kazakhstan, lead executive bodies, financed from relevant budget, invested with authority of local government and functions of self – government in accordance with the legislation of the Republic of Kazakhstan, responsible for the condition of socio-economic development in relevant territory

2) the office of the akim is a public institution which provides activity of local executive body (in case of its creation), the akim and carries out other functions provided by the legislation of the Republic of Kazakhstan;

3) a scheme of management of the administrative - territorial entity – system of executive bodies, located in relevant territory, financed from budget in relevant administrative - territorial entity;

3-1) social infrastructure - a set of legal entities that functionally ensure the normal life of a settlement, which include: social and cultural facilities, housing and communal services, organizations of health care systems, education, preschool education; organizations related to recreation and leisure; retail trade, public catering, service sector, sports and recreation facilities; organizations, producing and providing communal services to the population;

3-2) prevention of emergency situations of social nature – a complex of legal, economic, social, organizational, educational, propagandistic and other measures, carried out within the competence by state and local executive bodies on identifying, examining, eliminating the causes and conditions, promoting to the occurrence of emergency situations of social nature;

4) local executive body – (akimat) – collective executive body, hosted by akim of the region, city of republican significance and a capital city, district (city of regional significance) , carrying out the local government and self – government within its competence in relevant territory;

5) an executive body, financed from local budget, - state agency, authorized by akimat to carrying out separate functions of local state government and self – government, financed from relevant local budgets;

6) a local community – a set of residents (members of local community), residing on the territory of relevant administrative - territorial entity, within which shall be carried out the local self – government, formed and operated its bodies;

6-1) a meeting of local community - participation of representatives of the local community, delegated by gathering of local community, in decision current issues of local significance within and procedure, defined by this Law;

6-2) a gathering of local community - direct participation of residents (members of local community) in decision of most importance issues of local significance in limits and procedure, defined by this Law;

7) issues of local significance - issues of activity of region, district, city, district in the city, rural district, rural settlement and village, not included as a composition of rural district, regulation of which in accordance with this Law and other legislative acts of the Republic of Kazakhstan linked with providing the rights and legitimate interests of the majority of residents of relevant administrative - territorial entity;

8) a local state government – an activity, carrying out by local representative and executive bodies in order of holding of state policy on relevant territory, its developments within its competence, determined by this Law and other legislative acts of the Republic of Kazakhstan concerned, as well as being responsible for the state of affairs on relevant territories;

9) a local self – government – an activity, carrying out directly by population, as well as through maslikhats and other bodies of local self – government, directed to independent decision of issues of local significance at one’s risk, in order, determined by this Law, other regulatory legal acts;

9-1) authorized body on development of local self-government is the central executive body performing management and also in the limits provided by the legislation of the Republic of Kazakhstan, interindustry coordination in the sphere of development of local self-government;

9-2) territorial council of local self-government is the consultative and advisory body upon akimat of the city of republican significance, the capital, city of regional significance on interaction of the akim of the city with the population formed in borders of one or several constituencies at elections of deputies of the city maslikhat;

10) bodies of local self – government – bodies, on which in accordance with this Law imposed functions by decision of issues of local significance;

11) a local representative body (maslikhat) – elected body, elected by population of region, city of republican significance and a capital city or district (city of regional significance), expressing will of population and in accordance with legislation of the Republic of Kazakhstan determined actions, necessary for its realization, and controlling its execution;

12) a machinery of maslikhat – state agency, providing an activity of relevant maslikhat, its bodies and deputies;

13) a session of maslikhat – basic form of, maslikhat activity;

14) excluded by the Law of the Republic of Kazakhstan dated 30.06.2021 No. 60-VII (shall be enforced ten calendar days after the date of its first official publication);

15) territorial subdivision of central state body – structural subdivision of central executive body, carrying out within relevant administrative – territorial entity of function of central executive body.

Footnote. Article 1 is in the wording of the Law of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten

calendar days after its first official publication); by the Constitution of the Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.11.2015 №. 387-V (shall be enforced after ten calendar days after day of its first official publication); dated 11.07.2017 № . 90-VI (shall be enforced after ten calendar days after day of its first official publication); dated 26.12.2019 No. 284-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 30.06.2021 No. 60-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 2. The Legislation of the Republic of Kazakhstan on the local government and self-government

Footnote. The title as amended by the Law of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2).

1. The legislation of the Republic of Kazakhstan on local government and self – government based on the Constitution of the Republic of Kazakhstan and consist of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. This Law shall be applied on the territory of the city of Almaty and a capital city in a part, without prejudice to the legislation of the Republic of Kazakhstan on the special status of Almaty and the status of a capital city.

Footnote. Article 2 as amended by the Law of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2).

Article 2-1. Basis of the organization of local self – government

1. Local self – government shall be carried out separately within region, district, city, district in the city, rural district, rural settlement and village, not included as a composition of rural district.

2. Local self – government shall be carried out directly by members of local community, as well as through maslikhats and other bodies of local self – government.

Akim of region, district, city, district in the city, rural district, rural settlement and village, not included as a composition of rural district, in addition to functions of government shall carry out the functions of local self – government bodies.

3. The form of activity of local community shall be the gathering of local community and meeting of local community.

Footnote. The Law is supplemented by the Article 2-1 in accordance with the Law of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 3. Economical and financial basis of local government and self – government activity.

1. Economical and financial basis of local government and self – government activity shall be as follows:

- 1) a local budget;

2) property, assigned to communal legal entities;
3) other property, that is in a communal property in accordance with the legislation of the Republic of Kazakhstan.

2. Excluded by the Law of the Republic of Kazakhstan dated July 11, 2017 No. 90-VI (the order of enforcement, see subparagraph 1) of paragraph 1 of Article 2).

3. Excluded by the Law of the Republic of Kazakhstan dated July 11, 2017 No. 90-VI (the order of enforcement, see subparagraph 1) of paragraph 1 of Article 2).

Footnote. Article 3 is in the wording of the Law of the Republic of Kazakhstan dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 05.12.2013 No152-V (shall be enforced from 01.01.2014); dated 29.09.2014 №. 239-V (shall be enforced after ten calendar days after day of its first official publication); dated 05.07.2014 №. 236-V (shall be enforced from 01.01.2015); dated 28.11.2014 №. 257(shall be enforced from 01.04.2015); dated 02.11.2015 №. 387-V (shall be enforced after ten calendar days after day of its first official publication); dated 29.03.2016 №. 479-V (shall be enforced after twenty one calendar days after day of its first official publication); dated 11.07.2017 №. 90-VI (an order of enforcement see subitem 1) item 1 of Art. 2) ; dated 08.01.2019 № 215-VI (shall be enforced upon expiry of three months after its first official publication and is valid till 01.01.2020);

Article 4. Basic requirements and limitations, established for maslikhats and akimats

1. Maslikhats and akimats in its activity shall be obliged:

1) do not allow to making decisions, not relevant basic directions of internal and external policy;

2) to serve interests of the Republic of Kazakhstan in ensuring national security;

3) to adhere to national standards, established in socially significant spheres of activity;

4) to provide the loyalty and legal interests of citizens.

2. To maslikhats and akimats shall be prohibited to make a decisions, defeated to formation of a single labor market, capital, finances, free exchange of goods and services within the Republic of Kazakhstan.

3. Territorial development plans, taken by maslikhats and akimats, shall conform with the strategic development plans of the Republic of Kazakhstan.

Footnote. Paragraph 1 of the Article 4 as amended by the Law of the Republic of Kazakhstan dated 09.01.2012 No535-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 2. Formation, competence and organization of maslikhats activity

Article 5. The procedure of formation of maslikhats

1. Maslikhats shall be elected by population of relevant administrative-territorial entities on the basis of universal, equal, right of direct elections by secret ballot for the term of five years.

2. As deputy of maslikhats may be elected a citizen of the Republic of Kazakhstan who has reached twenty years. Citizen of the Republic of Kazakhstan may be a deputy only of one maslikhat.

3. The number of deputies of the corresponding maslikhat shall be determined by the Central election commission of the Republic of Kazakhstan within the following limits: in the regional maslikhat, maslikhats of the cities of republican significance and the capital city up to fifty; city maslikhat up to thirty; in the regional maslikhat up to twenty-five.

4. Maslikhat shall be recognized as legally qualified upon condition of election not less than three-fourths of muster-roll of its deputies, determined by the Central election committee of the Republic of Kazakhstan.

5. Elections of deputies of maslikhats shall be governed by the legislation of the Republic of Kazakhstan on elections.

6. Powers of maslikhat shall be begun with the opening of the first session and terminated with starting of work of the first session of the new convention of maslikhat.

7. In case of reorganization (accession, merger, transformation, separation or division) of administrative-territorial entity the deputies of maslikhat shall retain their powers and shall be the deputies of reorganizational maslikhats, which included most of its elective bodies, before the starting of work of the session of newly elected maslikhat.

In case of winding-up of administrative-territorial entity an relevant maslikhat shall be gone into winding-up.

8. Maslikhat have not the rights of a legal entity.

Footnote. Article 5 as amended by the Law of the republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2); dated 28.12.2018 № 210-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 6. The competence of maslikhats

1. To the competence of maslikhat shall include:

Note RCRI!

This edition of subparagraph 1) works from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan dated 11.07.2017 №. 90-VI (the current version till 01.01.2020 for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people see the archival version of 11.07.2017 of the Law of of the Republic of Kazakhstan “On Local Public Administration and Self-government in the Republic of Kazakhstan” of 23.01.2001 №. 148).

1) the approval of plans, economic and social programs of development of the respective territory, the local budget and reports on their execution, including the approval of the budgetary programs realized by akims of the district in the city (separately on each district in the city);

2) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No 124-V (shall be enforced upon expiry of ten calendar days after its first official publication).

3) approval, upon presentation of the akim, of the management scheme of an administrative-territorial unit, formed on the basis of the basic structures of the local government, approved by the Government of the Republic of Kazakhstan, unless otherwise provided by the laws of the Republic of Kazakhstan;

4) a decision related to its introduction of issues of local administrative-territorial structure;

4-1) a confirmation of preparation rules and conducting the heating season;

4-2) approval of the rules for improvement of the territories of cities and settlements;

4-3) approval of the rules for the maintenance and protection of green spaces;

4-4) approval of measures aimed at the development and operation of healthcare organizations, including organizations providing medical care to persons held in pre-trial detention centers and penitentiary (penal) system institutions;

5) an agreement by decision of maslikhat session of personnel of relevant akimat on presentation of akim;

5-1) is excluded by the Law of the Republic of Kazakhstan dated 12.07.2018 № 180-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

6) a consideration of reports of heads of executive bodies and introduction in relevant bodies of presentations on bringing to responsibility of civil servants of state bodies, as well as organizations for non – fulfillment the decisions of maslikhat;

6-1) is excluded by the Law of the Republic of Kazakhstan dated 12.07.2018 № 180-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

7) is excluded by the Law of the Republic of Kazakhstan dated 05.07.2011 № 452-IV (shall be enforced from 13.10.2011);

7-1) election in accordance with the legislative act of the Republic of Kazakhstan on elections of members of territorial and precinct election commissions by holding secret or open voting;

8) is excluded by the Law of the Republic of Kazakhstan dated 27.04.2012 № 15-V (shall be enforced upon expiry of ten calendar days after its first official publication);

9) a control over the performance of the local budget, territorial development programs;

9-1) a consideration of annual report of performance of budget of audit commissions of region, cities of republican significance, a capital city;

9-2) entering of offers into audit commissions of region the cities of republican significance the capital for inclusion of objects of the state audit and financial control in the plan of works of audit commissions;

10) Formulation of permanent commissions and other bodies of maslikhat, hearing the reports on its activity, decision of other issues, linked with organization of work of maslikhat;

10-1) implementation of organizational support for the activities of the Public Council;

11) Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

12) a confirmation on presentation of akim of personnel of consultative and advisory bodies upon akimat on issues of interdepartmental nature;

12-1) a conferment on presentation of akim the title “ Honorary citizen of the region (city , district)”;

12-2) an adoption of regulations of conferment the title “ Honorary citizen of the region (city, district)” ; worked out and represented by akimat of region, city of republican significance, a capital city;

12-3) a formulation and confirmation of provision on awarding of certificate of Honorary of region (city, district);

13) carrying out the regulation of land relations by the legislation of the Republic of Kazakhstan;

14) an assistance of performance by citizens and organizations of the Constitution propositions of the Republic of Kazakhstan, laws, acts of the President and the Government of the Republic of Kazakhstan, regulatory legal acts of central and local state bodies;

15) carrying out in accordance with the legislation of the Republic of Kazakhstan other powers for providing the rights and legal interests of citizens.

2. The competence of maslikhats of a district (a city of regional scale), a city of republican status, the capital shall also include Making submissions on approval of the district planning scheme of the region, the draft master plan for the development of the regional center, the city of republican status and the capital to the Government of the Republic of Kazakhstan, approval of the draft district planning of administrative districts, master plans for the development of cities of regional (except regional centers) and district scale and determination of social support measures system for certain categories of citizens, including medical professionals working and living in rural settlements, provided for by the legislation of the Republic of Kazakhstan.

2-1. Appointment to positions of the chairman and members of audit commission of region, city of republican significance, the capital for five years and also release them from positions according to the legislation of the Republic of Kazakhstan on the state audit and financial control belongs to competence of the maslikhat of district, city of republican significance, the capital.

2-2. The competence of maslikhats of regions, cities of republican status, the capital shall include approval of rules for keeping animals, rules for keeping farm animals in populated areas, rules for farm animals grazing, rules for keeping and walking pets, rules for trapping, temporary keeping and killing of animals, as well as approval of other rules breaking which entails administrative liability.

2-3. The competence of maslikhats of a district (a city of regional scale), a city of republican status, the capital shall include approval of the social assistance provision rules,

establishing of the size and the list of certain categories of needy citizens, the minimum guaranteed volume of social support measures and benefits for healthcare professionals, including purchase or construction of housing at the local budget expense.

2-4. To the competence of maslikhats of region, cities of republican significance, a capital city shall include the delineation of buffer zone of keeping animals.

2-5. Making decision on creation of territorial councils of local government, the approval of their structure and regulations on territorial councils of local government belong to competence of maslikhat of the cities of republican significance, the capital, cities of regional significance.

2-6. The approval of regulations of migration processes in districts, the cities of republican significance and the capital belongs to competence of maslikhat of regions, cities of republican significance, the capital.

Article 6 is added by the point 2-7 from 01.01.2018 for the cities of district significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan dated 11.07.2017 №. 90-VI (for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people shall be enforced from 01.01.2020).

2-7. The approval of city budget of regional significance, the village, settlement, rural district and the report on its execution is within the competence of the maslikhat of the district (the city of regional significance).

2-8. The competence of maslikhats of regions, the cities of republican significance, the capital city shall include the approval of the rules of burial and organization of affairs for the care of graves.

2-9. The competence of maslikhats of regions, the cities of republican significance, the capital city, districts (cities of regional significance) shall include determining the size and list of categories of housing certificates recipients.

2-10. The competence of maslikhats of cities of republican status, the capital, districts (cities of regional scale) shall include the approval of tourist tax rates for foreign nationals.

3. To the competence of district maslikhats shall include as well as confirmation of the general plans of building the cities, rural settlements and villages, located on the territory of the relevant district, consideration the report of executed work of akim of city of district significance, rural district, rural settlement and village, not included as a composition of rural district, and introducing to akim of district the representation on bringing of akim of relevant administrative and territorial entity to disciplinary responsibility.

3-1. Maslikhat of district (city of region significance) shall have the right to request information from audit commission of region on held of control activities on issues of performance of budget of relevant district (city of region significance).

4. Maslikhats of regions, cities of republican significance and a capital city of the Republic of Kazakhstan at the suggestion of relevant akimats shall have the right to make the decisions on borrowing in accordance of the legislative acts of the Republic of Kazakhstan.

5. Maslikhats of regions, cities of republican status and the capital shall approve the payment rates for the disposal of municipal waste (solid household waste, sludge from sewage treatment plants), the use of surface water resources, forest use, the use of specially protected natural areas in accordance with the legislation of the Republic of Kazakhstan.

6. Maslikhats of regions, the cities of republican significance and the capital city shall consider an issue on giving a consent to the construction of nuclear installations and facilities on the relevant administrative-territorial unit.

7. Powers of deputies of Senate of the Parliament, elected on joint sitting of electors acting by deputies, representing all maslikhats of region, city of republican significance and a capital city, may be early terminated by decision of electors.

Footnote. Article 6 as amended by the Laws of the Republic of Kazakhstan dated 11 May, 2004 No 552 (the order of enforcement see Article 2); dated 9 July, 2004 No 583; dated 10 January, 2006 No 116 (the order of enforcement see Article 2 of the Law No 116); dated 7 July, 2006 No 171 (the order of enforcement see Article 2); dated 9 January, 2007 No 213 (the order of enforcement see Article 2); dated 10.12.2008 No 101-IV (shall be enforced from 01.01.2009); dated 24.12.2008 No 111-IV (shall be enforced from 01.01.2009); dated 09.02.2009 No 126 (the order of enforcement see Article 2); dated 02.04.2010 No 263-IV (shall be enforced from 01.01.2010); dated 05.07.2011 No 452-IV (shall be enforced from 13.10.2011); dated 21.07.2011 No 465-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 22.07.2011 No 479-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.04.2012 No 15-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 08.01.2013 No 64-V (shall be enforced from 01.01.2013); dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 No 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.01.2014 No 165-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 No. 239-V (shall be enforced after ten calendar days after day of its first official publication); dated 28.10.2015 No. 366-V (shall be enforced after ten calendar days after day of its first official publication); dated 02.11.2015 No. 387-V (shall be enforced after ten calendar days after day of its first official publication); dated 02.11.2015 No. 388-V (shall be enforced from 01.01.2016); dated 12.11.2015 No. 393-V (shall be enforced after ten calendar days after day of its first official publication); dated 22.12.2016 No. 28-VI (shall be enforced after ten calendar days after day of its first official publication); dated 11.07.2017 No. 90-VI (an order of enforcement see subitem 1) item 1 of Art. 2); dated 29.06.2018 No. 163-VI (shall be enforced upon expiry of

ten calendar days after its first official publication); dated 12.07.2018 No. 180-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.12.2018 No. 210-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 08.01.2019 No. 215-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.04.2019 № 243-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2019 No. 268-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.10.2019 No. 291-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.12. 2019 No. 291-VI (enforcement Article 3); dated 07.07.2020 No. 361-VI (effective ten calendar days after the date of its first official publication); dated 02.01.2021 No. 401-VI (effective from 01.07.2021); dated 03.01.2021 No. 406-VI (effective ten calendar days after the date of its first official publication); dated 30.04.2021 No. 34-VII (effective from 01.01.2022); dated 30.12.2021 No. 95-VII (effective from 01.07.2022); dated 30.12.2021 No. 98-VII (effective sixty calendar days after the date of its first official publication).

Article 7. The acts of maslikhat

1. The acts of maslikhat, which he publishes on issues of its competence, are the decisions of maslikhat.

2. The projects of decisions of maslikhats, provided the revenue contraction of local budget incomes or an increasing of expenses, may be introduced for consideration only in existence of a positive conclusion of akim.

3. The decisions of maslikhat shall be liable to official publication, adopted within its competence and concerning the rights, freedoms and duties of citizens in established by the legislation of the Republic of Kazakhstan procedure and binding on the relevant territory.

4. Acceptance by maslikhat the decisions concerning the rights, freedoms and duties of citizens is carried out taking into account the features provided by the Law of the Republic of Kazakhstan “On legal acts”.

5. The decisions of maslikhats, not relevant to the Constitution and the legislation of the Republic of Kazakhstan, shall be canceled by maslikhat or legal process.

Footnote. Article 7 as amended by the Laws of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2); dated 10.01.2011 No 383-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.11.2015 №. 384-V (shall be enforced from 01.01.2016); dated 06.04.2016 №. 481-V (shall be enforced after ten calendar days after day of its first official publication); dated 12.03.2021 No. 15-VII (effective ten calendar days after the date of its first official publication).

Article 8. Organization of maslikhat work

1. Maslikhat shall exercise its powers at sessions, through permanent committees and other bodies, maslikhat deputies and secretary as prescribed by the legislation of the Republic of Kazakhstan.

1-1. Maslikhats at least once a year shall report to the population on the executed work of maslikhat, activities of its permanent commissions. The deputies of maslikhat shall have responsibility before the population in accordance with the Laws of the Republic of Kazakhstan.

2. The basic form of activity of maslikhat shall be the session, on which decide the issues, related to its introduction of the Laws.

The session of maslikhat is legally qualified, if at least two thirds of muster-roll of deputies of maslikhat present on session.

3. The Maslikhat shall:

- 1) elect and dismiss the secretary of the Maslikhat and hear his reports;
- 2) form the permanent commission and other bodies of maslikhat, elect and excuse from the post their representatives, hearing the reports on their work;
- 3) determine the expenses on ensuring of activity of maslikhat;
- 4) confirm the structure of machinery of maslikhat and determine the expense on its contain and logistical support within established by the legislation of the Republic of Kazakhstan the limit of number and provisions. The limit of staff size of state employees of machinery of maslikhat shall be established, on the basis of the number of deputies of relevant maslikhats, in a ratio of one employee to five deputies, but not less than five;
- 5) confirm the reglament of maslikhat;
- 6) consider an inquire of deputies and make decisions on them;
- 7) make other decisions on the organization of its work.

Footnote. Article 8 as amended by the Laws of the Republic of Kazakhstan dated 11.05.2004 No 552 (the order of enforcement see Article 2); dated 21.07.2011 No 465-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 09.02.2009 N 126 (enforcement Article 2); dated 30.06.2021 No. 60-VII (effective ten calendar days after the date of its first official publication).

Article 9. The reglament of maslikhat

The procedure of holding the session of maslikhat, sittings of its bodies, introductions and examinations on them the issues, formulation and election the bodies of maslikhat, hearing the reports of its activity, reports of the executed work of maslikhat before the population and activity of his (her) permanent commissions, considerations of an inquire of deputies, power, organization of activity od deputative associations in the maslikhat, as well as the procedure of voting, organization of machinery work and other procedural and organizational issues shall be determined by reglament of maslikhat, confirmed on his session.

Typical reglament of maslikhats shall be confirmed by the President of the Republic of Kazakhstan.

Footnote. Article 9 in the wording of the Law of the Republic of Kazakhstan dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 10. The procedure of convention the session of maslikhat

1. The first session of newly elected maslikhat shall be convened by the representative of relevant territorially election commission not later than thirty days from the date of registration of the deputies of maslikhat, in existence of at least three quarters of the number of deputies, determined for present maslikhat.

2. The regular maslikhat session shall be convened at least four times a year and is conducted by the secretary of the maslikhat. An extraordinary session of the maslikhat shall be convened and conducted by the secretary of the maslikhat at the suggestion of at least one third of the number of deputies elected to this maslikhat, as well as the akim. An extraordinary session shall be convened no later than five working days from the date of the decision to hold an extraordinary session. At an extraordinary session, only issues constituting the ground for its convocation may be examined.

3. On time of convention and place of holding of session of maslikhat, as well as on issues, introduced for consideration the session, the secretary of maslikhat shall inform to the deputies, the population and akim not later than ten days before the session, and in the case of convention of extraordinary session – not later than three days. On issues, introduced for consideration of session, the secretary of maslikhat not later than five days before the session, and in the case of convention of extraordinary session not later than three days shall represent to the deputies and akim the necessary materials.

Footnote. Article 10 as amended by the Law of the Republic of Kazakhstan dated 30.06.2021 No. 60-VII (effective ten calendar days after the date of its first official publication).

Article 11. The procedure of holding of session of maslikhat

1. The session of maslikhat shall be held in the form of plenary sittings.

2. The first maslikhat session shall be opened and presided over by the chairman of the relevant territorial election commission until the election of the maslikhat secretary. Further maslikhat sessions shall be conducted by the maslikhat secretary.

3. The session of maslikhat is legally qualified, if at least two thirds of muster-roll of deputies of maslikhat present on it.

The decisions shall be made by majority of vote muster-roll of deputies of maslikhat.

4. In the work of session by decision of maslikhat may be made a break for the term, established by maslikhat, not exceeding fifteen calendar days.

5. The duration of session shall be determined by maslikhat.

6. Maslikhat sessions are, as a rule, open. Holding closed sessions shall be allowed by the decision of the maslikhat, adopted at the proposal of the maslikhat secretary or one third of

the number of deputies present at the maslikhat session, if the majority of the total number of deputies present voted for it.

7. At the maslikhat secretary's invitation, the heads of local executive bodies, heads and other officials of organizations located on the territory of the relevant administrative-territorial unit, shall attend the maslikhat session to provide information on the issues related to the maslikhat jurisdiction.

Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 30.06.2021 No. 60-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 12. Organization and activity of permanent commission of maslikhat

1. Maslikhat for a term of its powers shall form the permanent commission. Their number should not exceed seven. In the case of necessity maslikhat may form the new, abrogate and reorganized the permanent commissions.

2. The list and personnel of the permanent commissions shall be determined by the maslikhat. The deans and members of the permanent commissions shall be elected by relevant maslikhat among of its deputies.

3. The permanent commission shall have responsibility before the elected them maslikhat and at least once a year shall report on their activity.

Article 13. Public hearings of the permanent commissions of maslikhat

1. The permanent commission of own initiative or by decision of maslikhat may conduct the public hearings.

2. The public hearings shall be held in order to discuss the most important and socially important issues, related to the introduction of the permanent commissions, in the form of extended sittings of this commissions with the participation of the deputies, representatives of executive bodies, bodies of local self – government, organization, mass media, citizens.

3. The procedure of holding of the public hearing in the permanent commissions shall be determined by the reglament of maslikhat.

Article 14. Functions and powers of the permanent commissions of maslikhat

1. The permanent commissions shall have the right:

1) introduce proposals to the maslikhat, the secretary of the maslikhat on the agenda of the session of this maslikhat, also on any issues examined at the maslikhat session;

2) to counsel on the issues, related to its introduction and introduced for consideration of the session of maslikhat;

3) to represent on the sessions of maslikhat reports and coreports on the issues, related to its introduction;

4) introduce to the maslikhat the suggestions on hearing on the session the reports of the heads of local executive bodies within its competence;

5) engage to work the commissions of other deputies of maslikhat, as well as representatives of state bodies, organizations, other bodies of local self – government and citizens.

2. Akimat, civil servants of territorial subdivisions of central state bodies, executive bodies, financed from local budgets, organizations shall be obliged in accordance with established procedure represent the necessary information to the permanent commissions on the issues of its competence.

3. The permanent commission of maslikhat on the issues of its competence shall accept a regulations.

Footnote. Article 14 as amended by the Law of the Republic of Kazakhstan dated 10.01.2011 No 383-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 30.06.2021 No. 60-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 15. The procedure of work and accepting the regulations by the permanent commission of maslikhat

1. Sessions of standing committees shall be convened as necessary and shall be deemed duly constituted if more than half of the total number of their members are present.

2. The regulation of permanent commission shall be accepted by the majority of vote muster-roll of members of commission.

3. The representative of permanent commission shall be used a right of decisive vote in the case, if during voting on the sitting of commission the votes of deputies are equally divided.

4. The regulation of permanent commission and record of sitting shall sign by its representative, and in the case of holding a joint sitting several permanent commissions shall sign the deans of relevant commissions.

Footnote. Article 15 as amended by the Law of the Republic of Kazakhstan dated 30.06.2021 No. 60-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 16. Audit commission of maslikhat

Footnote. Article 16 excluded by the Law of the Republic of Kazakhstan dated 21.07.2011 No. 465-IV (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 17. Provisional commission of maslikhat

1. In order to prepare for consideration on the sessions the issues, related to the introduction of maslikhats, maslikhat or secretary of maslikhat shall have the right to form the provisional commission. Composition, tasks, terms of powers and the rights of provisional commissions shall be determined by maslikhat during their formation.

2. The provisional commission of maslikhat on issues of its competence shall accept the conclusions.

3. The payment for participation in the work of the permanent commission shall not be carried out.

Article 18. The dean of the session of maslikhat

Footnote. Article 18 shall be excluded by the Law of the Republic of Kazakhstan dated 30.06.2021 No. 60-VII (effective ten calendar days after the date of its first official publication).

Article 19. A secretary of maslikhat

1. A secretary of maslikhat shall be civil servant, worked on the permanent basis. He shall be elected among deputies by open or secret ballot by a majority of vote from muster-roll of deputies and shall be excused from the post by maslikhat on session. The secretary of maslikhat shall be elected for a term of powers of maslikhat.

2. The candidacies for the post of secretary of maslikhat shall be recommended by the deputies of maslikhat on the session of maslikhat.

3. The secretary of maslikhat shall:

1) organize the preparation of the maslikhat session and issues submitted for its consideration, form the agenda of the session, provide preparation of the minutes, sign resolutions, other documents adopted or approved at the maslikhat session;

1-1) make a decision to convene a session of the maslikhat;

1-2) conduct meetings of the maslikhat session, ensure compliance with the maslikhat regulations;

2) assists to the deputies of maslikhat in carrying out with them their powers, provide them with necessary information, consider the issues, linked with the excuse of deputies from discharge the duties for participation on the session of maslikhat, in the work of his (her) permanent commissions and other bodies, and in the election districts;

3) control the consideration of the inquiries of deputies and deputy's appeals;

4) manage the activity of machinery of maslikhat, appoint to a post and excuse from the post of his (her) employees;

5) regularly represent in maslikhat the information on applications of electors and on taken on them actions;

6) organize the interaction of maslikhat with other bodies of local self – government;

6-1) organize verification of authenticity of the collected signatures of maslikhat deputies, who initiate a no confidence vote to the akim in accordance with paragraph 1 of Article 24 of this Law;

7) decree on issues of its competence;

8) coordinate the activity of permanent commissions and other bodies of maslikhat, and deputy groups;

9) represent the maslikhat concerning with state bodies, organizations, bodies of local self – government and public associations;

10) provide the publication of decisions of maslikhat, determine the actions of control for its performance;

11) exercise other powers provided for by this Law, the legislation of the Republic of Kazakhstan, regulations and decision of the maslikhat.

3-1. Secretary of maslikhat of region, city of republican significance, a capital city shall introduce for consideration of relevant maslikhat the candidacies to appointment to a post of the dean of audit commission of region, city of republican significance, a capital city, as well as the suggestion of excused his (her) from the post.

4. Secretary of maslikhat shall have not the right to be in the permanent commissions of maslikhat.

5. In the absence of the secretary of the maslikhat of the region, the city of republican status and the capital, his powers shall be temporarily exercised by the chairman of one of the maslikhat standing commissions, working on a permanent basis.

In the absence of the secretary of the maslikhat of the district (city of regional scale), his powers shall be temporarily exercised by the chairman of one of the maslikhat standing commissions or a maslikhat deputy.

Footnote. Article 19 as amended by the Laws of the Republic of Kazakhstan dated 11.05.2004 No552 (the order of enforcement see Article 2); dated 10.01.2011 No383-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 21.07.2011 No 465-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No101-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.05.2021 No. 42-VII (shall be enforced ten calendar days after the date of its first official publication); dated 30.06.2021 No. 60-VII (enforcement Article 2).

Article 19-1. Chairman of the permanent commission of maslikhat

1. The chairman of the permanent maslikhat commission shall be elected from among the deputies by open voting by a majority vote of the total number of deputies and shall be dismissed by the maslikhat at a maslikhat session.

The chairman of the permanent maslikhat commission enjoys the casting vote right if the deputies' votes are divided equally when voting at a meeting of the standing commission of the maslikhat.

Candidates for the post of the maslikhat commission chairman shall be nominated by the maslikhat deputies at the maslikhat session.

2. The chairman of the maslikhat commission shall:

1) provide preparation of the meeting of the standing committee and the issues submitted for its consideration, preparation of the minutes and sign resolutions and other documents adopted at the meeting of the standing committee;

2) assist the maslikhat deputies in the exercise of their powers, provide them with the necessary information on the standing commission's activities;

- 3) control consideration of requests of the standing commission deputies and deputy inquiries addressed to the standing commission;
- 4) provide publication of resolutions of the maslikhat commission on the Internet resource of the maslikhat, determine their follow-up;
- 5) exercise other powers provided for by this Law, the legislation of the Republic of Kazakhstan, regulations and the resolution of the maslikhat.

3. In the absence of the chairman of one of the maslikhat commissions, by decision of the maslikhat secretary, his powers shall be temporarily exercised by the chairman of another maslikhat commission or a deputy who is a member of this maslikhat commission, unless otherwise provided by paragraph 5 of this article.

4. Effective from 01.01.2022 in accordance with the Law of the Republic of Kazakhstan dated 30.06.2021 No. 60-VII (the text is excluded).

5. Effective from 01.01.2022 in accordance with the Law of the Republic of Kazakhstan dated 30.06.2021 No. 60-VII (the text is excluded).

Footnote. Chapter 2 shall be supplemented by Article 19-1 in accordance with the Law of the Republic of Kazakhstan dated 30.06.2021 No. 60-VII (enforcement Article 2).

Article 20. A deputy of maslikhat

1. A deputy of maslikhat shall express the will of population of relevant administrative and territorial entities including the national interests.

2. Powers of deputy of maslikhat shall be begun from the date of its registration as the deputy of maslikhat of relevant territorial election commissions and shall be terminated from the date of termination of powers of maslikhat.

3. The powers of a deputy of a maslikhat shall be prematurely terminated in cases of:

- 1) election or appointment of a deputy to the position, the occupation of which in accordance with the legislation of the Republic of Kazakhstan is incompatible with the performance of deputy duties;

- 2) entry into force of the court decision on recognition of a deputy as incapable or partially capable;

- 3) termination of powers of the maslikhat;

- 3-1) withdrawal or exclusion of a deputy from a political party, from which a deputy is elected in accordance with the Constitutional Law of the Republic of Kazakhstan "On Elections in the Republic of Kazakhstan";

- 3-2) termination of activity of a political party, from which a deputy is elected in accordance with the Constitutional Law of the Republic of Kazakhstan "On Elections in the Republic of Kazakhstan";

- 4) the death of a deputy, entry into force of the court decision on recognition of a deputy missing or the court decision on declaring him/her dead;

- 5) termination of citizenship of the Republic of Kazakhstan;

6) entry into force of the court conviction for committing a crime or intentional criminal offence against a deputy;

7) departure for permanent residence outside the relevant administrative-territorial unit;

8) in connection with the personal statement of the deputy on resignation;

9) systematic non-fulfillment of the deputy of his/her duties, including absence without good reasons at the plenary sessions of the maslikhat or meetings of the maslikhat bodies, to which he/she was elected, more than three times in a row;

10) appointment to the post of chairman of the audit commission or a member of the audit commission of the region, the city of republican significance, the capital city.

4. Upon termination of the powers of the deputy of maslikhat on the grounds provided for in subparagraphs 1), 2), 4), 5), 6), 7), 8), 9) and 10) paragraph 3 of this Article, the relevant territorial election commission shall take a decision, which states the fact of occurrence of the grounds for termination of the powers of the deputy of maslikhat, and the decision on submission to the relevant maslikhat of a notice on early termination of powers of the deputy of maslikhat shall be taken.

On the basis of the submission of the territorial election commission made in accordance with this paragraph, by a majority vote of the total number of deputies present at the maslikhat session, the maslikhat shall terminate the powers of the respective deputy of the maslikhat.

4-1. Upon termination of the powers on the grounds provided for in subparagraphs 3-1) and 3-2) of paragraph 3 of this Article, the relevant territorial election commission shall take a decision stating the fact of the loss of the powers of the deputy of maslikhat, and shall inform the relevant maslikhat.

5. (is excluded).

6. Deputies of maslikhat, carrying out its activity on permanent or exempt basis, paid at the expense of state budget, shall not have the right to carry out an entrepreneurial activity, independently in management of economic entity, deal with other paid activity, except for pedagogic, scientific or other creative.

Footnote. Article 20 as amended by the Laws of the Republic of Kazakhstan dated 11 May, 2004 No 552 (the order of enforcement see Article 2); dated 20 December, 2004 No 13 (shall be enforced from 1 January, 2005); dated 09.02.2009 No 126 (the order of enforcement see Article 2); dated 10.01.2011 No 383-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 21.07.2011 No 465-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2014 №. 227-V (shall be enforced from 01.01.2015); dated 29.06.2018 № 163-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 21. Rights, duties and responsibility of a deputy of maslikhat in the exercise its powers.

Footnote. The title is in the wording of the Law of the Republic of Kazakhstan dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication).

1. A deputy shall have the right:

1) elect and be elected secretary of the maslikhat, chairman or member of the standing commission, to other maslikhat bodies;

2) to suggest the issues for consideration on a session of maslikhat and its permanent commissions and other bodies, participate in their consideration and making decisions;

3) (is excluded);

4) to conduct appointments and meetings with electors of its district, as well as with other bodies of local self – government and organizations;

5) to introduce suggestions on hearing on session of reports of civil servants of local executive body and organizations located on a territory of relevant maslikhat, on issues, related to the competence of maslikhat;

6) to participate in the work of sittings of relevant akimat;

7) to become acquainted with stenographs and protocols of sittings of maslikhat and its bodies;

8) to create the deputy's associations in the form of factions and deputy groups;

9) take part in local community conventions and meetings;

10) announce at the maslikhat session the citizens' appeals of social significance;

11) nominate candidates, including their own, to the permanent commissions and other maslikhat bodies being formed;

12) express their opinion on the candidates for public officials who are elected or appointed by the maslikhat;

13) participate in debates, put questions to the speakers, as well as to the chairman of the maslikhat session and the meeting;

14) make proposals and comments on the agenda of the session and meetings of the standing commissions and other maslikhat bodies, to which he is elected, as well as on the consideration and substance of the issues discussed by them;

15) introduce proposals to the maslikhat on the need to check fulfillment of the laws of the Republic of Kazakhstan and by-laws of the Republic of Kazakhstan by state bodies, public associations and other organizations located on the territory of the relevant administrative-territorial unit;

16) make amendments to the draft acts adopted by the maslikhat;

17) raise the issue of confidence in the composition of the bodies formed, elected or approved by the maslikhat, as well as officials elected or approved by the maslikhat;

18) exercise other powers in accordance with this Law, the legislation of the Republic of Kazakhstan and maslikhat regulations.

2. A deputy shall be obliged:

1) to participate in the work of maslikhat and its bodies, in composition of which he shall be elected;

2) to support a permanent connection with electors of its district, at least once a year to inform them on the work of maslikhat, activity of its permanent commissions and other bodies, execution of decisions of maslikhat, as well as on process of its deputy activity, participate in organization and control for execution of decisions of maslikhat;

3) to consider received to him (her) applications of electors, regularly shall hold individual acceptance of citizens;

4) to reside in relevant administrative – territorial entity;

5) study public opinion, the needs and requests of citizens, public and other organizations, inform the maslikhat and its bodies about them, make proposals and take other measures to satisfy them;

6) notify in advance the secretary of the maslikhat or the chairman of the standing commission, of which he is a member about the impossibility to attend the meeting.

2-1. In the absence of a maslikhat deputy without good reason at the plenary meetings of the maslikhat session or meetings of the maslikhat bodies two or more times in a row, the secretary of the maslikhat shall send a notification letter to the governing body of the relevant branch (representative office) of the political party.

3. To each deputy of maslikhat shall be guaranteed the protection of his (her) rights, honor and dignity.

On issues of deputy's activity a deputy of maslikhat shall have the right to visit without encumbrance the state bodies, public associations and state organization, located on the territory of relevant maslikhat, except for organizations, an activity of which is linked with state secrets.

Heads and other civil servants of state bodies, public associations and state organizations shall be obliged importunately receive the deputies of maslikhat and provide them with the necessity in carrying out imposed on them powers.

Maslikhat deputy has the right, upon revealing a violation of the rights of citizens or other breaches of the law, to demand termination of the violation, and, if necessary, apply to the relevant authorities and officials with a request to stop the violation.

4. On deputy of maslikhat for non-performance and (or) improper performance of their duties, provided by paragraph 2 of this Law, as well as violation of rules of deputy's ethics, established by reglament of maslikhat, may be imposed the following sanctions:

1) warning;

2) coercion to public apology.

5. Sanctions shall be imposed on the session of maslikhat by majority of vote from muster-roll of present deputies by presenting relevant territorial election commission with the publication of information on their imposing in mass media, distributed on relevant territory.

Sanctions cannot be imposed repeatedly for the same offense.

Footnote. Article 21 as amended by the Law of the Republic of Kazakhstan dated 21 May, 2002 No 324; dated 11 May, 2004 No 552 (the order of enforcement see Article 2); dated 4 November, 2006 No 186 (shall be enforced from the date of its official publication); dated 09.02.2009 No 126 (the order of enforcement see Article 2); dated 10.01.2011 No 383-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 21.07.2011 No 465-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 30.06.2021 No. 60-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 21-1. Inquiries of deputy

A deputy of maslikhat shall have the right on issues, related to the competence of maslikhat, to apply with official written request to Akim, dean and member of relevant territorial election commission, procurator and civil servants of territorial subdivisions of central state bodies, executive bodies, financed from local budget.

An answer for the deputy's inquire shall be given in written form for the term not later than one month. A deputy shall have the right to express his (her) opinion on the answer to request.

The response to a deputy request must be signed by the persons referred to in part one of this article, or by the head of the state body to which the request was directed, or his deputy.

Requests, addressed to procurator, cannot be linked with carrying out the criminal prosecution.

Footnote. Is supplemented by the Article 21-1- by the Law of the Republic of Kazakhstan dated 11 May, 2004 No 552 (the order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2); dated 30.06.2021 No. 60-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 21-2. Deputy associations in maslikhats

1. Deputies of the maslikhat have the right to create deputy associations in the form of fractions of political parties and other public associations, deputy groups. The secretary of the maslikhat can not enter deputy associations.

2. A faction is an organized group of deputies representing a political party or other public association, registered in accordance with the procedure established by law, which is created to express the interests of the relevant political party or other public association in the maslikhat. The faction must comprise at least three maslikhat deputies. A deputy shall have the right to be a member of only one parliamentary faction.

3. A deputy group – association of deputies for carrying out its powers, team-work in election districts. In composition of deputy group shall be at least five deputies of maslikhat.

4. Registration of deputy factions and groups shall be carried out on the session of maslikhat, shall be produced without prior arrangement and carry exclusively informational nature.

Footnote. Chapter is supplemented by the Article 21-2 – by the Law of the Republic of Kazakhstan dated 4 November, 2006 No 186 (shall be enforced from the date of its official publication); with the changes made by the Law Republic of Kazakhstan dated 12.11.2015 №. 393-V (shall be enforced after ten calendar days after day of its first official publication); dated 30.06.2021 No. 60-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 21-3. Upgrade training of maslikhat deputies

1. Maslikhat deputies shall have the right to undergo upgrade training at the expense of the relevant local budget.

2. The maslikhat deputies shall undergo upgrade training once every five years during the first two years of the elected deputy's tenure.

3. The upgrade training services for maslikhat deputies shall be provided in educational organizations under the President of the Republic of Kazakhstan and their branches.

4. Maslikhat administration office shall plan expenses for the upgrade training of maslikhat deputies in accordance with the budgetary legislation of the Republic of Kazakhstan.

Footnote. Chapter 2 shall be supplemented by Article 21-3 in accordance with the Law of the Republic of Kazakhstan dated 30.06.2021 No. 60-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 22 Reimbursement of expenses related to the exercise of deputy activities

During the sessions, meetings of standing commissions and other maslikhat bodies, exercise of deputy powers and during the upgrade training of maslikhat deputies related to the exercise of deputy powers, in the manner determined by the regulations of the relevant maslikhat, the deputy shall be relieved of his office duties with compensation to him at the local budget funds of the average salary at the place of the main work, but in an amount not exceeding the salary of the head of the akim's office of the corresponding administrative-territorial unit with work experience in the specified position up to one year, and travel expenses for the duration of sessions, meetings of standing commissions and other maslikhat bodies, time of upgrade training, taking into account travel time.

Footnote. Article 22 as amended by the Law of the Republic of Kazakhstan dated 30.06.2021 No. 60-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 23. Formation for termination of powers of maslikhat

1. The powers of maslikhat shall be terminated upon expire of term of its powers, established by the Constitution of the Republic of Kazakhstan.

2. Authorities of the maslikhat stop ahead of schedule the President of the Republic of Kazakhstan after consultations with the Prime Minister of the Republic of Kazakhstan and chairmen of Chambers of Parliament of the Republic of Kazakhstan and also in case of acceptance by maslikhat decisions on self-dissolution.

Footnote. Article 23 is in the wording of the Law of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2); with the change made by the Law Republic of Kazakhstan dated 11.07.2017 №. 91-VI (shall be enforced after ten calendar days after day of its first official publication).

Article 23-1. A consent order maslikhaty on appointment to positions of akims of region, city of republican significance, the capital and also candidates for positions of akims on which purpose the consent of maslikhat is required

Footnote. Article 23-1 heading in edition of the Law of the Republic of Kazakhstan of 11.07.2017 №. 91-VI (shall be enforced after ten calendar days after day of its first official publication).

1. Person, appointed akim, or person, authorized by them, shall introduce for consideration of maslikhat a presentation on giving the consent for appointment to a post of akim.

2. In presentation on giving the consent for appointment to a post of akim shall be affected the backgrounds, information on professional experience, state rewards and other information on the candidate to the post of akim.

3. The consideration of presentation on giving the consent to appointment to a post of akim shall be carried out on regular or extraordinary session of maslikhat.

Presence of candidate to a post of akim on extraordinary session of maslikhat on consideration of presentation of giving the consent for appointment to a post of akim is necessary.

In the course of session of maslikhat on consideration of presentation of giving the consent for appointment to a post of akim the deputies of maslikhat shall have the right to ask the questions to a candidate on the post of akim, shall hold a discussion of appointed candidate.

On termination of discussions shall be held the vote.

In the case if the candidate to a post of akim shall not win a majority of vote from muster-roll of deputies of maslikhat, person, appointed akim, or a person, authorized by them, during two business days of the date of receipt the decision of session of maslikhat repeatedly shall point to consideration of maslikhat the presentation of giving the consent for appointment another candidate to a post of akim.

4. By a person, appointed akim, or by a person, authorized by them, the candidate to a post of akim may be introduced no more than three times in a row.

In the case if in the third time by maslikhat shall not be given an consent for appointment the candidates to a post of:

1) akims of region, city of republican significance or the capital, the President of the Republic of Kazakhstan has the right to stop ahead of schedule powers of the corresponding maslikhat after consultations with the Prime minister of the Republic of Kazakhstan and chairmen of Chambers of Parliament of the Republic of Kazakhstan;

2) akim of district (city of region significance), akim of region shall inform in writing form the President of the Republic of Kazakhstan and raise a question on early terminating powers of relevant maslikhat.

In this case the President of the Republic of Kazakhstan or superior akim shall temporarily appoint acting of akim until of appointment of akim of relevant administrative – territorial entity with consent of newly formed of maslikhat in established procedure.

Footnote. Chapter 2 is supplemented by the Article 23-1 in accordance with the Law of the Republic of Kazakhstan dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication); with the changes made by the Law of the Republic of Kazakhstan dated 11.07.2017 №. 91-VI (shall be enforced after ten calendar days after day of its first official publication).

Article 24. Power of maslikhat to express non-confidence to akim

1. At the initiative at least one fifth of muster-roll of deputies of maslihat may be raised a question on expressing non-confidence vote to akim. In this case maslikhat by majority of vote from muster-roll of its deputies shall have the right to express non-confidence to akim and raise the question on its excuse from the post respectively before the President of the Republic of Kazakhstan or superior akim.

2. The grounds for consideration by the maslikhat of no confidence vote to the akim shall be:

1) non-approval twice by the maslikhat of the reports by the akim on the execution of plans, economic and social programs for the development of the territory, the local budget;

2) initiation by the local community convention of dismissal of the akim of the city of district significance, village, township, rural district.

3. Initiating of issue on expressing non – confidence vote to akim shall be carried out by collection of signatures of deputies of maslikhat. The collection of signatures shall be organized by initiators of deputies of maslikhat and shall be formed by signature sheets.

4. The collection of signature sheet shall be carried out during ten business days from the date of written application of initiators – deputies of maslikhat. The filled signature sheets shall be given to a secretary of maslikhat, who during five business days shall organize the checking of authenticity of collected signatures. On results of checking shall be drawn up a protocol on authenticity of signatures of initiators – deputies of maslikhat.

5. A session of maslikhat on expressing non – confidence vote to akim shall be held during one month from the date of formation the protocol on authenticity of signatures of initiators – deputies of maslikhat.

In the course of session of maslikhat on expressing non – confidence vote to akim shall be discussed the reasons, serving to initiation the issue on expressing non – confidence vote to akim, shall be held a vote.

An expressing non – confidence vote to akim shall be recognized as accomplished, if the majority from muster-roll of deputies of maslikhat voted for this decision. The session of maslikhat on expressing non – confidence vote to akim shall be formed by decision of session of maslikhat.

6. In case of expressing non – confidence vote to akim the decision of session of maslikhat in prompt procedure shall be directed to the President of the Republic of Kazakhstan or superior akim.

7. The President of the Republic of Kazakhstan or superior akim from the date of receiving the decision of session of maslikhat on expressing non – confidence vote to akim during ten business days shall consider an issue on termination of powers of akim or shall instruct to him (her) to carrying out its further obligations.

8. In case if the President of the Republic of Kazakhstan or superior akim dismiss non – confidence vote to akim, the deputies of maslikhat by majority of vote from muster-roll of deputies shall have the right upon expire of six months from the date of the first expressing non – confidence vote repeatedly express the non – confidence vote before the President of the Republic of Kazakhstan or superior akim. In this case the President of the Republic of Kazakhstan or superior akim shall excuse from the post of akim.

Footnote. Article 24 is in the wording of the Law of the Republic of Kazakhstan dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication); as amended by the Law of the Republic of Kazakhstan dated 24.05.2021 No. 42-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 24-1. Termination of powers of deputy of Senate of the Parliament by decision of electors

1. The decision of initiation of termination the powers of deputy of Senate of the Parliament shall be applied by maslikhat of region, city of republican significance and a capital city, of what shall be informed for the term of three days regional, city of republican significance and a capital city the election commission and the deputy of Senate of the Parliament.

2. The initiation of termination of powers of deputy of Senate of the Parliament by decision of electors shall be supported not less than twenty five percent of votes from muster-roll of electors, representing all maslikhats of region, city of republican significance and a capital city, but not less than twenty five percent of votes of electors from one maslikhat

Supporting of electors shall be ascertained by collection of its signatures. The decision on beginning of collection of signatures shall apply the maslikhat of region, city of republican

significance and a capital city. The collection of signatures shall organize the electors, initiated the termination of powers of deputy of Senate of the Parliament.

3. Regional, city of republican significance and a capital city of election commission no later than ten business days from the date of receiving a declaration of maslikhat on initiation of termination of powers of Senate of the Parliament shall issue to initiators the signature sheets for the collection of signatures in support of the decision.

Each of signature sheet shall have a serial number, shall include the surname, first name, patronymic of the deputy of Senate of the Parliament, the termination of powers of which initiated, as well as columns containing the following information on electors appending their signatures:

- 1) the surname, first name and patronymic;
- 2) maslikhat, of which he (she) is a deputy;
- 3) the date, month and year of birth;
- 4) the address of the place of residence;
- 5) personal signature.

The example of signature sheet shall be approved by the Central election commission.

4. Collection of signatures shall be carried out within thirty days from the date of receipt by electors of subscription lists in regional, the city of republican significance and the capital city of election commission. After the specified period, the subscription lists shall not be subject to acceptance by regional, cities of republican significance and the capital city election commissions.

The filled signature sheets shall be given to the regional, city of republican significance and capital city of election commission, which for the term in five days shall carry out the checking of authenticity of collected signatures with participation of employees of passport services and shall be formed the relevant protocol.

5. Regional, city of republican significance and a capital city the election commission after checking of authenticity of signatures shall make a decision on introducing the issue on termination of powers of deputy of Senate of the Parliament on voting.

6. In case, if in the result of checking the authenticity of signatures shall be established, that over one percent of the collected signatures shall be unreliable, or the number of collected signatures are not relevant the requirements of paragraph 2 of this Article, relevant election commission shall dismiss in introducing the issue on termination of powers of deputy of Senate of the Parliament on voting.

Repeated institution of an issue on termination of powers of a deputy of Senate of the Parliament on the same formation during three years from the date of dismiss in introducing an issue on voting shall not be allowed.

7. The secretary of regional, city of republican significance and a capital city of maslikhat not later than five days from the date of adoption of regional, city of republican significance and a capital city of election commission the decisions on introducing an issue on voting shall

give a notice in writing form a deputy, concerning which institute an issue on termination of powers.

Joint sitting of electors of voting on termination of powers of the deputy of Senate of the Parliament, result of votes and establishment of results shall be held for the term not later than one month from the date of adoption of decision of regional, city of republican significance and a capital city of election commission on introducing an issue on termination of powers of the deputy of Senate of the Parliament.

The text of voting ballot shall be confirmed by the Central election commission of the Republic.

8. Joint sitting is legally qualified, if at least two-thirds of the elected deputies, representing all Maslikhats of region, city of republican significance and a capital city present on it.

Voting on termination of powers of the deputy of Senate of the Parliament on joint sitting shall be recognized as accomplished, if at least two thirds of muster-roll of present electors participate on it.

Presiding at a joint sitting shall be a secretary of region, city of republican significance and a capital city of maslikhat.

At the joint sitting of electors shall present the head and members of region, city of republican significance and a capital city of election commission.

In the building, where shall be held a joint sitting of electors of region, city of republican significance and a capital city of election commission, shall be organized the paragraph for voting.

A document, ascertained a holding of joint sitting of electors on termination of powers of a deputy of Senate of the Parliament, shall be a protocol of a joint sitting, representing by a secretary of relevant maslikhat of region, city of republican significance and a capital city of election commission.

A joint sitting shall be closed after publishing by the dean of region, city of republican significance and a capital city of election commission of the results of voting on termination of powers of the deputy of Senate of the Parliament.

9. The results of voting on termination of powers of the deputy of Senate of the Parliament shall be established on the sitting of region, city, city of republican significance and a capital city of election commission, held in election office.

Region, city of republican significance and a capital city of election commission on results of voting shall draw up a protocol of result of voting on termination of powers of the deputy of Senate of the Parliament, which shall:

- 1) be signed by the dean and members of election commission;
- 2) be published at the joint sitting of electors;
- 3) be sent to the Central election commission for the term not more than two days from the date of voting.

10. The results of voting shall be established by the Central election commission for the term not later than seven days from the date of holding a vote on termination of powers of a deputy of Senate of the Parliament.

Powers of deputy of Senate of the Parliament shall be recognized as terminated, if more than fifty percent of votes of electors, participated in voting for this decision voted for it.

Other issues, linked with result of the voting, establishing and publishing the results of the voting, shall be decided in accordance with the Constitutional Law of the Republic of Kazakhstan “On elections in the Republic of Kazakhstan”.

11. The decision or action (omission) of election commission shall be appealed to the superior election commission and (or) a making decision or commission of an action (omission). Upon the expire of specified terms an application on the decision and (or) action (omission) of election commission shall not be liable for consideration.

Application for appeal of the decision or action (inaction) of the election commission shall be examined in accordance with the Administrative Procedural Code of the Republic of Kazakhstan.

Footnote. Chapter 2 is supplemented by the Article 24-1 according to the Law of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 28.12.2018 № 210-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.06.2020 No. 351-VI (effective from 01.07.2021).

Article 25. Machinery of maslikhat

1. Machinery of maslikhat shall carry out an organizational, legal, materially – technical and other ensuring of maslikhat and its bodies, shall assist the deputies in carrying out its powers.

2. The activity of state employees of machinery of maslikhat shall be carried out in accordance with the legislation of the Republic of Kazakhstan.

3. Upon the expire of the term of powers of maslikhat, in cases of early termination of powers of maslikhat and elections of a new composition of its deputies, activity of state employees of machinery of maslikhat shall not be terminated.

4. Machinery of maslikhat shall be the state agency, contained at the expense of local budget.

Chapter 2-1. Creation and organization of activity of audit commissions of regions, cities of republican significance, a capital city

Footnote. The Law is supplemented by the Chapter 2-1 in accordance with the Law of the Republic of Kazakhstan dated 21.07.2011 No 465-IV (shall be enforced upon expiry of ten calendar days after its first official publication); excluded by the Law of the Republic of Kazakhstan dated 12.11.2015 №. 393-VI (shall be enforced after ten calendar days after day of its first official publication).

Chapter 3. Akims and akimats. Formation, competence and organization of activity

Article 26. Akimats of region, the city of republican significance, capital. Formation and composition.

1. Regional, city of republican significance, a capital city akimat shall enter into unified system of executive bodies of the Republic of Kazakhstan, shall provide conducting of national politics of executive power taken with the interests and needs of development of relevant territory.

2. Regional, city of republican significance, a capital city akimat hosted by akim of region, the city of republican significance, a capital city.

3. Region, city of republican significance, a capital city akimat shall be formed by akim from assistant of akim, head of machinery, first heads of executive bodies, financed from the local budget.

4. The procedure of preparation and holding of sittings of akimat of region, city of republican significance, a capital city, as well as making by them decisions shall be determined by the reglament of akimat.

Typical reglament shall be confirmed by the Government of the Republic of Kazakhstan.

5. The personal composition of akimat shall be conformed by decision of session of region, city of republican significance, a capital city of maslikhat.

6. In the work of akimat of region, city of republican significance, a capital city may participate with the right of consultative vote of the heads of territorial subdivisions of the central state bodies.

7. Regional (city of republican significance, a capital city) akimat – a collegial body, which shall not be a legal entity.

Article 27. The competence of akimat of region, city of republican significance, a capital city.

1. Akimat of region, city of republican significance, a capital city in accordance with the legislation of the Republic of Kazakhstan shall:

1) carries out the regulatory, realizable and (or) control functions providing the solution of problems of local significance within the corresponding administrative and territorial unit;

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

1-2) represent the project of regional budget, the city budget of republican significance, capital city in relevant maslikhat in accordance with the budget legislation of the Republic of Kazakhstan;

1-3) represent in relevant maslikhat and audit commission of region, city of republican significance, a capital city an annual report on execution of regional budget, the city budget of republican significance, a capital city;

1-4) accept a regulation on realization of decision of regional maslikhat and maslikhats of the city of republican significance, a capital city on relevant budgets on relevant financial year ;

1-5) is excluded by the Law of the Republic of Kazakhstan dated 03.12.2013 No 150-V (shall be enforced from 01.01.2014);

1-6) (is excluded by the Law of the Republic of Kazakhstan dated 04.12.2008 No 97-V (the order of enforcement see Article 2);

1-7) form the budget commission of region, city of republican significance, a capital city, shall confirm a provision on it and determine its composition;

In case of consideration of issues, affected the interests of subjects of private enterprise, to the work of budget commissions shall be involved the representatives of National house of enterprises of the Republic of Kazakhstan in accordance with the legislation of the Republic of Kazakhstan;

1-8) confirm the regional financial plan and financial plan of the city of republican significance, a capital city on the first quarter of relevant financial year in the cases, provided by the budget legislation of the Republic of Kazakhstan;

1-9) provide inclusion of actions of energy conservation and increasing of energy efficiency in the program of development of relevant territory, make agreement in the field of energy conservation and increasing of energy efficiency, as well as shall carry out an information activity in the field of energy conservation and increasing of energy efficiency;

1-10) provide conducting of state politics in the field of energy conservation and increasing of energy efficiency;

1-11) provides carrying out state policy of executive power in combination with interests and requirements of development of the respective territory;

1-12) develops and approves the forecast of social and economic development, submits the program of development of theregionthe city of republican significance, the capital for approval of the maslikhat and provides its execution;

1-13) adopts the regulations providing the solution of problems of local significance and realization of state policy in the respective territory;

1-14) exercises control and supervision of activity of the individual and legal entities within the respective territory in cases identified by laws of the Republic of Kazakhstan;

1-15) develops regulations of migration processes in tregions, the cities of republican significance and the capital according to the standard regulations of migration processes in regions, the cities of republican significance and the capital approved by the Government of the Republic of Kazakhstan;

1-16) develop the rules of burial and organization of the affair for the care of graves in accordance with the standard rules of burial and organization of the affair for the care of graves, approved by the central authorized body for state planning;

2) manage the regional, city of republican significance, a capital city of community property, carried out the actions of its protection;

3) assist to execution by citizens and organizations of the Constitution propositions of the Republic of Kazakhstan, the Laws, acts of the President and the Government of the Republic of Kazakhstan, regulatory legal acts of central and local state bodies;

4) provide conditions for development of entrepreneurial activity and investment climate on the territory of region, city of republican significance, a capital city;

4-1) provides carrying out trade policy;

4-2) develops and realizes a complex of actions for development of stationary shopping facilities within programs of development of territories;

4-3) carries out the organization of exhibition and fair activity;

4-4) determine and approve locations and (or) routes of placement of non-stationary trade objects;

4-5) provide state support measures for social entrepreneurship in accordance with the Entrepreneurial Code of the Republic of Kazakhstan;

5) provide rational and effective functioning of the agricultural sector;

6) in accordance with the scheme of siting of labor forces of the Republic of Kazakhstan shall develop the preliminary regional plan of region, general layouts of building of regional center, city of republican significance and a capital city, introduce them on consideration in the maslikhat of region, city of republican significance, a capital city; act as a customer of construction, reconstruction and repair of objects of region, city of republican significance, a capital city of community property and objects of social – cultural assignment of region significance, city of republican significance, a capital city, grant a permission on construction of public networks and installations; develop the schemes of district planning of administrative districts, general layouts of building of regional centers, cities of region significance and represent them on confirmation to the regional maslikhat;

6-1) carry out the monitoring of planned to the construction of (reconstruction, enlargement, modernization, capital repair) objects on catchment area of objects and complexes;

7) organize the construction and operation of water pipes, purification works, heat and electric network, situated in communal property, and other objects of transport and engineering infrastructure of the city of republican significance, a capital city;

7-1) organize and carries out exploration on underground waters for settlements;

8) carry out the regulation of land relations in accordance with the land legislation of the Republic of Kazakhstan;

8-1) carry out the regulation of water relationships in accordance with the legislation of the Republic of Kazakhstan;

8-2) organize implementation of separate collecting, processing and utilization of municipal waste;

8-3) take a decision on creation of industrial zones of republican or regional significance;

9) within its competence, organize the relevant state environmental expertise, issue environmental permits for category II facilities, carry out environmental protection measures, and regulate the use of natural resources;

10) provide the construction, teaming – up and maintenance of roads of regional significance;

11) provide the observation of national standards;

11-1) is excluded by the Law of the Republic of Kazakhstan dated 21.07.2011 No 468-IV (shall be enforced upon expiry of ten calendar days after its first official publication);

12) organize the ensuring of protection of public procedure and security on the territory of region, city of republican significance, a capital city;

13) organize the carriage of passengers in accordance with the legislation of the Republic of Kazakhstan in the scope of transport;

14) ensure implementation by citizens of the Republic of Kazakhstan, kandases, as well as foreign nationals and stateless persons permanently residing in the territory of the Republic of Kazakhstan, of the right to a guaranteed volume of free medical care and medical care in the system of mandatory social health insurance;

14-1) provide measures in healthcare, including control over implementation of the standards for the provision of the region with medical professionals, with the exception of activities financed from the republican budget;

14-2) exercise control over the staffing of state healthcare organizations, timely upgrade training of medical professionals, participate in the distribution of young specialists;

14-3) exercise state control over safe operation of amusement facilities, equipment for children's playgrounds;

14-4) exercise state control over safe operation of sports equipment intended for grassroots sports;

14-5) organize medical organizations in the penitentiary (penal) system (somatic, psychiatric and tuberculosis hospitals (departments), organizations providing outpatient care) to provide medical care to convicts;

14-6) organize medical care to persons held in pre-trial detention centers and penitentiary (penal) system institutions, including prevention and treatment of socially significant diseases and diseases that pose a danger to others, including provision with medicines as part of the additional medical care volume;

15) ensure the exercise by citizens of the right to free education, including primary, basic secondary and general secondary education;

15-1) provide training to the participants of electoral process;

16) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

16-1) is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);

16-2) executes other powers in the sphere of rendering social and other help to the persons released from institutions of a penal correction system and also staying on the registry of service of a probation according to the legislation of the Republic of Kazakhstan;

17) coordinate the social assistance to vulnerable social group;

17-1) forms consultative and advisory bodies on assistance of activity of the institutions and bodies executing criminal penalties and other measures of criminal and legal influence and also the organization of social and other help to the persons who served criminal penalties ;

17-2) within the competence provides realization of state policy in the sphere of employment of the population by holding the actions providing assistance of employment of the population and also implementation of other measures of assistance of employment financed by budgetary funds;

17-3) establishes quotas of jobs for the persons staying on the registry of service of a probation and also the persons released from institutions of a penal correction system;

17-4) coordinates rendering social and legal and other help to the persons staying on the registry of service of a probation according to the legislation of the Republic of Kazakhstan;

17-5) provides providing special social services to the persons released from institutions of a penal correction system, staying on the registry of service of a probation, recognized as the persons which are in a difficult life situation according to the legislation of the Republic of Kazakhstan on special social services;

17-6) promotes employment of the convicts serving sentence in institutions of a penal correction system including way:

placing orders on the goods, works and services made, which are carried out and rendered by the enterprises and institutions of a penal correction system;

involvement of subjects of business to opening, expansion and modernization in the territory of institutions of a penal correction system of the productions using work of convicts ;

17-7) provides with the consent of parents or other lawful representatives the direction of the minors with limited opportunities staying on the registry of service of a probation on psychology and pedagogical consultations;

17-8) provide housing certificates at the expense of budgetary funds

18) organize the work of security and using the historical – cultural heritage, promote to development of historical, national and cultural traditions and customs of population, the development of physical fitness and sports;

18-1) carry out state control over the use and maintenance of historical and cultural monuments of local significance, as well as over the conduct of scientific restoration works on historical and cultural monuments of local significance and archaeological works, with the exception of works on historical and cultural monuments of republican and international significance;

19) coordinate the work of district (cities of republican significance) akimats, akims of districts in the city on issues, included in its competence, as well as on creation of legal, organizational conditions for making and developing of local self – government;

19-1) establish and bring up to the district (city of regional significance) akimat the limit of staff size of executive bodies, financed from district (city of regional significance) budget, within general limit and regulations of staff size of local executive bodies, confirmed by the government of the Republic of Kazakhstan;

19-2) no more than once a year shall have the right to give additional staff size beyond the minimum regulations of staff size of machinery of akims of villages, townships, urban districts, confirmed by the government of the Republic of Kazakhstan, within the general limit of staff size of local executive bodies;

20) in accordance with the legislation of the Republic of Kazakhstan introduce for consideration of relevant maslikhat the suggestion on making decisions on borrowing;

21) form the consultative and advisory bodies on issues of interdepartmental nature with the assistance of representatives of the National house of enterprises of the Republic of Kazakhstan on issues, affected the interests of subjects of private enterprise, according to the legislation of the Republic of Kazakhstan;

21-1) render E – services with the application of informational system within its competence in accordance with the legislation of the Republic of Kazakhstan on informatization;

21-2) provide maintenance and filling of information system "Address register";

21-3) excluded by the Law of the Republic of Kazakhstan dated 24.11.2015 №. 419-V (shall be enforced from 01.01.2016);

21-4) develop and confirm on agreement of authorized body in the scope of informatization of provision on the procedure of registration and structure of address in information system "Address register";

21-5) carries out organizational work on creation of territorial councils of local self-government and drafts regulations on territorial councils of local government;

22) create the state agencies and enterprises, establish the limit of staff size of executive bodies, financed from regional, city of republican significance, a capital city of budget within the limit and regulations of staff size, confirmed by the Government of the Republic of Kazakhstan. The staff size of bodies of internal affairs, financed from the local budgets, shall be determined in accordance with the legislation of the Republic of Kazakhstan;

22-1) (is excluded – dated 7July, 2006 No 178 (shall be enforced from the date of its official publication);

22-2) is excluded by the Law of the Republic of Kazakhstan dated 26.12.2012 No 61-V (shall be enforced from 01.01.2013);

22-3) carries out licensing, allowing procedures, reception of notices according to the legislation of the Republic of Kazakhstan on permissions and notices;

22-4) agrees on decisions of body of state revenues on the place of registration accounting of the taxpayer on change of dates of performance of the tax obligation for payment of the taxes arriving in full in regional, the cities of republican significance, the capital the budget;

22-5) (is excluded – dated 5 July, 2006 No 166 (shall be enforced from the date of its official publication));

22-6) (is excluded – dated 7 July, 2006 No 174);

22-7) is excluded by the Law of the Republic of Kazakhstan dated 05.07.2011 No 452-IV (shall be enforced from 13.10.2011);

23) develop and represent for confirmation of maslikhat the project of rules of conferment the title of “Honorary citizen of region (city, district);

24) collect, analyze and submit to the authorized body in the state stimulation of industry the information on the in-country value in the procurement of organizations in accordance with the list approved by the Government of the Republic of Kazakhstan, in the form and within the time frames established by the legislation of the Republic of Kazakhstan;

25) form the list of goods, works and services, executed on the territory of region, city of republican significance, a capital city, and its producers;

26) organize the activity on prevention of terrorism, as well as minimization and (or) winding-up of consequences of terrorism on the territory of region, city of republican significance, a capital city through antiterrorist commission;

26-1) participate in prevention of extraordinary situations of social nature, as well as minimization and (or) winding-up of consequences of terrorism on the territory of region, city of republican significance, a capital city;

26-2) in agreement with the national security bodies of the Republic of Kazakhstan and the internal affairs bodies of the Republic of Kazakhstan, develop and approve the list of objects vulnerable to terrorism located in the relevant territory of the region, city of republican status, the capital, with the exception of military units and institutions of the Ministry of Defense of the Republic Kazakhstan, facilities of special state bodies of the Republic of Kazakhstan, as well as protected objects specified in Article 1-3 of the Law of the Republic of Kazakhstan "On the State Security Service of the Republic of Kazakhstan", and provide notification of owners, managers or other executives of the objects about the inclusion of these objects in the list;

27) carry out the handover to the property of citizens dwelling from the communal housing funds on terms, provided by the legislative acts of the Republic of Kazakhstan, and in the procedure, determined by the Government of the Republic of Kazakhstan;

27-1) finance and implement the measures on improving the stability and safety of functioning of housing in flooded zones, life support of the population in possible emergency situations, construction of housing for temporary relocation of the population from flooded zones;

27-2) ensure implementation of the state technical inspection of functioning of multi-apartment residential buildings (with definition of the common property of the condominium object) at the expense of the local budget, as well as production and reimbursement of expenses for the production of technical passport for the object of condominium and documents for the land plot located under the multi-apartment residential building and for the adjoining land plot in case of receipt of a corresponding appeal from the owners of apartments, non-residential premises of a multi-apartment residential building on the basis of the decision of the meeting of owners of apartments, non-residential premises of a multi-apartment residential building in accordance with the requirements of the laws of the Republic of Kazakhstan "On Housing Relations" and "On State Registration of Rights to Immovable Property";

27-3) have the right, if funds from the local budget are available, to organize and finance actions for the current or capital repair of facades, roofs of multi-apartment residential buildings, aimed at giving a single architectural appearance to the settlement;

27-4) have the right, if funds from the local budget are available, to organize and finance the capital repair of multi-apartment residential buildings with the condition of ensuring the repayment of funds by the owners of apartments, non-residential premises of multi-apartment residential buildings;

27-5) have the right, if funds from the local budget are available, to organize and finance the repair and replacement of elevators in multi-apartment residential buildings with the condition of ensuring the repayment of funds by the owners of apartments, non-residential premises of multi-apartment residential buildings;

27-6) develop and approve the rules for organizing and conducting measures for the current or capital repair of facades, roofs of multi-apartment residential buildings, aimed at giving a single architectural appearance to the settlement, as well as the rules for compensation of expenses, related to the repair and replacement of elevators, capital repair of a multi-apartment residential building by the owners of apartments, non-residential premises of a multi-apartment residential building;

28) develop and represent for confirmation in the maslikhat the rules of preparation and conducting of cold season;

29) creates the organizations for assistance according to the Law of the Republic of Kazakhstan "On prevention of domestic violence";

30) carries out monitoring of social tension and risks of emergence of the labor conflicts;

30-1) create an infrastructure for sports activities of individuals, including taking into account accessibility for people with limited mobility, at the place of residence and in mass recreation places;

31) provides with the dwelling of champions and prize-winners Olympic, Paralympic and Deaflympics according to the Law of the Republic of Kazakhstan "On physical culture and sport";

32) is excluded by the Law of the Republic of Kazakhstan dated 03.04.2019 № 243-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

32-1) analyze information on execution of the investment program (project) of the natural monopoly subject, included in the local section of the State register of natural monopolies subjects;

33) develop and submit the rules for improvement of the territories of cities and settlements, developed on the basis of standard rules for improvement of the territories of cities and settlements, approved by the authorized body for architecture, urban planning and construction for approval to the maslikhat;

34) approves norms of consumption of utilities on gas supply, power supply, water supply , water disposal and heat supply for the consumers who do not have metering devices.

35) carry out the development of national and territorial clusters;

36) make a decision on prohibition of collection of medicinal plants and technical raw materials of plant origin and its abolition;

37) ensure the inclusion of measures on the issues of development and use of lands in the development program of the relevant territory.

1-2. Akimat of the city of republican significance, a capital city shall develop the rules of rendering a social assistance, establishing of sizes and determining of list of separate categories of needy citizens on the basis of model rules, confirmed by the Government of the Republic of Kazakhstan.

1-3. Excluded by the Law of the Republic of Kazakhstan dated 28.10.2015 №. 366-V (shall be enforced after ten calendar days after day of its first official publication);

1-4. The akimat of region, city of republican significance, capital carries out discussion of the draft of the regional budget, city budget of republican significance, the capital at a meeting of the public council created according to the Law of the Republic of Kazakhstan “ On public councils”.

The akimat of region, city of republican significance, capital carries out discussion of the annual report on execution of the regional budget, city budget of republican significance, the capital at a meeting of the public council created according to the Law of the Republic of Kazakhstan “On public councils”.

1-5. Akimat of the city of republican status, the capital in accordance with the rules of burial and organization of the care of graves shall supervise compliance with the terms of the agreement on organization of the funeral, and also organize a set of data (information) on accounting and registration of land plots intended for graves.

1-5. The akimat of the city of republican status, the capital shall develop and submit for approval to the relevant maslikhat the tourist fees for foreign nationals. Tourist fees for foreign nationals shall be developed on the basis of the rules for payment of tourist fee for foreign nationals, approved by the Government of the Republic of Kazakhstan.

2. Akimat of region, city of republican significance, a capital city shall have responsibility for realization of the functions imposed on it before regional, city of republican significance, a capital city by maslikhat.

Footnote. Article 27 as amended by the Laws of the Republic of Kazakhstan dated 25.04.2001 No 179; dated 24.12.2001 No 276 (shall be enforced from 01.01.2002); dated 11.05.2004 No 552 (the order of enforcement see Article 2); dated 20.12.2004 No 13 (shall be enforced from 01.01.2005); dated 21.12.2004 No 15 (shall be enforced from 01.01.2005); dated 15.04.2005 No 45; dated 10.01.2006 No116 (the order of enforcement see Article 2); dated 05.07.2006 No 165 (the order of enforcement see Article 2); dated 07.07.2006 No171 (the order of enforcement see Article 2); dated 11.12.2006 No201 (shall be enforced from 01.01.2007); dated 11.01.2007 No 218 (shall be enforced from the date of its official publication); dated 19.06.2007 No 264 (the order of enforcement see Article 2); dated 21.07.2007 No 307 (the order of enforcement see Article 2); dated 04.12.2008 No 97-IV (the order of enforcement see Article 2); dated 09.02.2009 No 126 (the order of enforcement see Article 2); dated 29.12.2009 No 233-IV (the order of enforcement see Article 2); dated 20.01.2010 No 239-IV; dated 02.04.2010 No 263-IV (shall be enforced from 01.01.2010); dated 08.04.2010 No 266-IV(the order of enforcement see Article 2); dated 28.12.2010 No 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.01.2011 No 383-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.07.2011 No 452-IV (shall be enforced from 13.10.2011); dated 21.07.2011 No 465-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 21.07.2011 No 468-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 22.07.2011 No 479-IV(shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.01.2012 No 542-IV (the order of enforcement see Article 2); dated 15.02.2012 No 556-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.07.2012 No 31-V (shall be enforced upon expiry of ten calendar days after its first official publication) ; dated 26.12.2012 No 61-V (shall be enforced from 01.01.2013); dated 08.01.2013 No 63-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 08.01.2013 No 64-V (shall be enforced from 01.01.2013); or 13.06.2013 № 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); by the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No121-V (shall be enforced upon expiry of ten calendar days after its first official publication) dated 03.07.2013 No 124-V(shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No 130-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.12.2013 No 150-V (shall be enforced from 01.01.2014); dated 18.02.2014 №. 175-V (shall be enforced after ten calendar days after day of its first official publication); dated 16.05.2014 №. 203-V (shall be enforced after six months after day of its first official publication); of 27.06.2014 №. 212-V (shall be enforced after ten calendar

days after day of its first official publication); of 03.07.2014 №. 229-V (shall be enforced after ten calendar days after day of its first official publication); dated 29.09.2014 №. 239-V (shall be enforced after ten calendar days after day of its first official publication); dated 03.11.2014 №. 244-V (shall be enforced after ten calendar days after day of its first official publication); dated 07.11.2014 №. 248-V (shall be enforced after ten calendar days after day of its first official publication); dated 05.05.2015 №. 312-V (shall be enforced after ten calendar days after day of its first official publication); dated 27.10.2015 №. 364-V (shall be enforced after ten calendar days after day of its first official publication); dated 28.10.2015 №. 366-V (shall be enforced after ten calendar days after day of its first official publication); dated 02.11.2015 №. 387-V (shall be enforced after ten calendar days after day of its first official publication); dated 24.11.2015 №. 419-V (shall be enforced from 01.01.2016); dated 06.04.2016 №. 483-V (shall be enforced after ten calendar days after day of its first official publication); dated 28.04.2016 №. 506-V (shall be enforced after sixty calendar days after day of its first official publication); dated 22.12.2016 №. 28-VI (shall be enforced after ten calendar days after day of its first official publication); dated 18.04.2017 №. 58-VI (shall be enforced after ten calendar days after day of its first official publication); dated 30.06.2017 №. 80-VI (shall be enforced from 01.01.2020); dated 29.06.2018 №. 163-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 08.01.2019 №. 215-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.04.2019 №. 241-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.04.2019 №. 243-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2019 No. 268-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2019 No. 284-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2019 No. 289-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.10.2019 No. 291-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.05.2020 No. 325-VI (effective six months after the date of its first official publication); dated 13.05.2020 No. 327-VI (effective from 01.01.2021); dated 07.07.2020 No. 361-VI (effective ten calendar days after the date of its first official publication); dated 30.12.2020 No. 395-VI (effective ten calendar days after the date of its first official publication); dated 30.12.2020 No. 397-VI (effective six months after the date of its first official publication); dated 02.01.2021 No. 401-VI (effective from 01.07.2021); dated 30.04.2021 No. 34-VII (effective from 01.01.2022); dated 24.06.2021 No. 52-VII (effective from 01.01.2022); dated 30.06.2021 No. 60-VII (effective ten calendar days after the date of its first official publication); dated 27.12.2021 No. 87-VII (effective ten calendar days after the date of its first official publication); dated 30.12.2021 No. 95-VII (effective from 01.07.2022).

Article 28. The procedure of appointment to a post and excuse from the post of akim of region, city of republican significance, a capital city

1. Akim of region, city of republican significance, a capital city shall be appointed to a post by the President of the Republic of Kazakhstan with consent of maslikhat of region, city of republican significance, a capital city. The procedure of coordination by maslikhat the appointment to a post of akim of region, city of republican significance, a capital city shall be determined by this Law.

2. Akim of region, city of republican significance, a capital city shall be excused from the post by the President of the Republic of Kazakhstan.

3. The powers of akim of region, city of republican significance, a capital city upon entering to the post of the new President of the Republic of Kazakhstan of relevant akim.

Footnote. Article 28 as amended by the Laws of the Republic of Kazakhstan dated 09.02.2009 No126 (the order of enforcement see Article 2); dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 29. The competence of akim of region, city of republican significance, a capital city

1. Akim of region, city of republican significance, a capital city in accordance with the legislation of the Republic of Kazakhstan shall:

1) represent the interests of region, city of republican significance, a capital city in relationship with state bodies, organizations and citizens;

1-1) carries out the regulatory, realizable and (or) control functions providing the solution of problems of local significance within the corresponding administrative and territorial unit;

1-2) provides carrying out state policy of executive power in combination with interests and requirements of development of the respective territory;

2) have the right to introduce to the heads of the central executive bodies the presentation on activity of territorial subdivision of the central state body in part of execution by them the Laws, acts of the President and the Government of the Republic of Kazakhstan, acts of akim and akimat of region. In removing by territorial subdivisions of central state body the shortcomings in the work of part of laws enforcement, acts of the President and the Government of the Republic of Kazakhstan akim of region shall have the right to introduce the relevant conclusion to the President and the Government of the Republic of Kazakhstan;

2-1) signs the memorandum containing key target indicators, achievement (performance) of which undertakes to provide within budgetary funds in planning period;

3) introduce to the President of the Republic of Kazakhstan the presentation on awarding of state rewards, awarding of honorary and other titles to the relevant persons;

3-1) introduce to the relevant maslikhat the presentation of awarding the title “ Honorary citizen of region (city)”;

4) assign to a post and excuse from the post the following civil servants:

assistants of akim of region, city of republican significance, a capital city in coordination with superior authorized state bodies, cutoff number of which shall be determined by the Government of the Republic of Kazakhstan;

heads of executive bodies financed from the budget of a regional city, city of republican status, the capital, with the exception of the heads who, in accordance with the procedure established by the legislation of the Republic of Kazakhstan, have the right to wear uniforms and hold a military or other special rank, as well as chief executives of education management bodies located in districts (cities of regional significance);

4-1) approves the candidacy for the position of the head of the police department of the region, city of republican significance, the capital;

5) decide the issues of application to the heads of executive bodies, financed from regional, city of republican significance, a capital city budget, as well as to akims of districts (cities of regional significance, district in the city of republican significance, district in a capital city) actions of disciplinary responsibility in accordance with the legislation of the Republic of Kazakhstan. The procedure of imposing of disciplinary sanctions on the workers of bodies of internal affairs, financed from local budgets, shall be carried out in accordance with the legislation of the Republic of Kazakhstan;

6) coordinate the work of districts (cities of regional significance, district in the city of republican significance, district in a capital city) akimats and akims;

7) interact with the bodies of local self – government through the akims of district (cities of regional significance, district in the city of republican significance, district in a capital city) ;

8) submit for approval of the relevant maslikhats the management schemes of the administrative-territorial unit, formed on the basis of the basic structures of local government, approved by the Government of the Republic of Kazakhstan, unless otherwise provided by the laws of the Republic of Kazakhstan;

9) represent the personnel of consultative and advisory bodies on issues of interdepartmental nature for confirmation to the maslikhat;

10) (is excluded);

11) within the competence organizes and provides performance of the legislation of the Republic of Kazakhstan on defense and Armed Forces, concerning a conscription and military service, mobilization preparation and mobilization and also in the sphere of civil protection;

12) participate in signing of contracts, as well as in the control for its execution on issues of privatization, rents, sales of enterprises, places of birth and other objects of state property on level with authorized state body of the Republic of Kazakhstan;

13) carry out the control for the activity of inferior akims;

14) defines an order of product sales in a glass container in venues of sports and mass, spectacular cultural events;

15) support and assist in the material and technical support of state preschool organizations and state educational organizations that implement general education curricula

of primary, basic secondary and general secondary education (with the exception of educational organizations in correctional institutions of the penitentiary system).

1-1. The mayor of the region, the city of republican significance, the capital city on the territory of the relevant administrative-territorial unit shall put before the police bodies the tasks on crime prevention, protection of public order and ensuring road safety without interference into operational-search and procedural activities, at least once a year hears the relevant reports of the head of the police department.

2. Akim of region, city of republican significance, a capital city shall carry out other powers in accordance with the legislation of the Republic of Kazakhstan.

3. Akim of region, city of republican significance, a capital city shall have the right to delegate the exercising of its separate powers to inferior akims.

4. Akim of region, city of republican significance, a capital city on issues of its competence and on issues, related to the competence of regional, city of republican significance, a capital city of akimat, shall bear responsibility before the President and the Government of the Republic of Kazakhstan.

Footnote. Article 29, as amended by the Laws of the Republic of Kazakhstan, dated 11.05.2004 No 552 (the order of enforcement see Article 2); dated 09.02.2009 No 126 (the order of enforcement see Article 2); dated 06.01.2011 No 379-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 11.04.2014 №. 189-V (shall be enforced after ten calendar days after day of its first official publication); dated 23.04.2014 №. 200-V (shall be enforced after ten calendar days after day of its first official publication); dated 29.09.2014 №. 239-V (shall be enforced after ten calendar days after day of its first official publication); dated 02.11.2015 №. 388-V (shall be enforced from 01.01.2016); dated 12.11.2015 №. 395-V (shall be enforced after ten calendar days after day of its first official publication); dated 23.11.2015 № . 417-V (shall be enforced after ten calendar days after day of its first official publication); dated 12.07.2018 № 180-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2019 No. 273-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.12.2019 No. 291-VI (effective from January 1, 2021).

Article 29-1. Competence of the chief of staff of the akim of region, city of republican significance, capital

Chief of staff of the akim of region, city of republican significance, capital:

- 1) organizes realization of the purposes assigned to the device;
- 2) organizes, coordinates and controls activity of structural divisions of the device within the competence;

- 3) approves structure and the staff list of the device, the provision on its structural divisions;
- 4) appoints to the state positions and exempts from the state positions of administrative public servants of the case "B" of the device;
- 5) performs the general management of activity of the disciplinary and competitive commissions of the device;
- 6) exercises control of respect for office discipline;
- 7) resolves issues of sending, granting holidays, rendering financial support, preparation, retraining and professional development, encouragement, establishment of extra charges by the public servant of the device, except for workers whose questions of a labor relationship are referred to competence of higher officials;
- 8) resolves issues of disciplinary responsibility of public servants of the device, except for workers whose questions of a labor relationship are referred to competence of higher officials ;
- 9) provides execution of requirements of the legislation of the Republic of Kazakhstan on anti-corruption within the competence;
- 10) controls course of execution of the decisions made by local executive and representative bodies of region, city of republican significance, the capital;
- 11) carries out other powers assigned by laws and other regulations of the Republic of Kazakhstan.

Footnote. Chapter 3 is added by the article 29-1 according to the Law of the Republic of Kazakhstan dated 23.11.2015 №. 417-V (shall be enforced after ten calendar days after day of its first official publication).

Article 30. District (cities of regional significance) akimats. Formulation and composition.

1. District (city of regional significance) akimat shall be entered into unified system of executive bodies of the Republic of Kazakhstan, provide the holding of national policy of executive power taken with the interests and development needs of relevant territory.
2. District (city of regional significance) akimat shall be hosted by akim of district (city of regional significance).
3. District (city of regional significance) akimat shall be formed by akim from assistants of akim, head of machinery of akim of district (city of regional significance), chief executive officers of relevant executive bodies.
4. The procedure of preparation and holding of meetings of district (city of regional significance) akimat, as well as taking by them the decisions shall be determined by the reglament of akimat.
5. Personnel of akimat shall be conformed by the decision of session of maslikhat of district (city of regional significance).
6. In the work of district akimat may participate with the right of consultative vote of the head of territorial subdivisions of the central state bodies.

7. District (city of regional significance) akimat - a collegial body, which shall not be a legal entity.

Footnote. Article 30, as amended by the Law of the Republic of Kazakhstan, dated 10 January, 2006 No 116 (the order of enforcement see Article 2 of the Law No 116).

Article 31. The competence of district (city of regional significance) akimat

1. District (city of regional significance) akimat in accordance with the legislation of the Republic of Kazakhstan shall:

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

1-1) provide the budget execution of district (city of regional significance);

1-2) represent in relevant maslikhat and audit commission of region an annual report on budget execution of district (city of regional significance);

1-3) accept a regulation on realization of decision of maslikhat of district (city of region significance) on district budget (city of regional significance) on relevant financial year;

1-4) excluded by the Law of the Republic of Kazakhstan dated 02.07.2014 №. 225-V (shall be enforced dated 01.01.2015);

1-5) (is excluded by the Law of the Republic of Kazakhstan dated 04.12.2008 No 97-IV (the order of enforcement see Article 2));

1-6) form the budget commission of district (city of regional significance), confirm the provision of its and determine its composition.

In case of examination of issues, affected the interests of subjects of private enterprise, to the work of budget commissions shall be involved the representatives of the National house of enterprises of the Republic of Kazakhstan in accordance with the legislation of the Republic of Kazakhstan;

1-7) confirm the regional financial plan of district (city of regional significance) on the first quarter of relevant financial year in the cases, provided by the budget legislation of the Republic of Kazakhstan;

1-8) develops and submits the program of development of the districtregion (the city of regional significance) for approval of the maslikhat, provides its execution;

1-9) provide the inclusion of actions of energy conservation and increasing of energy efficiency in the development program of relevant district, city of regional significance, as well as carry out information activity in the field of energy conservation and increasing of energy efficiency;

1-10) provide the holding of state policy in the field of energy conservation and increasing of energy efficiency;

1-11) ensures the inclusion of measures on the development and use of land in the development program of the relevant territory;

2) manage of district (city of republican significance) communal property in accordance with the legislative acts, carry out the actions of its protection;

This edition of subparagraph 2-1) works from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan dated 11.07.2017 №. 90-VI (the current version till 01.01.2020 for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people see the archival version of 11.07.2017 of the Law of the Republic of Kazakhstan “On Local Public Administration and Self-government in the Republic of Kazakhstan” of 23.01.2001 №. 148).

2-1) defines the list regional (the cities of regional significance) the municipal property transferred to structure of municipal property of the city of regional significance, the village, settlement, rural district;

2-2) carries out civil registration and enters data on registration in the State database about individuals in the order established by the legislation of the Republic of Kazakhstan;

3) assist to execution by citizens and organizations of the Constitution provisions of the Republic of Kazakhstan, the Laws, acts of the President and the Government of the Republic of Kazakhstan, regulatory legal acts of the central and local state bodies;

4) provide conditions for development of entrepreneurial activity and investment climate on the territory of district (city of regional significance);

4-1) carries out the organization of exhibition and fair activity;

4-2) determine and approve locations and (or) routes of placement of non-stationary trade objects;

4-3) provide state support measures for social entrepreneurship in accordance with the Entrepreneur Code of the Republic of Kazakhstan;

5) provide a rational and effective functioning of the agriculture sector;

6) develop the general layouts of building of rural settlements and villages, located on the territory of this district (city of regional significance), and represent them for confirmation in the district (city of regional significance) maslikhat, act as a customer of construction, reconstruction and repair of objects of district (city of regional significance) communal property and objects of social – cultural assignment, grant a permission on construction of intra-rural settlement (intra-city) and intra-district of public networks and installations;

7) organize construction and operation of water pipes, purification works, heat and electric network and other objects of transport and engineering infrastructure of the district (city of republican significance);

8) provide the organization of actions on military postscript and drafting to the military service, as well as on issues of civil defense;

9) organize the carriage of passengers in accordance with the legislation of the Republic of Kazakhstan in the scope of transport;

10) carry out the regulation of land relations in accordance with the land legislation of the Republic of Kazakhstan;

- 11) organize the construction, operation and maintenance of roads of district (city of regional significance) significance;
- 12) organize the construction of communal housing funds and its distribution;
 - 12-1) organize the saving of communal housing fund;
 - 12-2) make an inventory of housing fund;
 - 12-3) carry out a seizure, as well as by redemption, the plots of land for state requirements ;
 - 12-4) hold the actions, directed to the maintenance of seismic resistance of residential buildings, located in earthquake-prone regions of the Republic;
 - 12-5) organize the demolition of emergency dwelling;
 - 12-6) is excluded by the Law of the Republic of Kazakhstan dated 22.07.2011 No 479-IV (shall be enforced upon expiry of ten calendar days after its first official publication);
 - 12-7) provide by dwelling the separate categories of citizens in accordance with the legislative acts of the Republic of Kazakhstan;
 - 12-8) carry out the transfer to the ownership of citizens dwelling from communal housing fund on terms, provided by the legislative acts of the Republic of Kazakhstan, and in the procedure, determined by the Government of the Republic of Kazakhstan;
 - 12-9) finance and implement the measures on improving the stability and safety of functioning of housing in flooded zones, life support of the population in possible emergency situations, construction of housing for temporary relocation of the population from flooded zones;
- 13) is excluded by the Law dated 03.07.2013 No 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);
- 14) decide the issues of social protection of population, protection of motherhood and childhood, render the address assistance to vulnerable social group, coordinate rendering them the beneficent help and assist to staff assistance of village the organizations of health care service;
 - 14-1) provide the organization and carrying out the social adaptation and rehabilitation of persons, served out the criminal sanctions;
 - 14-2) is excluded by the Law of the Republic of Kazakhstan dated 01.07.2013 No 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);
 - 14-3) execute other powers in the scope of rendering of socially – legal assistance to the convicted persons, registered in record of probation service in accordance with the legislation of the Republic of Kazakhstan;
 - 14-4) provide housing certificates at the expense of budgetary funds;
- 15) introduce the suggestion on announcement by secured monuments of nature, history and culture located on the territory of district (city of regional significance) natural and other objects, represented ecological, historical, cultural and scientific value;

16) decide the issues of public services and amenities and external design of public places

;

16-1) ensures that, at the expense of the local budget, a state technical survey of functioning multi-apartment residential buildings (with the definition of the common property of a condominium object), as well as the production and reimbursement of expenses for the production of technical passports for the condominium object and documents for the land plot located under the multi-apartment residential the house, as well as on the adjoining land plot in case of receipt of a corresponding appeal from the apartment owners, non-residential premises of an apartment building on the basis of a decision of the meeting of owners of apartments, non-residential premises of an apartment building in accordance with the requirements of the laws of the Republic of Kazakhstan "On housing relations" and "On state registration of rights to real estate";

16-2) have the right, if funds from the local budget are available, to organize and finance measures for the current or capital repair of facades, roofs of multi-apartment residential buildings, aimed at giving a single architectural appearance to the settlement;

16-3) have the right, if funds from the local budget are available, to organize and finance the capital repair of multi-apartment residential buildings with the condition of ensuring the repayment of funds by the owners of apartments, non-residential premises of multi-apartment residential buildings;

16-4) have the right, if funds from the local budget are available, to organize and finance the repair and replacement of elevators in multi-apartment residential buildings with the condition of ensuring the repayment of funds by the owners of apartments, non-residential premises of multi-apartment residential buildings;

16-5) develop and approve the rules for organizing and conducting measures for the current or capital repair of facades, roofs of multi-apartment residential buildings, aimed at giving a single architectural appearance to the settlement, as well as the rules for compensation of expenses, related to the repair and replacement of elevators, capital repair of a multi-apartment residential building by the owners of apartments, non-residential premises of a multi-apartment residential building;

17) form the consultative and advisory bodies on issues of interdepartmental nature with the assistance of representatives of the National house of enterprises of the Republic of Kazakhstan on issues, affected the interests of subjects of private enterprise, according to the legislation of the Republic of Kazakhstan;

17-1) render E – services with the application of informational system within its competence in accordance with the legislation of the Republic of Kazakhstan on informatization;

17-2) carries out organizational work on creation of territorial councils of local government and drafts regulations on territorial councils of local government;

18) organize the holding of veterinary actions on relevant territory, the construction and content of special storage (burial), used in animal breeding, as well as carry out the organization of diseased animal slaughter of affected animal;

19) excluded by the Law of the Republic of Kazakhstan dated 27.12.2019 No. 291-VI (effective from January 1, 2021);

19-1) provide training to the participants of electoral process;

20) create in the procedure, established by the legislation of the Republic of Kazakhstan, the government facilities and governmental enterprises, establish the limit of staff size of executive bodies, financed from regional (city of regional significance) budget within the limit of staff size, by regional executive body and regulations, established by the Government of the Republic of Kazakhstan.

21) Approves the decisions of the state revenue Authority at the place of registration of the taxpayer on the change of terms of performance of tax obligation on payment of taxes, received in full volume in district (city of regional significance) budget;

22) carries out licensing in the cases and an order established by the legislation of the Republic of Kazakhstan on permissions and notice;

23) organize the activity on prevention of terrorism, as well as minimization and (or) winding-up of consequences of terrorism on the territory of district, city of regional significance through antiterrorist commission;

23-1) participate in prevention of extraordinary situations of social nature, as well as minimization and (or) winding-up its consequences on the territory of region, city of republican significance;

24) develop the rules of rendering a social assistance, establishing of sizes and determining of list of separate categories of needy citizens on the basis of model rules, confirmed by the Government of the Republic of Kazakhstan.

25) organize the development work of physical culture and sport;

26) creates the organizations for assistance according to the Law of the Republic of Kazakhstan "On prevention of domestic violence";

27) carries out monitoring of social tension and risks of emergence of the labor conflicts;

27-1) create an infrastructure for sports activities of individuals, including taking into account accessibility for people with limited mobility, at the place of residence and in public recreation places;

27-2) exercise state control over a safe operation of amusement facilities, equipment for children's playgrounds;

27-3) exercise state control over a safe operation of sports equipment intended for grassroots sports;

28) provides with the dwelling of champions and prize-winners of the Olympic, Paralympic and Paralympic Games according to the Law of the Republic of Kazakhstan " About physical culture and sport";

29) will organize implementation of separate collecting municipal waste;

30) organize the work of the housing inspection for implementation of state control in relation to the subjects of control within the boundaries of settlements at social infrastructure facilities in the spheres of housing fund management, gas and gas supply;

30-1) organize the work of the housing inspection on implementation of state supervision in relation to the subjects of supervision within the boundaries of settlements at social infrastructure facilities in the field of industrial safety for compliance with the requirements for the safe operation of hazardous technical devices.

31) develop and submit for approval to the relevant maslikhat the rates of the tourist fee for foreign nationals. The tourist fees for foreign nationals shall be developed on the basis of the rules for payment of tourist fee for foreign nationals, approved by the Government of the Republic of Kazakhstan.

32) organize a set of data (information) on accounting and registration of land plots intended for graves, in accordance with the rules for burial and organizing the care of graves;

33) exercise control over compliance with the terms of the agreement on the organization of burial in accordance with the rules for the burial and organization of the care of graves.

1-1. The akimat of the district (the city of regional significance) carries out discussion of the draft budget of the district (the city of regional significance) at a meeting of the public council created according to the Law of the Republic of Kazakhstan "On public councils".

The akimat of the district (the city of regional significance) carries out discussion of the annual report on budget implementation of the district (the city of regional significance) at a meeting of the public council created according to the Law of the Republic of Kazakhstan "On public councils".

2. Akimat of region, city of regional significance shall carry out other powers in the interest of local government imposed on it by the legislation of the Republic of Kazakhstan.

3. District (city of regional significance) akimat shall have responsibility for realization of the functions imposed on it before district (city of republican significance) maslikhat.

4. The powers, imposed by this Article on district (city of regional significance) akimats, in the city of republican significance (a capital city) shall be carried out by city akimats.

Footnote. Article 31 as amended by the Laws of the Republic of Kazakhstan dated 11 May, 2004 No 552 (the order of enforcement see Article 2); dated 20 December, 2004 No 13 (shall be enforced from 1 January, 2005); dated 21 December, 2004 No 15 (shall be enforced from 1 January, 2005); dated 15 April 2005 No 45; dated 10 January, 2006 No 116 (the order of enforcement see Article 2 of the Law No 116); dated 5 July, 2006 No 165 (the order of enforcement see Article 2); dated 7 July, 2006 No 171 (the order of enforcement see Article 2); dated 11 January, 2007 No 218 (shall be enforced from the date of its official publication); dated 27 July, 2007 No 320 (the order of enforcement see Article 2); dated 04.12.2008 No 97-IV (the order of enforcement see Article 2); dated 09.02.2009 No 126 (the order of enforcement see Article 2); dated 02.04.2010 No 263-IV (shall be enforced from 01.01.2010);

dated 08.04.2010 No 266-IV (the order of enforcement see Article 2); dated 28.12.2010 No 369-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.01.2011 No 383-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 05.07.2011 No 452-IV (shall be enforced from 13.10.2011); dated 21.07.2011 No 465-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 22.07.2011 No 479-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.01.2012 No 542-IV (shall be enforced upon expiry of six months after its first official publication); dated 15.02.2012 No 556-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 08.01.2013 No 63-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 08.01.2013 No 64-V (shall be enforced from 01.01.2013); dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); by the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.07.2013 No 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 04.07.2013 No 130-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 18.02.2014 №. 175-V (shall be enforced after ten calendar days after day of its first official publication); dated 16.05.2014 №. 203-V (shall be enforced after six months after day of its first official publication); dated 27.06.2014 №. 212-V (shall be enforced after ten calendar days after day of its first official publication); dated 02.07.2014 №. 225-V (shall be enforced from 01.01.2015); dated 03.07.2014 №. 229-V (shall be enforced after ten calendar days after day of its first official publication); dated 29.09.2014 №. 239-V (shall be enforced after ten calendar days after day of its first official publication); dated 07.11.2014 №. 248-V (shall be enforced after ten calendar days after day of its first official publication); dated 27.10.2015 №. 364-V (shall be enforced after ten calendar days after day of its first official publication); dated 02.11.2015 №. 387-V (shall be enforced after ten calendar days after day of its first official publication); dated 28.04.2016 №. 506-V (shall be enforced after sixty calendar days after day of its first official publication); dated 18.04.2017 №. 58-VI (shall be enforced after ten calendar days after day of its first official publication); dated 11.07.2017 №. 90-VI (an order of enforcement see subitem 1) item 1 of Art. 2); dated 29.06.2018 No. 163-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.04.2019 № 241-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.04.2019 № 243-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2019 No. 268-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.12.2019 No. 284-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.12.2019 No. 291-VI (effective from 01.01.2021); dated 30.12. 2020 No. 395-VI (effective

ten calendar days after the date of its first official publication); dated 30.12.2020 No. 397-VI (effective six months after the date of its first official publication); dated 30.06.2021 No. 60-VII (effective ten calendar days after the date of its first official publication); dated 24.06.2021 No. 52-VII (effective from 01.01.2022); dated 30.04.2021 No. 34-VII (effective from 01.01.2022).

Article 32. An order of appointment to the post, dismissal and termination of powers of the akim of the city of regional significance and the district of the region, district in the city of regional significance, the district in the city of republican significance and the capital

1. Akim of the city of regional significance and district of the region:

is appointed to a position by the akim of region with the consent of the maslikhat according to the city of regional significance and the district of the region in the order established by the real Law;

stops powers and is dismissed by the akim of region.

2. The akim of the district in the city of regional significance:

is appointed to a position by the akim of the city of regional significance with the consent of the maslikhat of the city of regional significance in the order established by the real Law;

stops powers and is dismissed by the akim of the city of regional significance.

3. The akim of the region in the city of republican significance and the capital:

is appointed to a position by the akim of the city of republican significance and the capital with the consent of the maslikhat of the city of republican significance and the capital in the order established by the real Law;

stops powers and dismissed by the akim of the city of republican significance and the capital.

4. The akim of the city of regional significance and the district of the region, region in the city of regional significance, the region in the city of republican significance and the capital can be dismissed by the President of the Republic of Kazakhstan at discretion.

Footnote. Article 32 in edition of the Law of the Republic of Kazakhstan dated 11.07.2017 No. 91-VI (shall be enforced after ten calendar days after day of its first official publication).

Article 33. The competence of akim of district (city of regional significance)

1. Akim of district (city of regional significance) in accordance with the legislation shall:

1) represent the interests of relevant administrative-territorial entity in relationship with state bodies, organizations and citizens;

2) have the right to introduce the presentation on activity of territorial subdivision of the central state body to akim of region in part of execution by them the Constitution, the Laws, acts of the President and the Government of the Republic of Kazakhstan.

3) introduce the presentation on awarding of state rewards, awarding of honorary and other titles to the relevant persons to akim of region;

3-1) introduce the presentation for the awarding a title “ Honorary citizen of district” to the district maslikhat;

4) appoint and dismiss:

deputies of the akim of the district (city of regional significance), the maximum number of which is determined by the Government of the Republic of Kazakhstan;

employees of the Akim's apparatus, as well as the heads of executive bodies financed from the district (city of regional significance) budget, with the exception of the first heads of education management bodies of districts (cities of regional significance);

4-1) is excluded by the Law of the Republic of Kazakhstan dated 26.12.2019 No. 273-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

5) take actions of protection of rights and freedoms of citizens;

6) interact with the bodies of local self – government;

6-1) determine the executive body, financed from the relevant local budget, to maintain the register of public mediators;

7) (is excluded);

8) assist in the material and technical support of socio-cultural institutions;

9) (is excluded);

10) assist to tax collection and other obligatory payments to the budget;

11) introduce for consideration the schemes of management of administrative – territorial entity, formed in terms of basic structures of local state management of relevant maslikhats, confirmed by the Government of the Republic of Kazakhstan;

12) represent the personnel of consultative and advisory bodies on issues of interdepartmental nature for confirmation to the maslikhat;

13) within the competence will organize and provides performance of the legislation of the Republic of Kazakhstan on questions of a conscription and military service, mobilization preparation and mobilization, in the sphere of civil protection and also civil registration;

14) coordinate the work of inferior akims on issues, included to its competence, as well as on creation of legal, organizational conditions for making and developing of local self – government;

14-1) provide assistance to state veterinary organizations, created by local executive bodies of regions, in the performance of their functions in the field of veterinary medicine in the corresponding administrative-territorial unit;

15) carry out the control for activity of inferior akims;

16) temporarily assign the duties of the akim of the city of district scale, village, township, rural district to another administrative civil servant without dismissal from his public position in the event of the termination of the previous akim’s powers.

1-1. The mayor of the district (city of regional significance) on the territory of the relevant administrative-territorial unit shall put before the territorial police body the tasks on crime prevention, protection of public order and ensuring road safety without interference in

operational-search and procedural activities, at least once a year hears the relevant reports of the head of the territorial police body.

1-2. Akim of the city of regional scale shall keep records and registration of land plots intended for graves, in accordance with the rules of burial and organizing the care of graves.

2. To transaction of akim of district (city of regional significance) by the legislation of the Republic of Kazakhstan may be related the decision of other issues.

3. Akim of district (city of regional significance) shall have the right to delegate the exercising its separate powers by inferior akims.

4. Akim of district (city of regional significance) on issues of its competence and on issues, related to the competence of district (city of regional significance) akimat, shall have responsibility before the President, the Government of the Republic of Kazakhstan and akim of region.

Footnote. Article 33 as amended by the Laws of the Republic of Kazakhstan dated 11.05.2004 No 552 (the order of enforcement see Article 2); dated 10.01.2006 No 116 (the order of enforcement see Article 2); dated 27.07.2007 No 320 (the order of enforcement see Article 2); dated 09.02.2009 No 126 (the order of enforcement see Article 2); dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); by the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No 121-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 11.04.2014 №. 189-V (shall be enforced after ten calendar days after day of its first official publication); dated 29.09.2014 №. 239-V (shall be enforced after ten calendar days after day of its first official publication); dated 02.11.2015 №. 388-V (shall be enforced from 01.01.2016) ; dated 12.07.2018 № 180-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.12.2019 No. 268-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 26.11.2019 No. 273-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.12.2019 No. 291-VI (effective from 01.01.2021); dated 24.05.2021 No. 42-VII (effective ten calendar days after the date of its first official publication); dated 30.06.2021 No. 60-VII (effective ten calendar days after the date of its first official publication); dated 20.12.21 No. 84-VII (effective ten calendar days after the date of its first official publication).

Article 34. District in the city of republican significance (a capital city), city of district significance, township, village, rural district akimats

District in the city of republican significance (a capital city), city of district significance, township, village, rural district akimats shall not be formed.

Article 35. The competence of akim of district in the city, city of district significance, township, village, rural district

1. Akim of district in the city, city of district significance, township, village, rural district in accordance with the legislation of the Republic of Kazakhstan shall:

1) be the civil servant of relevant district (city) akimat on the territory of relevant administrative – territorial entity and act on his name without power in relationship with state bodies, organizations and citizens;

2) consider appeals, applications, complaints from citizens, take actions for protection the rights and freedoms of citizens;

3) assist to tax collection and other obligatory payments to the budget;

4) is excluded by the Law of the Republic of Kazakhstan dated 11.07.2017 № 90-VI (an order of enforcement see subitem 1) item 1 of Art. 2);

4-1) is excluded by the Law of the Republic of Kazakhstan dated 11.07.2017 № 90-VI (an order of enforcement see subitem 1) item 1 of Art. 2);

5) assist to the execution of the Constitution provisions of the Republic of Kazakhstan, the Laws, acts of the President and the Government of the Republic of Kazakhstan, regulatory legal acts of central and local state bodies by citizens and legal entities;

6) carry out the regulation of land relations within its competence;

7) provide the saving of communal housing fund of the city of district significance, township, village, rural district, as well as the construction, reconstruction, repair and maintenance of auto road in the cities of district significance, townships, villages, rural districts;

8) assist to organization of peasant and farm enterprises, developing of entrepreneurial activity;

8-1) provide state support measures for social entrepreneurship in accordance with the Entrepreneur Code of the Republic of Kazakhstan;

9) within the competence organizes and provides performance of the legislation of the Republic of Kazakhstan on questions of a conscription and military service, mobilization preparation and mobilization and also in the sphere of civil protection;

10) the akim of the district in the city, the cities of district significance organizes civil registration in the order established by the legislation of the Republic of Kazakhstan;

10-1) the akim of the settlement, village, rural district in regions where there are no judicial authorities, will organize commission of notarial actions, civil registration in the order established by the legislation of the Republic of Kazakhstan;

10-2) the akim of the settlement, village, rural district in regions where there are no bodies of employment, marks out the unemployed in the order established by the legislation of the Republic of Kazakhstan;

11) organize the work of saving of historical and culture heritage;

12) reveals needy persons, makes offers on employment, rendering the address social help in higher bodies, organizes service of lonely aged and disabled citizens at home, coordinates rendering the charitable help to them;

12-1) promotes employment of the persons released from the institutions of a penal correction system staying on the registry of service of a probation and also renders them social and legal and other help according to the legislation of the Republic of Kazakhstan;

12-2) organize assistance to disabled persons;

12-3) organize public works, youth practice and social work places;

12-4) organize in association with authorized body on physical culture and sport and public associations of disabled persons the holding of health-giving and sporting events among disabled persons;

12-5) organize in association with public associations of disabled persons of cultural events and outreach campaigns;

12-6) coordinate the rendering of charitable and social assistance to disabled persons;

12-7) coordinate the rendering of vulnerable social group of charitable assistance;

12-8) assist to staffing of village organizations of health care service;

12-9) promotes allocation of housing to mothers awarded with a pendant “Altyn alka”;

12-10) organizes performance of public works as the persons condemned to this type of punishment in the order determined by authorized body in the sphere of criminal and executive activity;

13) assist to development of local social infrastructure;

14) organize a public traffic;

14-1) in case of need of rendering of emergency care, organize delivering of patients to the nearest public health organization, rendering medical aid;

14-2) provide assistance to state veterinary organizations, created by local executive bodies of regions, in the performance of their functions in the field of veterinary medicine in the corresponding administrative-territorial unit;

14-3) if necessary, organize transportation of a bedridden patient from a hospital of a healthcare organization to the place of residence;

15) interact with the bodies of local self – government;

16) is excluded by the Law of the Republic of Kazakhstan dated 05.11.2018 № 192-VI (shall be enforced upon expiry of ten calendar days after its first official publication);

17) participate in the work of sessions of maslikhat of the city, district (city of regional significance) upon confirmation (itemization) of local budget;

18) ensure cultural institutions’ activities, with the exception of cultural institutions located in cities of republican status, the capital, cities of regional scale;

19) organize water supply of inhabited locality and regulate the issues of water using within its competence;

20) organize the works of public services and amenities, illumination, planting and cleaning up of inhabited locality;

21) organize the burial of rootless and public works of maintenance of cemetery and other burial places in proper condition;

21-1) keep records and registration of land plots intended for graves, in accordance with the rules of burial and organizing the care of graves;

22) maintain the register of public mediators;

23) creates infrastructure for sports activities of natural persons at the place of residence and in places of their mass rest;

24) promotes employment of the convicts serving sentence in institutions of a penal correction system including way:

placing orders on the goods, works and services made, which are carried out and rendered by the enterprises and institutions of a penal correction system;

involvement of subjects of business to opening, expansion and modernization in the territory of institutions of a penal correction system of the productions using work of convicts

1-1. The competence of the akim of a settlement, village, rural district includes submission of proposals to the regional executive body on the organization of transport communication with the regional center.

1-2. In case of deficiency of districts in the city of regional significance the functions, provided by the paragraph 1 of this Article, shall carry out akimat of the city of regional significance.

1-3. Akims of city of district significance, village, township, rural district in accordance with the legislation of the Republic of Kazakhstan shall:

1) provide transferred to the management of district communal property to the property lease (lease) of individuals and non-state legal entities without right of following redemption;

2) determine the priority of activity and obligatory volume of works (services), financed from budget, transferred to communal state enterprises;

3) provide the safety of transferred communal property;

4) carry out the management of transferred district communal legal entities;

5) conform an annual financial record of transferred to the management of district communal state enterprise, confirming by the decision of local executive body;

6) establish the quotation for goods (works, services), produced and realized of transferred to the management of communal public enterprises;

7) confirm the individual plans of financing of transferred district communal state establishments from local budget;

8) is excluded by the Law of the Republic of Kazakhstan dated 11.07.2017 № 90-VI (an order of enforcement see subitem 1) item 1 of Art. 2);

9) is excluded by the Law of the Republic of Kazakhstan dated 11.07.2017 № 90-VI (an order of enforcement see subitem 1) item 1 of Art. 2);

10) receive the employers by employment agreement at the expense of saving of budget means and (or) credits, provided by the legislation of the Republic of Kazakhstan on local government and self – government;

11) is excluded by the Law of the Republic of Kazakhstan dated 11.07.2017 № 90-VI (an order of enforcement see subitem 1) item 1 of Art. 2);

12) formulate and confirm the composite plan of credit and spending of money from realization by state establishments of goods (works, services), remaining at their disposal, in accordance with the budget legislation of the Republic of Kazakhstan.

13) carries out inventory of housing stock of the city of regional significance, the settlement, village, rural district;

14) organizes in coordination with the akim of the district (the city of regional significance) and a meeting of local community demolition of the hazardous dwelling of the city of regional significance, the settlement, village, rural district;

15) renders assistance to microcredit of country people within program documents of system of state planning.

1-4. The mayors of the township, village, rural district in accordance with the legislation of the Republic of Kazakhstan in the field of state statistics shall:

1) keep economic accounting according to the statistical methodology approved by the authorized body in the field of state statistics;

2) organize maintenance of registration records in the form, approved by the authorized body in the field of state statistics;

3) provide reliability of data of the economic accounting.

2. To the introduction of akim of district in a city, city of district significance, township, village, rural district by the legislation of the Republic of Kazakhstan may be related the decision of other issues.

3. Akim of district in a city, city of district significance, township, village, rural district shall have responsibility for realization of the functions imposed on it before superior akim, district (city of regional significance), city of republican significance. A capital city by maslikhat on issues, related to its competence.

Footnote. Article 35 as amended by the Laws of the Republic of Kazakhstan dated 11.05.2004 No 552 (the order of enforcement see Article 2); dated 20.12.2004 No 13 (shall be enforced from 01.01.2005); dated 21.12.2004 No 15 (shall be enforced from 01.01.2005); dated 10.01.2006 No 116 (the order of enforcement see Article 2 of the Law No 116); dated 09.02.2009 No 126 (the order of enforcement see Article 2); dated 19.03.2010 No 258-IV; dated 28.01.2011 No 402-IV (shall be enforced from 05.08.2011); dated 24.03.2011 No 420-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 22.07.2011 No 479-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 15.02.2012 No 556-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 13.06.2013 No 102-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 11.04.2014 №. 189-V (shall be enforced after ten calendar days after day of its first official

publication); dated 03.07.2014 №. 229-V (shall be enforced after ten calendar days after day of its first official publication); dated 29.09.2014 №. 239-V (shall be enforced after ten calendar days after day of its first official publication); dated 02.11.2015 №. 387-V (shall be enforced after ten calendar days after day of its first official publication); dated 16.11.2015 № . 403-V (shall be enforced after ten calendar days after day of its first official publication); dated 24.11.2015 №. 421-V (shall be enforced after ten calendar days after day of its first official publication); dated 18.04.2017 №. 58-VI (shall be enforced after ten calendar days after day of its first official publication); dated 11.07.2017 №. 90-VI (an order of enforcement see subitem 1) item 1 of Art. 2); dated 05.11.2018 № 192-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.12.2018 № 210-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2019 No. 268-VI (shall be enforced upon expiry of ten calendar days after its first official publication); dated 27.12.2019 No. 291-VI (effective from 01.01.2021)dated 07.07.2020 No. 361-VI (effective ten calendar days after the date of its first official publication); dated 24.06.2021 No. 52-VII (effective from 01.01.2022); dated 30.06.2021 No. 60-VII (effective ten calendar days after the date of its first official publication); dated 20.12.21 No. 84-VII (effective ten calendar days after the date of its first official publication).

Article 36. The procedure for election to the position, termination of powers of the akim of the city of district scale, village, township, rural district

1. The akim of a city of district scale, a village, a township, a rural district shall be elected for four years from among the citizens of the Republic of Kazakhstan aged at least twenty-five years by the population of the corresponding administrative-territorial unit on the basis of universal, equal, direct suffrage by secret ballot .

2. One and the same person cannot be elected akim of the same city of regional scale, village, settlement, rural district more than two times in a row.

3. The procedure for holding elections of the akim of a city of district scale, a village, a township, a rural district shall be regulated by the Constitutional Law of the Republic of Kazakhstan “On Elections in the Republic of Kazakhstan”.

4. The powers of the elected akim of the city of district scale, village, township, rural district shall start from the moment of his registration by the territorial election commission of the district (city of regional scale) in accordance with the Constitutional Law of the Republic of Kazakhstan "On Elections in the Republic of Kazakhstan".

5. The powers of the akim of a city of district scale, a village, a township, a rural district shall be terminated in the following cases:

1) the death of the akim, enforcement of a court ruling on recognizing the akim as incapable, partially incapacitated, missing, or a court ruling on declaring him dead;

2) termination of membership in a political party, with the exception of reorganization and liquidation of the political party which nominated him;

- 3) adoption by the higher-ranking akim of a vote of no confidence, expressed to the akim by the deputies of the maslikhat of the district (city of regional scale);
- 4) termination of citizenship of the Republic of Kazakhstan;
- 5) registration by the territorial election commission of the district (city of regional scale) of the newly elected akim;
- 6) in other cases provided for by this Law and the laws of the Republic of Kazakhstan.

6. Upon termination of the powers of the akim of a city of district scale, village, township, rural district on the grounds referred to in paragraph 5 of this article, the territorial election commission of the district (city of regional scale) shall adopt a resolution stating the fact of the occurrence of grounds entailing termination of the powers of the akim of the city of district scale, village, township, rural district, and a decision shall be adopted to submit to the relevant akim of the district (city of regional scale) a proposal on early termination of powers of the akim of the city of district scale, village, township, rural district.

Based on the submission of the territorial election commission of the district (city of regional scale), the akim of the district (city of regional scale) terminates the powers of the corresponding akim of the city of district scale, village, township, rural district.

Upon termination of the powers of the akim of a city of district scale, village, township, rural district on the basis of the resolution of the President of the Republic of Kazakhstan, the territorial election commission of the district (city of regional scale) shall adopt a decision stating the fact that the relevant person has lost the powers of the akim of the city of district scale, village, township, rural district.

Footnote. Article 36 as amended by the Law of the Republic of Kazakhstan dated 24.05.2021 No. 42-VII (effective ten calendar days after the date of its first official publication).

Article 36-1. Elections of akims of the cities of regional significance, villages, settlements, rural districts

Footnote. Chapter 3 is supplemented with article 36-1 according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 91-VI (shall be enforced after ten calendar days after day of its first official publication); excluded by the Law of the Republic of Kazakhstan dated 24.05.2021 No. 42-VII (effective ten calendar days after the date of its first official publication).

Article 37. Acts of akimat, akim

1. Akimat on the basis and in pursuance of the Constitution of the Republic of Kazakhstan, the Laws, acts of the President of the Republic of Kazakhstan, other regulatory legal acts shall issue the regulations.

2. Regulations of akimat shall be signed by akim.

3. Akim shall issue the decisions of regulatory- legal nature and instructions on issues of administrative – regulatory, operative and individual nature.

4. The acts of akimat and (or) akim, accepted within its competence, shall be binding over the whole territory of relevant administrative – territorial entity.

5. The effect of acts of akimat and (or) akim may be suspended by relevant procurator.

6. The acts of akimat and (or) akim, related to the rights, freedoms, and duties of citizens (except of acts, contained the state secrets of the Republic of Kazakhstan and other legally protected secret), shall liable to obligatory official publication.

7. Acceptance by akimat, the akim of the acts concerning the rights, freedoms and duties of citizens is carried out taking into account the features provided by the Law of the Republic of Kazakhstan “On legal acts”.

8. The effect of acts of akimat and (or) akim, may be cancelled or suspended in whole or in part by the President, the Government of the Republic of Kazakhstan, superior akimat and (or) akim, personally by akimat and (or) akim, as well as by court decision.

Footnote. Article 37 as amended by the Law of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2); dated 02.11.2015 №. 384-V (shall be enforced from 01.01.2016); dated 06.04.2016 №. 481-V (shall be enforced after ten calendar days after day of its first official publication); dated 12.03.2021 No. 15-VII (effective ten calendar days after the date of its first official publication).

This edition of heading of article 38 works from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (the current version till 01.01.2020 for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people see the archival version dated 11.07.2017 of the Law of the Republic of Kazakhstan “On Local Public Administration and Self-government in the Republic of Kazakhstan” dated 23.01.2001 No. 148).

Article 38. The office of the akim of region, city of republican significance, the capital, region (city of regional significance), the region in the city

1. Research and information, procedural and institutional and logistical support of activity of akim shall be carried out by machinery of akim.

2. The machinery of akim of region, city of republican significance, a capital city, district (city of region significance) shall be formed, abrogated and reorganized accordingly by akimat of region, city of republican significance, a capital city, district (city of regional significance).

This edition of part second of point 2 works from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (the current version till 01.01.2020 for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people see the archival version of 11.07.2017 of the Law of the Republic of Kazakhstan “On Local Public Administration and Self-government in the Republic of Kazakhstan” dated 23.01.2001 №. 148).

The office of the akim of the region in the city is formed, abolished and will be reorganized by akimat of the city of republican significance, the capital, city of regional significance.

2-1. The head of machinery of akim of region, city of republican significance, a capital city, district (city of regional significance), district in a city shall be appointed to a post and excused from the post by authorized officer, determined by the President of the Republic of Kazakhstan, and in a procedure, established by the President of the Republic of Kazakhstan.

3. The issues of activity of state employees of machinery of akim in connection with termination of powers of akim, appointment or election the new akim shall be determined by the legislation of the Republic of Kazakhstan.

4. The provision on the office of the akim, its structure, except for structure of the office of the akim of region, the city of republican significance, the capital, are approved by the relevant akimat.

5. The machinery of akim shall be a state agency, contained at the expense of local budget

6. excluded by the Law of the Republic of Kazakhstan dated 11.07.2017 No.90-VI (enforcement sp 1)p.1 art2)

Footnote. Article 38 as amended by the Laws of the Republic of Kazakhstan dated 11.05.2004 No 552 (the order of enforcement see Article 2); dated 21.12.2004 No 15 (shall be enforced from 1January, 2005); dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 02.11.2015 №. 387-V (shall be enforced after ten calendar days after day of its first official publication); dated 23.11.2015 № . 417-V (shall be enforced after ten calendar days after day of its first official publication); dated 11.07.2017 №. 90-VI (an order of enforcement see subitem 1) item 1 of Art. 2); dated 11.07.2017 No.90-VI (enforcement sp 1)p.1 art 2)

Article 38-1. Office of the akim of the city of regional significance, village, settlement, rural district

Note RCRI!

Point 1 shall be enforced from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people shall be enforced from 01.01.2020).

1. Information and analytical, organizational and legal and material support of activity of the akim of the city of regional significance, the village, settlement, rural district and also the solution of questions of local significance are carried out by the office of the akim of the city of regional significance, the village, settlement, rural district.

Point 2 shall be enforced from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the

Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people shall be enforced from 01.01.2020).

2. The office of the akim of the city of regional significance, the village, settlement, rural district carries out functions of local executive body in spheres of planning and budget implementation of the city of regional significance, the village, the settlement, the rural district and also management of municipal city property of regional significance, the village, the settlement, the rural district (the municipal property of local government) according to the legislation of the Republic of Kazakhstan.

Point 3 becomes effective from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people shall be enforced from 01.01.2020).

3. The office of the akim of the city of regional significance, the village, settlement, rural district exercises control of municipal property of the city of regional significance, the village, settlement, rural district on behalf of an administrative and territorial unit according to the Law of the Republic of Kazakhstan “On state property”.

Point 4 shall be enforced from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people shall be enforced from 01.01.2020).

4. The office of the akim of the city of regional significance, the village, settlement, rural district is formed, abolished and will be reorganized by akimat of the region (the city of regional significance).

4-1. Akim's office shall be formed in villages, settlements, rural districts.

Akim's office shall be formed in villages, rural districts with a population of at least 500 people.

It is allowed to form the akim's office in villages with a population of at least 250 people, subject to one of the following requirements:

location at a distance of up to 25 kilometers from the state border of the Republic of Kazakhstan;

absence within 50 kilometers radius of another settlement of the corresponding district (a city of regional scale).

Point 5 shall be enforced from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (for the cities of regional

significance, villages, settlements, rural districts with population two thousand and less people shall be enforced from 01.01.2020).

5. The chief of staff of the akim of the city of regional significance, the village, settlement, rural district is the akim of the city of regional significance, the village, settlement, rural district.

Point 6 shall be enforced from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people shall be enforced from 01.01.2020).

6. Questions of activity of public servants of the office of the akim of the city of regional significance, the village, settlement, rural district in connection with the termination of powers of the akim of the city of regional significance, the village, settlement, rural district, appointment or election of the new akim are defined by the legislation of the Republic of Kazakhstan.

Point 7 shall be enforced from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people shall be enforced from 01.01.2020).

7. The provision on the office of the akim of the city of regional significance, the village, settlement, rural district, its structure are approved by akimat of the region (the city of regional significance).

8. The standard provision on the office of the akim of the city of regional significance, the village, settlement, rural district is approved by authorized body concerning development of local government.

Point 9 shall be enforced from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people shall be enforced from 01.01.2020).

9. The office of the akim is the public institution which is contained at the expense of the local budget.

Point 10 shall be enforced from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people shall be enforced from 01.01.2020).

10. Office of the akim of the city of regional significance, village, settlement, rural district

:

- 1) provides planning and budget implementation of the city of regional significance, the village, settlement, rural district;
- 2) submits to a meeting of local community and in маслихат the region (the city of regional significance) the report on budget implementation of the city of regional significance, the village, settlement, rural district;
- 3) makes the decision on realization of city budget of regional significance, the village, settlement, rural district;
- 4) develops and submits the program of development of local community for approval of meeting of local community;
- 5) acts as the customer on construction, reconstruction and repair of the objects relating to municipal property of the city of regional significance, the village, settlement, rural district;
- 6) carries out other powers assigned to it by the real Law and other legislation of the Republic of Kazakhstan.

Footnote. Chapter 3 is added by the article 38-1 according to the Law of the Republic of Kazakhstan of 11.07.2017 No. 90-VI (an order of enforcement see Art. 2); as amended by the Law of the Republic of Kazakhstan dated 30.06.2021 No. 60-VII (effective ten calendar days after the date of its first official publication).

Article 39. Executive bodies, financed from local budgets

1. Executive bodies, financed from local budgets, shall be formed, abrogated and reorganized by akimat of region, city of republican significance, a capital city, district (city of region significance) under the scheme of management of administrative – territorial entity, confirmed by the relevant maslikhat.

2. The competence and organization of activity of executive bodies, financed from local budgets, shall be determined by relevant akimat in compliance of requirements of the Laws of the Republic of Kazakhstan.

Footnote. Article 39 as amended by the Law of the Republic of Kazakhstan dated 11 May, 2004 No 552 (the order of enforcement see Article 2).

Chapter 3-1. Citizen participation in a local self – government

Footnote. The law is supplemented by the chapter 3-1 in accordance with the Law of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2).

Article 39-1. Grounds of participation of citizens in a local self - government

The grounds for recognition of the citizen of the Republic of Kazakhstan as a member of local community shall be a fact of his registration according to the place of residence on the territory of administrative – territorial entity, within which shall be carried out local self – government.

Establishment of any other conditions of the entry of citizens of the Republic of Kazakhstan to members of local community, except of ground, provided by this Law shall not be allowed.

The foreigners and persons without citizenship having the permanent residence in the territory of local community have the right for participation in implementation of local government in the limits set by the laws of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

Footnote. Article 39-1 with the change made by the Law of the Republic of Kazakhstan dated 11.07.2017 №. 90-VI (shall be enforced after ten calendar days after day of its first official publication).

Article 39-2. Rights and obligations of members of local community

1. Members of local community shall have the rights:

1) to carrying out directly of local self – government, as well as through elected bodies of local self – government independent from origin, social, capacity and property status, gender, race, nationality, language, attitude to religion, persuasions, belongs to political parties and public associations;

2) to elect and be elected to the elected bodies of local self – government in the procedure, provided by the legislation of the Republic of Kazakhstan on elections;

3) to address personally, as well as direct individual and collective applications to the bodies of local self – government;

4) to exercise of other rights, provided by this Law and other legislative acts of the Republic of Kazakhstan.

Limitation of rights of member of local community to participation in local self – government, except of the cases, provided by the legislative acts of the Republic of Kazakhstan shall not be allowed, and may be appealed through the courts against.

2. Members of local community shall be obliged:

1) to observe the Constitution and the legislation of the Republic of Kazakhstan;

2) to promote strengthening of unity of the people of Kazakhstan, interethnic and interfaith concord in the country;

3) to be respect to the state and other languages, traditions and customs of the people of Kazakhstan and promote to its development.

Footnote. Article 39-2 with the change made by the Law of the Republic of Kazakhstan dated 11.07.2017 №. 91-VI (shall be enforced after ten calendar days after day of its first official publication).

Article 39-3. Gatherings of local community and meeting of local community

1. In the territory of cities of district significance, villages, townships, rural districts for deciding the issues of local significance shall be held a gathering of local community and meeting of local community.

Non-adults, persons, adjudged by court as disabled, as well as persons, that are contained in places of deprivation of freedom under sentence of court shall have not a right to participate in the gathering of local community and in the meeting of local community.

2. The gathering of local community shall be held as and when needed of most important issues of local community:

- 1) definition of priority tasks of local community and terms of its realization;
- 2) determining the composition of the local community meeting for a period of four years comprising up to twenty-five people;
- 3) making suggestions to maslikhats of district (cities of regional significance), akims of regions (cities of regional significance), cities of district significance, villages, townships, rural districts, bodies of local self – government on issues of local significance;
- 4) hearing and discussion of report of akims on issues of carrying out by them the functions of local self – government;
- 4-1) hearing and discussion of annual reports of akims of the city of regional significance, the settlement, village, rural district about results of implementation of the Plan for management of pastures and to their use;
- 5) hearing and discussion of report of maslikhat on executed work of maslikhat of district (city of regional significance), activity of it permanent commissions;
- 6) other issues of local significance, established by gathering of local community.

3. The meeting of local community shall be held on current issues of local significance:

This edition of subparagraph 1) works from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (the current version till 01.01.2020 for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people see the archival version of 11.07.2017 of the Law of the Republic of Kazakhstan “On Local Public Administration and Self-government in the Republic of Kazakhstan” of 23.01.2001 №. 148).

1) discussion and consideration of drafts of program documents, programs of development of local community;

Article 39-3 is added by the subparagraph 1-1) from 01.01.2018 for the cities of district significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan dated 11.07.2017 №. 90 -VI (for the cities of district significance, villages, settlements, rural districts with population two thousand and less people shall be enforced from 01.01.2020).

1-1) coordination of the draft budget of the city of regional significance, village, settlement, rural district and report on budget implementation;

Article 39-3 is added by the subparagraph 1-2) from 01.01.2018 for the cities of district significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan dated 11.07.2017 №. 90-VI (for

the cities of district significance, villages, settlements, rural districts with population two thousand and less people shall be enforced from 01.01.2020).

1-2) coordination of solutions of the office of the akim of the city of regional significance, the village, settlement, rural district on management of municipal city property of regional significance, the village, settlement, rural district (municipal property of local government);

2) excluded by the Law of the Republic of Kazakhstan dated 11.07.2017 No. 90-VI (enforcement subparagraph 1) paragraph 1 of article 2).

This edition of subparagraph 3) works from 01.01.2018 for the cities of district significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 No. 90-VI (the current version till 01.01.2020 for the cities of district significance, villages, settlements, rural districts with population two thousand and less people see the archival version of 11.07.2017 of the Law of the Republic of Kazakhstan “On Local Public Administration and Self-government in the Republic of Kazakhstan” of 23.01.2001 No. 148).

3) formation of the commission of local community from among participants of the meeting of local community for monitoring of budget implementation of the city of district significance, the village, the settlement, the rural district;

This edition of subparagraph 4) works from 01.01.2018 for the cities of district significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 No. 90-VI (the current version till 01.01.2020 for the cities of district significance, villages, settlements, rural districts with population two thousand and less people see the archival version of 11.07.2017 of the Law of the Republic of Kazakhstan “On Local Public Administration and Self-government in the Republic of Kazakhstan” dated 23.01.2001 No. 148).

4) hearing and discussion of the report on results of the carried-out monitoring of budget implementation of the city of district significance, the village, the settlement, the rural district;

This edition of subparagraph 4-1) works from 01.01.2018 for the cities of regional significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 No. 90-VI (the current version till 01.01.2020 for the cities of regional significance, villages, settlements, rural districts with population two thousand and less people see the archival version of 11.07.2017 of the Law of the Republic of Kazakhstan “On Local Public Administration and Self-government in the Republic of Kazakhstan” of 23.01.2001 No. 148).

4-1) hearing and discussion of annual reports of akims of the city of regional significance, the settlement, village, rural district about results of implementation of the Plan for management of pastures and to their use;

4-2) discussion of topical issues of the local community, draft regulatory legal acts relating to the rights, freedoms and obligations of citizens, with the exception of draft

regulatory legal acts of local executive bodies, and of akims, providing for the adoption of decisions on the establishment (cancellation) of a quarantine zone with the introduction of quarantine regime in the relevant territory, on the establishment (lifting) of quarantine and (or) restrictive measures in cases provided for by the legislation of the Republic of Kazakhstan in veterinary medicine, as well as declaration of a natural and man-made emergency, and also provision of recommendations on them within the time frames provided for by the Law of the Republic Kazakhstan "On legal acts";

4-3) approval of candidates proposed by the akim of the district (city of regional scale) for the position of akim of the city of district scale, village, township, rural district for further nomination in the case provided for in paragraph 6 of Article 113-3 of the Constitutional Law of the Republic of Kazakhstan “On Elections in the Republic of Kazakhstan”;

4-4) initiation of a question of dismissal of the akim of the city of district significance, settlement, village, rural district;

4-5) introduction of offers to destination heads of the public institutions and the organizations financed from the local budget and located in the respective territories;

5) other current issues of local community.

Part one of point 3-1 shall be enforced from 01.01.2018 for the cities of district significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (for the cities of district significance, villages, settlements, rural districts with population two thousand and less people become effective from 01.01.2020).

3-1. The order of education and activity of a meeting of local community is defined by the regulations of a meeting of local community approved maslikhat the region (the city of regional significance).

The standard regulations of a meeting of local community are approved by authorized body concerning development of local government.

This edition of part one of point 4 works from 01.01.2018 for the cities of district significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (the current version till 01.01.2020 for the cities of district significance, villages, settlements, rural districts with population two thousand and less people see the archival version of 11.07.2017 of the Law of the Republic of Kazakhstan “On Local Public Administration and Self-government in the Republic of Kazakhstan” of 23.01.2001 No. 148).

4. Monitoring is carried out for the purpose of collecting, systematization, the analysis and synthesis of information on execution of the approved indicators of city budget of district significance, the village, settlement, rural district.

This edition of part second of point 4 works from 01.01.2018 for the cities of district significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (the

current version till 01.01.2020 for the cities of district significance, villages, settlements, rural districts with population two thousand and less people see the archival version of 11.07.2017 of the Law of the Republic of Kazakhstan “On Local Public Administration and Self-government in the Republic of Kazakhstan” of 23.01.2001 No. 148).

Monitoring is carried out once in a half-year by members of the commission of local community by comparison of the planned and achieved results of indicators of city budget of district significance, the village, settlement, rural district. In case of need, according to the decision of a meeting of local community, extraordinary monitoring can be carried out.

This edition of a part of the third of point 4 works from 01.01.2018 for the cities of district significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (the current version till 01.01.2020 for the cities of significance, villages, settlements, rural districts with population two thousand and less people see the archival version of 11.07.2017 of the Law of the Republic of Kazakhstan “ On Local Public Administration and Self-government in the Republic of Kazakhstan” dated 23.01.2001 №. 148).

The commission of local community has the right to involve experts to carrying out monitoring of budget implementation of the city of district significance, the village, the settlement, the rural district.

Technical and tutorial guidance on conducting of monitoring shall provide the central authorized body on budget execution.

Report on monitoring results, signed by members of commission of local community, shall be submitted for the discussion of meeting of local community.

This edition of part sixth of point 4 works from 01.01.2018 for the cities of district significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (the current version till 01.01.2020 for the cities of district significance, villages, settlements, rural districts with population two thousand and less people see the archival version of 11.07.2017 of the Law of the Republic of Kazakhstan “ On Local Public Administration and Self-government in the Republic of Kazakhstan” of 23.01.2001 No. 148).

Following the results of discussion of the report on results of monitoring the meeting of local community accepts recommendations about effective budget implementation of the city of district significance, the village, the settlement, the rural district.

This edition of part seventh of point 4 works from 01.01.2018 for the cities of district significance, villages, settlements, rural districts with population more than two thousand people according to the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (the current version till 01.01.2020 for the cities of district significance, villages, settlements, rural districts with population two thousand and less people see the archival version of 11.07.2017 of the Law of the Republic of Kazakhstan “About Local Public Administration and Self-government in the Republic of Kazakhstan” of 23.01.2001 №. 148).

The akim of the respective territory introduces the reasonable conclusion about results of consideration of recommendations about effective budget implementation of the city of district significance, the village, settlement, rural district on another meeting of local community.

5. The gathering of local community may be convened by akims of the city of district significance, village, township, rural district independently or at the initiative not less than ten percent of members of local community, residing in this territory and having a rights to participate in it and signed an application on the need of its convene with an indication of surname, name, patronymic (in its presence) and place of residence.

The initiators of gathering of local community shall be obliged to file an application on holding the gathering of local community to akim of relevant district (city of regional significance).

Holding of gathering of local community shall be allowed upon received a favourable decision of akim of relevant district (city of regional significance).

6. It shall be allowed to hold separate local conventions of residents of the village, microdistrict, street, apartment building.

To conduct a separate convention of a local community, the territory of a city of district scale, a village, a township, a rural district is subdivided into sections (villages, microdistricts, streets, apartment buildings). At separate local community conventions of residents of the village, microdistrict, street, apartment building, no more than three representatives are elected to participate in the local community convention.

The procedure for holding separate conventions of the local community and determining the number of representatives of the residents of the village, microdistrict, street, apartment building to participate in the local community convention shall be developed by akims of cities of district scale, villages, towns, rural districts and approved by maslikhats of districts (cities of regional scale).

The standard procedure for holding separate local community conventions shall be approved by the Government of the Republic of Kazakhstan.

7. Meeting of local community may be convened by akims of city of district significance, village, township, rural district independently or at the initiative of not less than ten percent of members of meeting, delegated by gathering of local community.

8. Holding a local community convention, a separate convention of a local community of residents of a village, microdistrict, street, multi-apartment residential building, a meeting of the local community shall be organized by the akims of the city of district scale, village, township, rural district.

The population of the local community shall be notified of the time, place of local community convention, meetings of the local community and the issues to be discussed no later than ten calendar days before the day they are held through the mass media or in other ways, except for the case referred to in subparagraph 4-3) of paragraph 3 of this article,

according to which the members of the local community meeting are notified of the time and place of convening a meeting of the local community no later than three calendar days before the day of its holding.

9. The local community convention shall be deemed duly constituted with participation of at least ten percent of the local community members living in the given territory and having the right to participate in it.

The meeting of local community shall be recognized as accomplished upon participation in it for at least half of the members, delegated by gathering of local community.

10. The gathering of local community or meeting of local community shall be opened by akims of the city of district significance, village, township, rural district or person authorized by them.

To maintain the gathering of local community and meeting of local community by open ballot shall be elected the dean and secretary of gathering of local community and meeting of local community.

An agenda shall be confirmed by gathering of local community and meeting of local community.

On the gathering of local community or meeting of local community shall be taken a minutes, in which is pointed out:

1) the date and place of holding of gathering of local community and meeting of local community;

2) muster-roll of members of local community, residing on relevant territory and having the right to participate in the gathering of local community or in the meeting of local community;

3) a number and list of presents with an indication of surname, name, patronymic (in its presence);

4) surname, name, patronymic (in its presence) of the dean and secretary of gathering of local community or meeting of local community;

5) an agenda, content of performances and making a decision.

A protocol shall be signed by the dean and secretary of gathering of local community or meeting of local community and transferred to akim of relevant city of district significance, village, township, rural district.

11. Decision of gathering of local community or meeting of local community shall be recognized as accepted, if more than half of the participants of gathering of local community voted for it. Akims of the city of district significance, village, township, rural district shall have the right to cast a dissenting vote with the decision of gathering of local community or meeting of local community, which shall be allowed by reconsideration of issues, caused such dissent.

In case of impossibility of settlement of questions, caused the dissent of akims of the city of district significance, village, township, rural district, an issue shall be solved by superior

akim after its initial discussion on the meeting of maslikhat of relevant district (city of regional significance).

12. Decision, adopted on the gathering of local community or meeting of local community, shall be liable for obligatory consideration by akims of the city of district significance, village, township, rural district.

13. Bodies of local government and self – government, civil servants shall provide execution of decisions within its competence, adopted on the gathering of local community or meeting of local community and approved by akims of the city of district significance, village, township, rural district.

14. The decisions made on a descent of local community or meeting of local community extend through mass media or different ways. In case of need following the results of a descent of local community or a meeting of local community akims of the city of district significance, the village, settlement, rural district make the decision.

Footnote. Article 39-3 is in the wording of the Law of the Republic of Kazakhstan dated 13.06.2013 No 101-V (shall be enforced upon expiry of ten calendar days after its first official publication); with the changes made by laws of the Republic of Kazakhstan dated 02.11.2015 №. 387-V (shall be enforced after ten calendar days after day of its first official publication); dated 20.02.2017 №. 48-VI (shall be enforced after ten calendar days after day of its first official publication); dated 11.07.2017 №. 90-VI (an order of enforcement see Art. 2); dated 03.01.2021 No. 406-VI (effective ten calendar days after the date of its first official publication); dated 24.05.2021 No. 42-VII (effective ten calendar days after the date of its first official publication); dated 30.06.2021 No. 60-VII (effective ten calendar days after the date of its first official publication).

Article 39-4. Obligations of bodies of local self – government

Bodies of local self – government in the exercise its activity shall be obliged:

- 1) to observe the Constitution and the legislation of the Republic of Kazakhstan;
- 2) not to allow making decisions, of not relevant to national internal and external policy, as well as financial and investment;
- 3) not to allow making decisions, defeated to formation of single labor market, capital, free exchange of goods and services, to formation and development of cultural and informational united area of the Republic of Kazakhstan;
- 4) to serve the interests of the Republic of Kazakhstan in providing of national security of the Republic of Kazakhstan;
- 5) to maintain the national standards, establishing in socially significant spheres of activity;
- 6) to provide a loyalty and legal interests of members of local community;
- 7) to adhere the principles of publicity and openness, consideration of public opinion in the exercise of its activity, provide possibility of free access of members of local community on the meeting of bodies of local self – government;

8) to provide participation of members of local community in the decision of issues of local significance.

Article 39-5. Relationships of state bodies with bodies of local self - government

1. State bodies shall establish necessary legal, organizational and other conditions for making and developing of local self – government, provide an assistance to population in exercising of a right on the local self – government in accordance with the legislative acts of the Republic of Kazakhstan and other regulatory legal acts, including methodological and information support of activity of bodies of local self – government.

2. The State shall guarantee independence of bodies of local self – government within its powers, established by this Law.

Article 39-6. Responsibility of bodies of local self – government

Local governments bear responsibility to the population of the corresponding administrative and territorial units according to laws of the Republic of Kazakhstan.

Footnote. Article 39-6 with the change made by the Law of the Republic of Kazakhstan of 11.07.2017 №. 90-VI (shall be enforced after ten calendar days after day of its first official publication).

Article 39-7. Territorial councils of local government

1. Territorial councils of local self-government shall be created on the basis of decision of the maslikhat of the city of republican significance, the capital city, the city of regional significance by the relevant akimat within the boundaries of the relevant electoral district for the election of deputies of the city maslikhat in the composition, proposed by the mayor of the city.

2. The activity form, the main objectives, powers of territorial council of local government, his head, an order of its election, the status of the made decisions and other organizational issues of activity of territorial council of local government are defined by the provision drafted by akimat of the city of republican significance, the capital, city of district significance and approved maslikhaty the cities of republican significance, the capital, the city of district significance on a basis the model position.

The standard provision on territorial councils of local government is approved by authorized body concerning development of local government.

Footnote. Chapter 3-1 is supplemented with article 39-7 according to the Law of the Republic of Kazakhstan dated 02.11.2015 №. 387-V (shall be enforced after ten calendar days after day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 29.06.2018 № 163-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

Chapter 4. Concluding and transitional period provisions

Article 40. Local budget

Footnote. Article is excluded by the Law of the Republic of Kazakhstan dated 09.02.2009 No 126 (the order of enforcement see Article 2).

Article 41. Correlation of this Law with other legislative acts and procedure of realization its provisions

1. Provisions of this Law shall be the basic for adoption of other regulatory legal acts, regulating separate directions and facilitating mechanisms of local government and self – government of the Republic of Kazakhstan.

2. The Legislation of the Republic of Kazakhstan, enter into force of this Law, shall apply in the part, without prejudice on it, and during a year from the date of its entry into force should be brought in accordance with this Law.

3. To suspend until January 1st, 2019 the validity of paragraphs 3 and 4 of Article 20, having established that during the suspension period, these paragraphs shall be valid in the following wording:

"3. The powers of a deputy of the maslikhat shall be prematurely terminated in cases of:

1) his/her election or appointment to a position, the occupation of which in accordance with the Law is incompatible with the performance of deputy duties;

2) entry into force of the court decision on recognition of him/her as incapable or partially capable;

3) termination of powers of the maslikhat;

4) his/her death, the entry into force of the court decision on recognition of him/ her missing or declaring him/her dead;

5) termination of citizenship of the Republic of Kazakhstan;

6) entry into force of the court conviction for committing a crime or intentional criminal offence against him/her;

7) his/her departure for permanent residence outside the relevant administrative-territorial unit;

8) in connection with his/her personal statement on resignation;

9) systematic non-fulfillment of his/her duties, including absence of more than three times in a row without good reason at the plenary sessions of the maslikhat or meetings of the maslikhat bodies, to which he/she was elected;

10) his/her appointment to the post of chairman of the audit commission or a member of the audit commission of the region, the city of republican significance, the capital city.

4. The decision on early termination of powers of the deputy shall be taken at the maslikhat session by a majority vote of the total number of deputies present on the proposal of the relevant territorial election commission."

Footnote. Article 41 as amended by the Law of the Republic of Kazakhstan dated 29.06.2018 No. 163-VI (shall be enforced upon expiry of ten calendar days after its first official publication).

© 2012. «Institute of legislation and legal information of the Republic of Kazakhstan» of the Ministry of Justice of the Republic of Kazakhstan