

On Diplomatic Service of the Republic of Kazakhstan

Unofficial translation

The Law of the Republic of Kazakhstan dated 7 March, 2002 No. 299.

Unofficial translation

Footnote. In the text the word “sources of the republican budget” is substituted by the word “budget sources” by the Law of the Republic of Kazakhstan dated 20.12.2004 No. 13 (shall be enforced from 01.01.2005).

Throughout the text, the words "of civil service legislation", "the legislation of the Republic of Kazakhstan on civil service", the words "on civil service" are replaced by the words "the legislation of the Republic of Kazakhstan in the field of civil service", "the legislation of the Republic of Kazakhstan in the field of civil service", “in the field of civil service” Law of the Republic of Kazakhstan dated 23.11.2015 No. 417-V (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

The Law determines legal bases, as well as order of the organization of the diplomatic service activity of the Republic of Kazakhstan.

Chapter 1. General provisions

Article 1. Basic concepts used in this Law

The following basic concepts are used in this Law:

1) diplomatic courier "ad hoc" - an individual to whom a courier list is issued, delivering diplomatic mail;

2) bag - a package, envelope, sack, suitcase, other containers intended for transportation of diplomatic mail;

3) diplomatic courier - the staff of the diplomatic service of the Republic of Kazakhstan, who, in accordance with the procedure established by the legislation of the Republic of Kazakhstan, holds a public position paid from the republican budget in the bodies of the diplomatic service, engaged in planning, completing, processing, sending, delivering and accepting diplomatic mail, on whom a courier sheet is issued;

4) organization for work with diplomatic missions - a legal entity determined by the Government of the Republic of Kazakhstan, which is entrusted with servicing diplomatic missions, international organizations and (or) their representative offices, consular institutions accredited in the Republic of Kazakhstan, and heads, members of the staff of diplomatic missions, international organizations and (or) their representative offices, employees of consular offices in the Republic of Kazakhstan.

This Law and other laws of the Republic of Kazakhstan may assign other functions to the organization for work with diplomatic missions;

5) diplomatic mail - official unclassified or secret correspondence, objects or equipment, whose belonging to the diplomatic mail is confirmed by a courier sheet;

6) courier list - an official document of the Ministry of Foreign Affairs or a foreign institution confirming the status of a diplomatic mail, a diplomatic courier and a diplomatic courier "ad hoc";

7) a veteran of the diplomatic service of the Republic of Kazakhstan (hereinafter referred to as a veteran of the diplomatic service) - a person who previously held the position of personnel of the diplomatic service of the Republic of Kazakhstan, who has a total work experience of at least twenty-five years, including ten years of work in the diplomatic service, and has reached retirement age in accordance with the legislation of the Republic of Kazakhstan on pension provision;

8) employees of the diplomatic service of the Republic of Kazakhstan (hereinafter - employees of the diplomatic service) - civil servants holding full-time administrative and technical positions in the bodies of the diplomatic service;

9) employees of the diplomatic service of the Republic of Kazakhstan (hereinafter referred to as employees of the diplomatic service) - civil servants holding full-time diplomatic positions in the diplomatic service bodies, having, as a rule, a diplomatic rank and exercising rights and obligations in order to implement the tasks and functions assigned to the diplomatic service bodies;

10) personnel of the diplomatic service of the Republic of Kazakhstan (hereinafter - the personnel of the diplomatic service) - employees of the diplomatic service and workers of the diplomatic service;

11) accompanying family members of the staff of the diplomatic service of the Republic of Kazakhstan (hereinafter referred to as the accompanying family members of the staff of the diplomatic service) - spouse, minor children, minor adopted children, as well as disabled adult children and (or) parents of the staff of the diplomatic service, in need of care in accordance with the conclusion of a medical organization issued in accordance with the procedure established by the legislation of the Republic of Kazakhstan.

The procedure for including the persons specified in part one of this subparagraph, as well as exceptional cases of including disabled parents in the number of accompanying family members of the personnel of the diplomatic service are determined in the rules for the rotation of personnel of the diplomatic service of the Republic of Kazakhstan;

12) family members of the personnel of the diplomatic service of the Republic of Kazakhstan (hereinafter referred to as a family member of the personnel of the diplomatic service) - spouse (wife), children, adopted children, as well as parents of the personnel of the diplomatic service;

13) the diplomatic service of the Republic of Kazakhstan (hereinafter referred to as the diplomatic service) is the professional activity of citizens of the Republic of Kazakhstan in the bodies of the diplomatic service, carried out in accordance with the Constitution of the Republic of Kazakhstan, this Law, other regulatory legal acts and international treaties of the Republic of Kazakhstan;

14) consular service of the Republic of Kazakhstan - a part of the diplomatic service, whose activities are aimed at ensuring the protection of the rights and interests of the state, citizens and legal entities of the Republic of Kazakhstan within the limits permitted by international law, as well as at assisting in the development of friendly relations of the Republic of Kazakhstan with other states and expansion of economic, trade, scientific, technical, humanitarian and cultural ties and cooperation in the field of tourism.

The Consular Service of the Republic of Kazakhstan carries out its work in accordance with the Consular Charter of the Republic of Kazakhstan, approved by the President of the Republic of Kazakhstan;

15) Ambassador Extraordinary and Plenipotentiary of the Republic of Kazakhstan - a political civil servant authorized by the President of the Republic of Kazakhstan to represent the Republic of Kazakhstan in relations with one or more foreign states;

16) Permanent (Plenipotentiary) Representative of the Republic of Kazakhstan to an international organization - a political civil servant authorized by the President of the Republic of Kazakhstan to represent the Republic of Kazakhstan in relations with one or more international organizations;

17) personnel reserve of the Ministry of Foreign Affairs - a systematized list of persons who previously held the positions of the personnel of the diplomatic service, who apply for vacant or temporarily vacant positions in the bodies of the diplomatic service, formed in accordance with the procedure established by the legislation of the Republic of Kazakhstan;

18) foreign institutions - diplomatic and equivalent representations located abroad, as well as consular offices of the Republic of Kazakhstan.

Footnote. Article 1 as amended by the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 2. The Legislation of the Republic of Kazakhstan on the diplomatic service

1. The legislation of the Republic of Kazakhstan on the diplomatic service shall be based on the Constitution of the Republic of Kazakhstan and consist of this Law, the legislation on the state service in the part not regulated by this Law, other regulatory legal acts and international treaties of the Republic of Kazakhstan.

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

Article 3. Status of the bodies of the diplomatic service

Bodies of the diplomatic service are the state bodies carrying out the foreign political activity of the Republic of Kazakhstan.

Article 4. Unified system of the diplomatic service

The unified system of the diplomatic service is formed by the Ministry of Foreign Affairs, its departments, the Representative Office of the Ministry of Foreign Affairs in Almaty, foreign institutions, as well as subordinate organizations, research and educational institutions under the jurisdiction of the Ministry of Foreign Affairs.

Unified system of the diplomatic service shall be headed by the Ministry of Foreign Affairs.

Footnote. Article 4 as amended by the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 5. Objectives of the bodies of the diplomatic service

Following objective shall be fastened of the bodies of the diplomatic service:

- 1) elaboration of conception and basic directions of the foreign policy of the Republic of Kazakhstan and presentation of the relevant suggestions to the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan;
- 2) elaboration of the suggestions on the foreign political and foreign economic strategies of the Republic of Kazakhstan for the President of the Republic of Kazakhstan and realization of the international initiatives of the President;
- 3) realization of the foreign political course of the Republic of Kazakhstan, supporting the carrying out of the foreign economic policy and consolidation of the international authority of the Republic of Kazakhstan;
- 4) provision by diplomatic sources and methods of protection of the sovereignty, safety, territorial integrity and inviolability of borders of the Republic of Kazakhstan, its political, trade and economic and other interests on the mutual relationship with the other states on the international stage;
- 5) protection of the rights and interests of citizens and legal entities of the Republic of Kazakhstan abroad;
- 6) realization by diplomatic sources and methods of efforts of the Republic of Kazakhstan on provision of the international peace, global and regional safety;
- 7) carrying out of the diplomatic and consular relations of the Republic of Kazakhstan with the foreign states, international organizations;
- 8) coordination of international activities of other state bodies in order to ensure implementation of an unified foreign policy, foreign economic policy and investment policy

of the Republic of Kazakhstan in relations with foreign states and international organizations in a manner approved by the President of the Republic of Kazakhstan;

8-1) coordination of activities of state bodies and other organizations in the field of official assistance for the development;

8-2) conducting all official business with diplomatic missions, international organizations and (or) their representative offices, as well as consular institutions accredited in the Republic of Kazakhstan;

9) analysis of the political and social and economic position in the world, foreign and internal policy of the foreign states, activity of the international organizations and provision of the international central state bodies by the necessary information.

Footnote. Article 5 as amended by the Laws of the Republic of Kazakhstan dated 10.12.2014 № 264-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 6. Basic functions of the bodies of the diplomatic service

On the bodies of the diplomatic service shall be imposed:

1) represent the Republic of Kazakhstan in relations with foreign states and international organizations;

2) implementation of the foreign policy of the Republic of Kazakhstan;

3) organization of the performance of conversations and conclusion of international treaties of the Republic of Kazakhstan;

4) preparation of proposals on concluding, executing, suspending and denouncing international treaties, submitting them in due course for consideration by the President or the Government of the Republic of Kazakhstan;

5) presentation of suggestions and recommendations on questions of relations of the Republic of Kazakhstan with foreign states and international organizations to the President, the Parliament and the Government of the Republic of Kazakhstan in established manner;

6) provision of the participation of the Republic of Kazakhstan in activity of the international organizations, conferences, advisements, forums, supporting increasing of role of the Republic of Kazakhstan as member of the international community in decisions of global and regional problems;

7) participation in provision of interests of the Republic of Kazakhstan in the scope of international security and rational use of the water resources and environment, development of resources of the World's water, exploration of the cosmic space;

8) participation in the elaboration of the events on provision of the rights and freedom of citizens of the Republic of Kazakhstan, its defense and national safety, law enforcement, development and widening of trade and economic, financial, scientific and scientific and

technical, cultural as well as other links of the Republic of Kazakhstan with foreign states and international organizations;

9) carrying out of general supervision and control for performance of the international treaties participant of which is the Republic of Kazakhstan;

10) preparation of the suggestions on perfection of the legislation of the Republic of Kazakhstan in the scope of the international relations, coordinating it with the international and legal obligations of the Republic of Kazakhstan;

11) protocolary and organizational provision of the intrastate and international events of the Republic of Kazakhstan;

12) carrying out of the control for observance of the State protocol by the state bodies of the Republic of Kazakhstan upon performance of intrastate and international events on the territory of the Republic of Kazakhstan;

13) carrying out of the control for observance of the diplomatic and consular privileges and immunities;

14) supporting the carrying out of interparliamentary links of the Republic of Kazakhstan with other countries;

15) implementation of consular functions on the territory of the Republic of Kazakhstan and abroad regulated by international legal norms and legislation of the Republic of Kazakhstan;

16) promoting the development of ties and contacts with compatriots living abroad;

17) provision of the functioning of unified state system registration, record and storage of the international treaties of the Republic of Kazakhstan;

18) assistance to the functioning of diplomatic missions and consular offices on the territory of the Republic of Kazakhstan, exercise within its competence of control over the activities of organizations serving them;

19) participation in the international events on the prevention of the famine and backwardness, terrorism, extremism, organized crime and illegal drug, psychotropic substance and their analogues, precursor and weapon trafficking as well as on liquidation of the consequences of the emergency conditions of natural and technogenic nature;

20) promoting the dissemination of information abroad about the foreign and domestic policy of the Republic of Kazakhstan, the socio-economic, cultural and spiritual life of the country;

21) carrying out of functions of depository of the international treaties concluded by the Republic of Kazakhstan;

22) supporting the effective use of intransit-transport potential of the Republic of Kazakhstan and participation in the elaboration and performance of unified state policy on collaboration of the Republic of Kazakhstan with the world community in the energetic and oil and gas industry within its competence;

23) cooperation on questions of its competence with the state bodies of the Republic of Kazakhstan and other organizations;

24) informing of the state bodies of the Republic of Kazakhstan, mass media on the international position and foreign policy of the Republic of Kazakhstan;

25) supporting the improvement of the investment climate and formation of the positive reputation of the Republic of Kazakhstan on the international markets;

26) supporting the attracting investment as well as loans and grants provided by the international economic and financial organizations for realization of documents of the System of state planning of the Republic of Kazakhstan, priority project.

27) supporting the improvement of the Kazakhstani products and services on the international market;

27-1) serve, record, storage and elimination of the diplomatic and official passports of the Republic of Kazakhstan in the manner determined by the President of the Republic of Kazakhstan;

27-2) implementation of the main directions of the state policy of the Republic of Kazakhstan in the field of official assistance for the development;

27-3) development and approval of an action plan for official assistance for the development;

27-4) accounting and analysis of official assistance for the development;

27-5) provision of information support for the activities of the Republic of Kazakhstan in the field of official assistance for the development;

27-6) submission to the Government of the Republic of Kazakhstan of an annual report on implementation of official assistance for the development;

27-7) assessing the effectiveness of projects of official assistance for the development;

27-8) implementation of:

registration of a diplomatic mission, an international organization and (or) its representative office, a consular office;

accreditation of heads, staff members of diplomatic missions, international organizations and (or) their representative offices, employees of consular offices in the Republic of Kazakhstan;

27-9) process approval of:

registration of a diplomatic mission, an international organization and (or) its representative office, a consular office;

accreditation of heads, staff members of diplomatic missions, international organizations and (or) their representative offices, employees of consular offices in the Republic of Kazakhstan;

27-10) development of the procedure for planning, acquisition, execution, sending, delivery, acceptance and storage of diplomatic mail, approved by the Government of the Republic of Kazakhstan;

27-11) development of a list of state bodies and organizations of the Republic of Kazakhstan that have the right to use diplomatic mail, approved by the Government of the Republic of Kazakhstan;

27-12) development and approval, in agreement with the central authorized body for execution of the budget, of the instruction on procedure for applying the general provisions on accounting in foreign institutions;

27-13) development of a regulation on the diplomatic and equivalent representation of the Republic of Kazakhstan, approved by the President of the Republic of Kazakhstan;

27-14) development and approval of the procedure for the payment of a one-time compensation in the event of the death of an employee of the diplomatic service or a worker of the diplomatic service in the performance of official duties abroad or death within a year as a result of an injury received in the performance of official duties abroad, establishing his disability resulting from diseases, injuries (wounds, injuries, concussions) received in the performance of official duties abroad, and injuries (wounds, injuries, concussions) that did not (have not resulted) result in disability while on duty abroad;

28) carrying out of the other functions provided by the legislation of the Republic of Kazakhstan.

Footnote. Article 6 as amended by the Laws of the Republic of Kazakhstan dated 27.12.2010 No. 366-IV (shall be enforced from 01.01.2011); dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 03.11.2014 No 244-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 10.12.2014 № 264-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 20.06.2017 № 77-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 7. Link, archive, safety and printed publication

1. Bodies of the diplomatic service have an independent link and archive.
2. The bodies of the diplomatic service use their own telecommunications network and diplomatic mail.
3. Originals and (or) authentic copies of the international treaties as well as other materials are necessary for carrying out of the carrying out of its activity.
4. Bodies of the diplomatic service organize the security system of the facilities belonging to them on the territory of the Republic of Kazakhstan and abroad.

Requirements for ensuring information security, engineering, technical, special and physical protection of foreign institutions are developed by the national security authorities of the Republic of Kazakhstan and approved by the Government of the Republic of Kazakhstan.

5. Bodies of the diplomatic service have a right to publish the printed publication in accordance with the legislation of the Republic of Kazakhstan.

Footnote. Article 7 as amended by the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 7-1. Diplomatic mail

1. Diplomatic mail is intended to ensure the activities of the diplomatic service, to prevent the disclosure of information contained in the diplomatic mail, as well as to establish operational communication between the bodies of the diplomatic service.

Acquisition, registration, sending, delivery, acceptance and storage of diplomatic mail containing state secrets, as well as official information of limited distribution, are carried out in compliance with the requirements for the protection of information constituting state secrets and official information of limited distribution, in accordance with the legislation of the Republic of Kazakhstan.

Diplomatic mail is not a subject of regulation of the legislation of the Republic of Kazakhstan on mail.

2. The Ministry of Foreign Affairs and foreign institutions carry out planning, acquisition, registration, sending, delivery, acceptance and storage of diplomatic mail.

3. State bodies and organizations of the Republic of Kazakhstan, which have the right to use diplomatic mail, send correspondence, items or equipment through diplomatic mail to carry out their activities.

4. If the state bodies and officials of the Republic of Kazakhstan have sufficient grounds to believe that the diplomatic mail contains correspondence, items or equipment prohibited for movement, the examination and opening of the diplomatic mail are carried out in the presence of a diplomatic courier or a diplomatic courier "ad hoc" or other authorized representative of the bodies of the diplomatic service.

5. In order to protect against unauthorized access to the diplomatic mail, the bag with the diplomatic mail can be equipped with special protective equipment.

6. Responsibility for the contents of the diplomatic mail rests with the heads of state bodies and organizations, as well as the personnel of foreign missions that submit correspondence, items or equipment for their sending by diplomatic mail.

7. Diplomatic couriers and diplomatic couriers "ad hoc" are under the protection of the state in the performance of their duties for the delivery of diplomatic mail and ensuring its safety and security.

State bodies, organizations and officials of the Republic of Kazakhstan, within their competence, should assist in the delivery of diplomatic mail and ensure its safety and security

In case of loss of diplomatic mail on the territory of the Republic of Kazakhstan, actions to search for and ensure the protection of diplomatic mail are carried out by the bodies of the diplomatic service and other state bodies of the Republic of Kazakhstan in accordance with their competence established by the legislation of the Republic of Kazakhstan.

In case of loss of diplomatic mail on the territory of a foreign state, actions to establish the location and ensure the protection of diplomatic mail are carried out by the diplomatic service bodies in agreement with the subjects of foreign intelligence.

8. Ministry of Foreign Affairs:

1) carries out planning, acquisition, execution, acceptance and storage of diplomatic mail, organizes the delivery of diplomatic mail outside the territory of the Republic of Kazakhstan and to the territory of the Republic of Kazakhstan from abroad;

2) takes, within its competence, measures to ensure the safety and security of diplomatic mail during its delivery;

3) ensures the execution and issuance of the necessary documents to diplomatic couriers and diplomatic couriers "ad hoc" for the delivery of diplomatic mail;

4) interacts with the state bodies of the Republic of Kazakhstan and organizations on the issues of diplomatic mail, including by signing joint regulatory legal acts;

5) involves other legal entities in organizing the delivery of diplomatic mail in accordance with the legislation of the Republic of Kazakhstan.

9. Foreign office:

1) carries out the acquisition, execution, acceptance and storage of diplomatic mail, organizes the delivery of diplomatic mail to other foreign institutions coming from the Ministry of Foreign Affairs;

2) carries out the acquisition, storage, registration of diplomatic mail for delivery to the Ministry of Foreign Affairs;

3) organizes the delivery of diplomatic mail to the Ministry of Foreign Affairs;

4) takes, within its competence, measures to ensure the safety and security of diplomatic mail during its delivery;

5) ensures the execution and issuance of the necessary documents to diplomatic couriers and diplomatic couriers "ad hoc" for the delivery of diplomatic mail.

Footnote. Chapter 1 is supplemented by Article 7-1 in accordance with the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 2. Stuff of the diplomatic service, nomination of the diplomatic offices

Article 8. Stuff of the diplomatic service

1. Stuff of the diplomatic service consist of:

1) servants of the diplomatic service;

2) employees of the diplomatic service.

2. (Is excluded by the Law of the Republic of Kazakhstan dated 22 May, 2006 No. 143 (order of enforcement see Article 2 of the Law).

Article 9. Entry on the service in the bodies of the diplomatic service

1. A citizen of the Republic of Kazakhstan who has a higher education, is fluent in Kazakh, Russian and foreign languages and has the appropriate business, moral, professional qualities and health status to perform the duties assigned to him may be appointed to a diplomatic position.

2. Minister for Foreign Affairs of the Republic of Kazakhstan shall be appointed of the service and shall be excused from office by the President of the Republic of Kazakhstan.

Extraordinary and plenipotentiary ambassadors of the Republic of Kazakhstan, permanent (plenipotentiary) representatives of the Republic of Kazakhstan to international organizations are appointed and dismissed by the President of the Republic of Kazakhstan.

If the statutory or other documents of the international organization stipulate that permanent (plenipotentiary) representatives to international organizations are appointed not by the heads of state, then the Permanent (Plenipotentiary) representative of the Republic of Kazakhstan to an international organization does not have the status of a political civil servant

The President of the Republic of Kazakhstan may confer powers to the Extraordinary and Plenipotentiary Ambassadors of the Republic of Kazakhstan to represent the Republic of Kazakhstan in relations with several foreign states and international organizations in combination.

By the decision of the President of the Republic of Kazakhstan, extraordinary and plenipotentiary ambassadors of the Republic of Kazakhstan may be appointed with a place of location in the Republic of Kazakhstan.

The procedure for organizing the activities of extraordinary and plenipotentiary ambassadors of the Republic of Kazakhstan in combination and extraordinary and plenipotentiary ambassadors of the Republic of Kazakhstan with a place of location in the Republic of Kazakhstan is determined by the President of the Republic of Kazakhstan.

Deputy Ministers of Foreign Affairs of the Republic of Kazakhstan, heads of departments are appointed and dismissed in accordance with the legislation of the Republic of Kazakhstan.

Appointment to other positions and dismissal from the diplomatic service in the Ministry of Foreign Affairs are made by the Minister of Foreign Affairs of the Republic of Kazakhstan.

Appointment to other positions and dismissal from the diplomatic service in foreign institutions are made by the Minister of Foreign Affairs of the Republic of Kazakhstan.

Appointment to the positions of the diplomatic service is carried out in accordance with the procedure provided for by this Law, the Law of the Republic of Kazakhstan "On public service of the Republic of Kazakhstan".

3. Entry of the service in the bodies of the diplomatic service shall be carried out after passing of obligated special examination by citizens.

4. The personnel of the diplomatic service who returned to the Republic of Kazakhstan after work abroad, in rotation, shall be appointed to a position no lower than the one he held in the Ministry of Foreign Affairs, unless he was subjected to penalties provided for in Article 22 of this Law.

4-1. The personnel of the diplomatic service who returned to the Republic of Kazakhstan after the end of their work in international organizations and were in the diplomatic service immediately before being assigned to work in an international organization are appointed to a position in the Ministry of Foreign Affairs without a competitive selection within three months from the date of dismissal from a position in an international organization.

5. For persons entering the diplomatic service for the first time, an obligatory probationary period is established in the manner determined by the legislation of the Republic of Kazakhstan in the sphere of public service.

6. The diplomatic service bodies cannot accept persons in cases provided by the legislation of the Republic of Kazakhstan in the field of public service, and also those dismissed for negative reasons from the public service.

Footnote. Article 9 as amended by the Laws of the Republic of Kazakhstan dated 22.05.2006 No. 143 (order of enforcement see Article 2); dated 29.04.2009 No. 154-IV (order of enforcement see Article 2); dated 27.12.2010 No. 366-IV (shall be enforced from 01.01.2011); dated 04.07.2014 № 233-V (shall be enforced from 01.01.2015); dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 20.06.2017 № 77-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 30.12.2020 No. 393-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 9-1. Personnel reserve of the Ministry of Foreign Affairs

1. Upon termination of work in the diplomatic service bodies, the personnel of the diplomatic service shall be included in the personnel reserve of the Ministry of Foreign Affairs. The rules for including into the personnel reserve of the Ministry of Foreign Affairs are approved by the Minister of Foreign Affairs of the Republic of Kazakhstan.

2. Persons included into the personnel reserve of the Ministry of Foreign Affairs have the right to participate in the internal competition for a vacant or temporarily vacant administrative public post of the "B" block of the Ministry of Foreign Affairs in accordance with the legislation of the Republic of Kazakhstan in the field of public service.

Footnote. Chapter 2 is supplemented by Article 9-1 in accordance with the Law of the Republic of Kazakhstan dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Chapter 3. Diplomatic rank

Article 10. Diplomatic ranks

Servants of the diplomatic service with account of the holding office and qualification shall be assigned by following diplomatic ranks:

- 1) attache;
- 2) Third Secretary;
- 3) Second Secretary of II class;
- 4) Second Secretary of I class;
- 5) First Secretary of II class;
- 6) First Secretary of I class;
- 7) councilor of II class;
- 8) councilor of I class;
- 9) Extraordinary and Plenipotentiary Envoy of II class;
- 10) Extraordinary and Plenipotentiary Envoy of I class;
- 11) Extraordinary and Plenipotentiary Ambassador

Article 11. Order of the assignment the diplomatic ranks

1. Diplomatic ranks of the Extraordinary and Plenipotentiary Ambassador, Extraordinary and Plenipotentiary Envoy of I and II classes shall be assigned by the President of the Republic of Kazakhstan on the presentation of the Minister for Foreign Affairs of the Republic of Kazakhstan.

Presentation on the assignment of the above mentioned diplomatic ranks shall be proposed by the Minister for Foreign Affairs of the Republic of Kazakhstan to the President of the Republic of Kazakhstan in recognition of effectiveness of the participation in the realization of the foreign policy of the Republic of Kazakhstan and effectiveness of the participation in the realization of the foreign political initiatives of the President of the Republic of Kazakhstan.

The diplomatic rank of the Ambassador Extraordinary and Plenipotentiary may be assigned to the employees of the diplomatic service who have at least two years of diplomatic service in the position of the Ambassador Extraordinary and Plenipotentiary of the Republic of Kazakhstan, Permanent (Plenipotentiary) representative of the Republic of Kazakhstan to the international organization.

The diplomatic rank of Envoy Extraordinary and Plenipotentiary of the 1st class can be assigned to employees of the diplomatic service holding the position of Minister of Foreign

Affairs of the Republic of Kazakhstan, Ambassador Extraordinary and Plenipotentiary of the Republic of Kazakhstan, Permanent (Plenipotentiary) Representative of the Republic of Kazakhstan to an international organization, Deputy Minister of Foreign Affairs of the Republic of Kazakhstan.

Diplomatic rank of the Plenipotentiary Envoy of II class may be assigned to the servants of the diplomatic service holding the office no lower than chairman of committee, ambassador-at-large of the Ministry of Foreign Affairs, director of the department, charge of affairs of the Republic of Kazakhstan, consul general of the Republic of Kazakhstan.

Other diplomatic ranks shall be assigned by the Minister for Foreign Affairs of the Republic of Kazakhstan.

The procedure for assigning diplomatic ranks is approved by the President of the Republic of Kazakhstan.

2. Diplomatic rank of the servant generally shall be corresponded by the holding office of the diplomatic service or be higher or lower on one stage of it.

3. Assignment of the diplomatic ranks shall be confirmed by the serve of relevant certificate and writing in the employment sheet (service record). Diplomatic rank shall be assigned and preserved until death, with exceptions of cases provided in Article 13 of this Law.

Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 27.12.2010 No. 366-IV (shall be enforced from 01.01.2011); dated 20.06.2017 № 77-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 30.12.2020 No. 393-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 12. Terms of the tenure in the diplomatic ranks

1. Following terms of the tenure in the diplomatic ranks shall be established for servants of the diplomatic service:

- 1) for attache, Third Secretary, Second Secretary of II and I classes – two years;
- 2) for the First Secretary of II and I classes, councilor of II class – three years. Term of tenure from councilor of I class and lower shall not be established.

2. In terms of tenure of the servants of the diplomatic service in the diplomatic ranks shall be counted:

- 1) work in the Ministry of Foreign Affairs and its jurisdictional organizations;
- 2) work in the foreign establishment;
- 3) work in the representatives of the Ministry of Foreign Affairs on the territory of the Republic of Kazakhstan;
- 4) work in the Ministries of Foreign Affairs of former USSR and union republics;
- 5) work in the international organizations;

6) scientific or scholastic activity in the higher education establishments and scientific institutions of the Ministry of Foreign Affairs;

7) advanced training on the line of the Ministry of Foreign Affairs in the educational and scientific institutions;

8) education of the temporary directed by the Ministry of Foreign Affairs in the higher education establishments, postgraduate studentship, doctoral candidacy and scientific institutions.

Article 13. Preschedule and extraordinary assignment, abasement, deprivation and recovery of the diplomatic rank

1. Servants of the diplomatic service may be raised in the rank until expiry of the established term (preschedule assignment of rank) or without observance of the order of its assignment (assignment of the extraordinary rank) in the particular cases in the presence of their significant gains in work or special service.

2. In the event that employees of the diplomatic service, as well as persons who have retired from the Ministry of Foreign Affairs, commit acts that entail liability under the laws of the Republic of Kazakhstan or the legislation of the host country, they may be reduced in diplomatic rank or deprived of diplomatic rank.

Upon dismissal from the system of bodies of the diplomatic service for violation of official discipline, the commission of an administrative corruption offense, an employee of the diplomatic service is simultaneously deprived of his diplomatic rank.

The deprivation of an employee of the diplomatic service of a diplomatic rank or reduction, as well as his restoration in rank, are carried out in the same manner as the assignment of a diplomatic rank.

Footnote. Article 13 as amended by the Law of the Republic of Kazakhstan dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 4. Serving of the diplomatic service

Article 14. Civil movements, holding of offices in the bodies of the diplomatic service

1. Civil movements of the staff of the diplomatic service shall be carried out in accordance with the service exigency, in recognition of the qualification, professional training, principle of rotation and skilled employees' specialization.

Occupation of vacant positions in the diplomatic service bodies is carried out in accordance with this Law, as well as the legislation of the Republic of Kazakhstan in the field of public service.

2. Servant of the diplomatic service may be raised in the office no more than one time with exception of cases when term of stay in the foreign country is extended due to need of the service in the period of work in the foreign establishment.

Footnote. Article 14 as amended by the Law of the Republic of Kazakhstan dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 15. Rotation

1. In the bodies of the diplomatic service, the rotation of the personnel of the diplomatic service is carried out in accordance with the rules approved by the Minister of Foreign Affairs of the Republic of Kazakhstan.

As part of the rotation, the personnel of the diplomatic service, taking into account their professional training and specialization, are sent to work in the bodies of the diplomatic service abroad or carry out their activities in the structural subdivisions of the Ministry of Foreign Affairs.

2. Rotation of the personnel of the diplomatic service is divided into the following types:

1) external - relocations from the Ministry of Foreign Affairs to the foreign missions and from foreign missions to the Ministry of Foreign Affairs, as well as between foreign missions, carried out without competitive selection.

External rotation also includes an appointment to the post of the Extraordinary and Plenipotentiary Ambassador of the Republic of Kazakhstan with a place of location in the Republic of Kazakhstan;

2) internal - relocations between structural divisions of the Ministry of Foreign Affairs, carried out without competitive selection, in cases provided for by this Law and the legislation of the Republic of Kazakhstan in the field of public service.

3. Persons entered on the diplomatic service at the first time in recognition of their professional and language knowledge may be directed on the work in the foreign establishments only upon expiry of one year of work in the structural divisions of the Ministry of Foreign Affairs;

The period of work in the structural subdivisions of the Ministry of Foreign Affairs during the period between work in foreign institutions should be at least two years for employees of the diplomatic service, for workers of the diplomatic service at least one year.

4. For the personnel of the diplomatic service, the following terms of continuous work in the foreign missions are established:

1) for extraordinary and plenipotentiary ambassadors of the Republic of Kazakhstan, permanent (plenipotentiary) representatives of the Republic of Kazakhstan to international organizations - not more than five years;

2) for persons sent to work as heads of foreign missions, with the exception of persons indicated in subparagraph 1) of part one of this paragraph, - not more than four years;

3) for minister-counsellors, deputies of permanent (plenipotentiary) representatives of the Republic of Kazakhstan to international organizations, as well as the personnel of the diplomatic service, who speak rare foreign languages, - not more than four years;

4) for the personnel of the diplomatic service, except for the persons specified in subparagraphs 1), 2) and 3) of the part one of this paragraph, - not more than three years.

The terms of continuous work of extraordinary and plenipotentiary ambassadors of the Republic of Kazakhstan, permanent (plenipotentiary) representatives of the Republic of Kazakhstan to international organizations in case of official need may be extended by the President of the Republic of Kazakhstan.

The terms of continuous work of the persons indicated in subparagraphs 2), 3) and 4) of the part one of this paragraph may be extended by the Minister of Foreign Affairs of the Republic of Kazakhstan, but for not more than one year.

5. Refusal to depart to the work in the foreign establishment without reasonable excuses shall be a disciplinable offense and may be a ground for imposition of disciplinary penalty.

List of the reasons, recognized as excusable for the refusal from the departure on the work in the foreign establishment shall be established by the Minister for Foreign Affairs of the Republic of Kazakhstan.

6. When sent to work in the bodies of the diplomatic service abroad, the staff of the diplomatic service is paid a lump sum allowance in the amount determined by the legislation of the Republic of Kazakhstan.

7. Paragraph 3 of this article does not apply:

1) for the cases provided for in Article 15-2 of this Law;

2) political civil servants;

3) to the persons holding positions in structural subdivisions of the Administration of the President of the Republic of Kazakhstan, performing functions to ensure the implementation of the powers of the President of the Republic of Kazakhstan in the field of foreign policy;

4) to the persons holding positions in structural subdivisions of the Office of the Prime Minister of the Republic of Kazakhstan, carrying out information and analytical support for the activities of the Prime Minister of the Republic of Kazakhstan, the First Deputy and Deputy Prime Ministers of the Republic of Kazakhstan, the Head of the Office of the Prime Minister of the Republic of Kazakhstan and his deputies for international cooperation issues;

5) to the staff of the diplomatic service, who speaks rare foreign languages.

The list of rare foreign languages is established by the Minister of Foreign Affairs of the Republic of Kazakhstan.

Footnote. Article 15 as amended by the Law of the Republic of Kazakhstan dated 22 May, 2006 No. 143 (order of enforcement see Article 2 of the Law); dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 20.06.2017 № 77-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 26.11.2019 No. 273-VI (shall be enforced upon expiry of

ten calendar days after the day of its first official publication); dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 15-1. Secondment of diplomatic staff

1. The personnel of the diplomatic service for the purpose of solving the tasks of the diplomatic service bodies may be seconded to state bodies, international and other organizations.

The seconded person retains the status of the personnel of the diplomatic service, as well as the rights, guarantees, benefits, compensations, allowances, payments, pensions and social protection established by this Law and other normative legal acts of the Republic of Kazakhstan.

2. The procedure of seconding the personnel of the diplomatic service is determined by the Government of the Republic of Kazakhstan in consultation with the Administration of the President of the Republic of Kazakhstan.

Footnote. Chapter 4 is supplemented by Article 15-1 in accordance with the Law of the Republic of Kazakhstan dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); as amended by the Law of the Republic of Kazakhstan dated 03.07.2017 № 86-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 15-2. Secondment of civil servants from other state bodies and employees of the National Bank of the Republic of Kazakhstan to foreign institutions of the Republic of Kazakhstan

Footnote. Title as amended by the Law of the Republic of Kazakhstan dated 30.12.2021 No. 95-VII (shall be enforced ten calendar days after the date of its first official publication).

1. By the decision of the President of the Republic of Kazakhstan or his authorization of the Head of the Administration of the President of the Republic of Kazakhstan, it is allowed to occupy the position of diplomatic service personnel in the order of secondment of civil servants from other state bodies of the Republic of Kazakhstan, employees of the National Bank of the Republic of Kazakhstan to foreign institutions determined by the Government of the Republic of Kazakhstan in coordination with the Administration of the President of the Republic of Kazakhstan.

2. Civil servants, employees of the National Bank of the Republic of Kazakhstan appointed to foreign institutions in the order of secondment from other state bodies shall be subject to the terms of continuous work of diplomatic service personnel in foreign institutions established by paragraph 4 of Article 15 of this Law.

Footnote. Chapter 4 is supplemented by Article 15-2 in accordance with the Law of the Republic of Kazakhstan dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); as amended by the Law of the

Republic of Kazakhstan dated 03.07.2017 № 86-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 30.12.2021 No. 95-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 16. Attestation

The personnel of the diplomatic service undergo certification in accordance with the legislation of the Republic of Kazakhstan in the field of public service.

The personnel of the diplomatic service, sent to work in the foreign missions of the Republic of Kazakhstan, are certified upon return from a foreign mission in the manner determined by the President of the Republic of Kazakhstan.

Footnote. Article 16 in the new wording of the Law of the Republic of Kazakhstan dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 17. Sending to higher education institutions, scientific institutions

1. Personnel of the diplomatic service with its consent may be temporarily sent to higher educational institutions, scientific institutions of the Republic of Kazakhstan or other countries for professional training, scientific development of current international problems.

2. Upon completion of professional training, scientific development of current international problems, the personnel of the diplomatic service are included in the personnel reserve of the Ministry of Foreign Affairs.

Footnote. Article 17 in the new wording of the Law of the Republic of Kazakhstan dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication).

Article 18. Cancellation of the employment relations of the staff of the diplomatic service

1. Bases for the cancellation of the diplomatic service are:

1) submission by an employee of the diplomatic service or a worker of the diplomatic service of a letter of resignation at his own request;

2) expiry of the term of the employment agreement or denouncement of the employment agreement on the basis provided by the legislation of the Republic of Kazakhstan;

3) submission by an employee of the diplomatic service or a worker of the diplomatic service of knowingly false information about his income and property;

4) loss of citizenship of the Republic of Kazakhstan;

5) nonobservance of the obligations and limitations established by this Law and other regulatory legal acts of the Republic of Kazakhstan;

6) negative results of the assessment;

7) other bases provided by the legislation of the Republic of Kazakhstan.

2. Dismissing of the stuff of the diplomatic service shall be performed by the relevant civil servant, having right of the assignment on the office.

The personnel of the diplomatic service, upon leaving the bodies of the diplomatic service at their own free will, are enlisted in the personnel reserve of the Ministry of Foreign Affairs.

Footnote. Article 18 as amended by the Law of the Republic of Kazakhstan dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 5. Rights, obligations and responsibility of the stuff of the diplomatic service

Article 19. Rights and obligations of the stuff of the diplomatic service

1. Upon carrying out of its professional functions stuff of the diplomatic service have a right:

- 1) propose suggestions on improvement of the activity of the bodies of diplomatic service;
- 2) use privileges and immunities established in accordance with the regulations on the international right in period of stay in the foreign countries;
- 3) use other rights and freedom which are warranted to the citizens of the Republic of Kazakhstan by the Constitution and legislative acts of the Republic of Kazakhstan.

Servants of the diplomatic service also have a right to propose suggestions on questions of the external policy of the state on perfection of the legislation of the Republic of Kazakhstan in the scope of international relations, bringing it to correspondence with the international and legal obligations of the Republic of Kazakhstan.

1-1. Servants of the diplomatic service having diplomatic rank of the Extraordinary and Plenipotentiary Ambassador and their wives have a right of the life-long use of the diplomatic passport by the Republic of Kazakhstan.

2. Stuff of the diplomatic service shall:

- 1) faithfully perform obligations linked with performing of the diplomatic service;
- 2) respect the legislation, traditions and customs of the state of stay;
- 3) not to divulge the details comprised the state secrets or the other secret protected by the Law and after cancellation of the diplomatic service;
- 4) raise its professional level, qualification, general and political training, perfection of the knowledge of the state and foreign languages;
- 5) perform other obligations established by the legislative acts of the Republic of Kazakhstan.

Footnote. Article 19 as amended by the Law of the Republic of Kazakhstan dated 27.12.2010 No. 366-IV (shall be enforced from 01.01.2011).

Article 20. Restrictions related to being on duty in the diplomatic service

For the personnel of the diplomatic service, restrictions are established, provided by the laws of the Republic of Kazakhstan "On combating corruption" and "On public service of the Republic of Kazakhstan".

Footnote. Article 20 in the new wording of the Law of the Republic of Kazakhstan dated 18.11.2015 № 411-V (shall be enforced from 01.01.2016).

Article 21 Encouraging of personnel of diplomatic service and veterans of diplomatic service

Footnote. The heading of Article 21 as amended by the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

1. Staff of the diplomatic service for the exemplary performance of the official obligations, high quality of the performed tasks, initiative, creative activity, permanent and irreproachable service, performance of the tasks of special importance and difficulty and for other achievements on the work may be encouraged by:

- 1) preschedule advancement in the diplomatic rank;
- 2) simultaneous money reward;
- 3) departmental reward which shall be established by the Government of the Republic of Kazakhstan on presentations of the Ministry of External Affairs;
- 4) other forms of inducement provided by the legislation of the Republic of Kazakhstan.

2. Staff of the diplomatic service may be presented to the awarding by the state rewards of the Republic of Kazakhstan for the particular service.

3. On the occasion of the celebration of national, state, professional and other holidays, veterans of the diplomatic service may be recommended for awarding of departmental awards

Footnote. Article 21 as amended by the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 22. Responsibility of the stuff of the diplomatic service

1. The personnel of the diplomatic service, in case of violation of the duties assigned to them, shall be liable in accordance with the laws of the Republic of Kazakhstan.

2. Following disciplinary penalties shall be applied to the stuff of the diplomatic service:

- 1) admonition;
- 2) reproof;
- 3) severe reproof;
- 4) stoppage in the assignment of the diplomatic rank prior to one year;
- 5) abasement in the office or in the diplomatic rank;
- 6) deprivation of the diplomatic rank;

7) notification on incomplete official correspondence;

8) dismissal.

3. Imposition of disciplinary penalty on the staff of the diplomatic service shall be carried out in accordance with the legislation of the Republic of Kazakhstan on the state service.

Footnote. Article 22 as amended by the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 23. Recall of the staff of the diplomatic service

1. The personnel of the diplomatic service working in foreign institutions, in case of gross violations of official duties, as well as acts that entail liability established by the laws of the Republic of Kazakhstan or the host country, except for the application of disciplinary measures, are prematurely recalled to the Republic of Kazakhstan.

2. Basic for the preschedule recall of the staff of the diplomatic service is the commitment of the same actions by members of family.

Footnote. Article 23 as amended by the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 6. Provision of the diplomatic service, warrants and compensations, supply and social provision of the staff of the diplomatic service

Article 24. Financial and corporeal and economic provision of the diplomatic service

1. Financial provision of the diplomatic service and its bodies shall be carried out on amount of the budget sources.

The procedure for planning, approval, financing and execution of the budget by foreign institutions is determined by the Minister of Foreign Affairs of the Republic of Kazakhstan in agreement with the central authorized bodies for budget planning and budget execution.

2. Is excluded by Law of the Republic of Kazakhstan No 417-V dated 23.11.2015 (shall be enforced upon expiry of ten days after the day of its first official publication).

3. Financing of the activity of the apparatus of the honorary consul and events linked with it shall be carried out on amount of the sources budgeted by the honorary consul.

4. The bodies of the diplomatic service shall be provided by the transport, office premises, sources of communications and other necessary property.

5. The procedure for possession, use and disposal by the bodies of the diplomatic service of real estate and other property on the territory of the Republic of Kazakhstan and abroad is established in accordance with the legislative acts of the Republic of Kazakhstan.

6. The material and technical support and service maintenance of the diplomatic service bodies, including administrative buildings, residential and non-residential buildings and

premises, as well as residences of foreign institutions abroad in state ownership and lease, are carried out at the expense of budgetary funds.

The material and technical support and service maintenance of the diplomatic service bodies are carried out by the organization for work with diplomatic missions, which is entrusted with the relevant functions.

Service maintenance of the diplomatic service bodies is understood as actions aimed at: maintaining and restoring the proper condition of property; supply and functioning of structural divisions; software and information and motor transport services; organizational and accompanying actions for servicing and holding events, as well as other actions not prohibited by the legislation of the Republic of Kazakhstan.

Footnote. Article 24 as amended by the Law of the Republic of Kazakhstan dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 20.06.2017 № 77-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 24-1. Conducting research on foreign policy, international relations and international law

Conducting research on foreign policy, international relations and international law is carried out by a legal entity determined by the Government of the Republic of Kazakhstan.

Footnote. Chapter 6 is supplemented by Article 24-1 in accordance with the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 25. Guarantees and compensations to the staff of diplomatic service

1. Material and social security for the personnel of the diplomatic service and accompanying family members of the personnel of the diplomatic service is provided taking into account the complexity of the service, the risk associated with it, as well as the specific features of a foreign state.

Staying abroad should not entail any prejudice to personnel of the diplomatic service and accompanying family members of personnel of the diplomatic service. Responsibilities for providing assistance and organizing protection in relation to the personnel of the diplomatic service and accompanying family members of the personnel of the diplomatic service who are abroad are performed by the head of the foreign institution.

In case of illness of an employee of the diplomatic service or a worker of the diplomatic service while working in a foreign institution, an employee of the diplomatic service or a worker of the diplomatic service is entitled to receive an allowance in the amount determined by the labor legislation of the Republic of Kazakhstan.

In the event of the death of an employee of the diplomatic service or a worker of the diplomatic service while working in a foreign institution, the spouse (wife) or one of the close relatives, determined in accordance with the Code of the Republic of Kazakhstan "On marriage (Matrimony) and family", of the deceased employee of the diplomatic service or a worker of the diplomatic service receives a one-time allowance in the amount of three average monthly wages, at that the amount of the allowance cannot be lower than that established by the Law of the Republic of Kazakhstan "On state social benefits for disability and loss of a breadwinner in the Republic of Kazakhstan".

In the event of the birth of a child in the family of an employee of the diplomatic service or a worker of the diplomatic service while working in a foreign institution, the employee of the diplomatic service or a worker of the diplomatic service is entitled to receive an allowance in the amount determined by the legislation of the Republic of Kazakhstan on state benefits to families with children.

In case of illness, death of family members of the personnel of the diplomatic service while working in a foreign institution, members of his family are entitled to receive an allowance in the amount determined by the legislation of the Republic of Kazakhstan.

2. The spouse (wife) of an employee of the diplomatic service or a worker of the diplomatic service sent to work in a foreign institution, in the event of holding a public position in the public service at the time of the decision on the said appointment, is granted leave without pay for the period of travel abroad of the spouse (wife) as an accompanying family member of the personnel of the diplomatic service with the preservation of his (her) previously held public position in the public service after returning to the Republic of Kazakhstan in the manner prescribed by the legislation of the Republic of Kazakhstan for the period of work of the personnel of the diplomatic service in a foreign institution.

3. The personnel of the diplomatic service and accompanying family members of the personnel of the diplomatic service are provided with medical care at the expense of budgetary funds in accordance with the working conditions of the personnel of the diplomatic service abroad, approved by the Government of the Republic of Kazakhstan.

4. Personnel of the diplomatic service working in a foreign institution and accompanying family members of the personnel of the diplomatic service shall be entitled to payment of round-trip transportation costs associated with the provision of annual paid leave.

An employee of the diplomatic service or a worker of the diplomatic service working in a foreign institution, as well as his spouse (husband) are entitled to payment of round-trip travel expenses related to the death of family members of the diplomatic service personnel or the parent (s) of the spouse (spouse).

5. The staff of the diplomatic service is provided with housing abroad, taking into account the number of family members living together, official position, local situation, as well as standards determined by the Minister of Foreign Affairs of the Republic of Kazakhstan.

6. Pre-school education and training, primary, basic secondary and general secondary education of children of the personnel of the diplomatic service while working in a foreign institution are paid at the expense of budgetary funds in the manner and in the amount determined by the Minister of Foreign Affairs of the Republic of Kazakhstan.

7. If there are vacant administrative and technical positions in foreign institutions, the accompanying family members of the diplomatic service personnel who are abroad may be granted the right to temporary employment.

8. In the event of armed or civil conflicts or in cases of a threat to the security of foreign institutions and their personnel, as well as in cases of emergency at the locations of foreign institutions, the Ministry of Foreign Affairs takes the necessary measures to ensure the security and organization of protection of the personnel of the diplomatic service and accompanying family members of the personnel of the diplomatic service.

Damage caused to a worker of the diplomatic service or an employee of the diplomatic service or members of his family during his stay abroad in the performance of his official duties or the implementation of activities related to them, is reimbursed in the manner established by the Government of the Republic of Kazakhstan.

9. In the event of the death of an employee of the diplomatic service or a worker of the diplomatic service in the performance of official duties abroad, or death within a year due to an injury received in the performance of official duties abroad, the spouse (wife) or one of close relatives, determined in accordance with the Code of the Republic Kazakhstan “On marriage (matrimony) and family”, of a deceased employee of the diplomatic service or a worker of the diplomatic service receives a one-time compensation in the amount of his sixty-month maintenance, calculated from the official salary according to the length of service as of the date of accrual of compensation for the last position he held in the Ministry of Foreign Affairs.

10. In case of death (death) of an employee of the diplomatic service or a worker of the diplomatic service while working in a foreign institution, the accompanying family members of the personnel of the diplomatic service retain the guarantees and compensations provided for in this article for a reasonable period, but not more than one month from the date of death (death) of a worker of the diplomatic service or an employee of the diplomatic service.

11. In the event of the death of an employee of the diplomatic service or a worker of the diplomatic service in the performance of official duties abroad, the family of the deceased has the right to receive housing from the state housing stock on the terms and in the manner established by the legislation of the Republic of Kazakhstan.

12. If a worker of the diplomatic service or an employee of the diplomatic service is found to be disabled as a result of an illness, injury (wound, trauma, concussion) received in the performance of official duties abroad, he receives a lump sum compensation in the amount calculated from the official salary according to the length of service as of the date of accrual of compensation for the last position he held in the Ministry of Foreign Affairs:

- 1) a person with a disability of the first category – thirty months' maintenance;
- 2) a person with a disability of the second category – eighteen months' maintenance;
- 3) a person with a disability of the third category – six months' maintenance.

13. In the event that an employee of the diplomatic service or a worker of the diplomatic service in the performance of official duties abroad receives a serious injury (wounds, traumas, contusions) that did not entail disability, he is paid a one-time compensation in the amount of three months' allowance, a slight injury - in the amount of monthly allowance, calculated from the official salary according to the length of service as of the date of accrual of compensation for the last position he held in the Ministry of Foreign Affairs.

14. The amounts specified in paragraphs 9, 12 and 13 of this article are not paid if it is proved in accordance with the established procedure that the death (death), illness, injury (wound, trauma, concussion) of an employee of the diplomatic service or a worker of the diplomatic service occurred in connection with the circumstances not related to the performance of official duties.

Footnote. Article 25 as amended by the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication); as amended by the Law of the Republic of Kazakhstan dated 27.06.2022 No. 129-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 26. Compensation for burial expenses

1. For the burial of an employee of the diplomatic service or a worker of the diplomatic service who died (deceased) abroad, a member of his family receives a one-time allowance in the amount of three months' allowance, calculated from the official salary according to the length of service as of the date of accrual of the allowance for the last position he held in the Ministry of Foreign Affairs.

For the burial of a deceased (died) abroad accompanying family member of an employee of the diplomatic service or a worker of the diplomatic service, the employee of the diplomatic service or a worker of the diplomatic service receives a lump-sum allowance in the amount of three months' allowance, calculated from the official salary according to the length of service as of the date of accrual of benefits for the last position he held at the Ministry of Foreign Affairs.

2. Delivery of the body of the employee of the diplomatic service or a worker of the diplomatic service, deceased (died) abroad or an accompanying family member of the personnel of the diplomatic service to the Republic of Kazakhstan to the place of his permanent residence or to any other place in agreement with the family members of the deceased (died) employee of the diplomatic service or a worker of the diplomatic service or with an employee of the diplomatic service or a worker of the diplomatic service and the costs associated with it are covered at the expense of budgetary funds.

Footnote. Article 26 as amended by the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 27. Regulation of labor relations of personnel of diplomatic service

Labor relations of the personnel of the diplomatic service are regulated by the labor legislation of the Republic of Kazakhstan, the legislation of the Republic of Kazakhstan in the field of public service with the specifics provided for by this Law, as well as the working conditions of the personnel of the diplomatic service abroad, approved by the Government of the Republic of Kazakhstan.

Footnote. Article 27 in the new wording of the Law of the Republic of Kazakhstan dated 23.11.2015 № 417-V (shall be enforced upon expiry of ten calendar days after the day its first official publication); as amended by the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 28. Payment for labor of the stuff of the diplomatic service

Remuneration of labor of the personnel of the diplomatic service is established on the basis of a single system of remuneration of labor for all bodies held at the expense of the state budget approved by the Government of the Republic of Kazakhstan in agreement with the President of the Republic of Kazakhstan.

The remuneration of the personnel of the diplomatic service abroad is determined taking into account the political, socio-economic and material conditions in the host country.

Footnote. Article 28 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 29. Money payments for servants of the diplomatic service

Servants of the diplomatic service have the right on receiving money payments for the diplomatic rank, knowledge of foreign languages, work with details comprised the state secrets as well as annual money compensation of value of the representative equipment in amount established by the government of the Republic of Kazakhstan.

Provision on representative equipment of the servants of the diplomatic service shall be established by the Government of the Republic of Kazakhstan.

Article 29-1. Cash payments to veterans of diplomatic service

Veterans of the diplomatic service who have held the position of the Ambassador Extraordinary and Plenipotentiary of the Republic of Kazakhstan, the Permanent (Plenipotentiary) Representative of the Republic of Kazakhstan to an international organization or who have the diplomatic rank of Ambassador Extraordinary and Plenipotentiary, are monthly paid a monetary payment in the amount and in the manner determined by the Government of the Republic of Kazakhstan.

Footnote. Chapter 6 is supplemented by Article 29-1 in accordance with the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced from 01.01.2022).

Article 30. Annual vacations

1. Staff of the diplomatic service shall be provided by the annual paid labor vacation with duration of thirty calendar days.

2. An employee of the diplomatic service or a worker of the diplomatic service working in a foreign institution, when going on a regular vacation, is paid a health improvement allowance in the amount of two times the official salary for the last position he held in the Ministry of Foreign Affairs.

Footnote. Article 30 as amended by the Law of the Republic of Kazakhstan dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 31. Pension provision and social protection of the stuff of the diplomatic service

Pension provision and social protection of the stuff of the diplomatic service shall be performed in accordance with the legislation of the Republic of Kazakhstan.

Article 32. Is excluded by the Law of the Republic of Kazakhstan dated 20.12.2004 No. 13 (shall be enforced from 01.01.2005).

Article 32-1. Provision of the civil servants directed on the work in the international organizations from the Republic of Kazakhstan previously holding offices of the stuff of the diplomatic service

1. Officials sent to work in international organizations from the Republic of Kazakhstan, who previously held the positions of personnel of the diplomatic service, are equated in matters of monetary maintenance, social, pension and medical support, provided for in paragraphs 3, 4, 6, 8, 9, 10, 11, 12, 13 and 14 of Article 25 of this Law and Article 29 of this Law in terms of annual monetary compensation for the cost of representative equipment, to the personnel of a foreign institution in the relevant foreign state.

2. In case if monetary pay, social, pension and medical provision of the civil servants directed on the work in the international organizations from the Republic of Kazakhstan previously holding offices of the stuff of the diplomatic service in international organizations is less than of the stuff of the foreign establishment in relevant foreign state, the disparity

shall be paid on the basis of equated office for the budget sources in manner determined by the Government of the Republic of Kazakhstan.

3. Equation of the civil servants directed on work in the international organizations from the Republic of Kazakhstan previously holding offices of the staff of the diplomatic service to the staff of the foreign state shall be carried out on decision of the Ministry of Foreign Affairs of the Republic of Kazakhstan.

Footnote. The Law is supplemented by Article 32-1 in accordance with the Law of the Republic of Kazakhstan dated 27.12.2010 No. 366-IV (shall be enforced from 01.01.2011); as amended by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after the date of its first official publication); dated 03.03.2021 No. 13-VII (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Chapter 7. Final provisions

Article 33. Order of the enforcement of this Law

1. The Law enters into force from the date of its official publication.

2. The Law of the Republic of Kazakhstan dated 12 November, 1997 “On diplomatic service” shall be deemed to have lost force (Department of the Parliament of the Republic of Kazakhstan, 1997, No. 21 Article 275; 1999 No. 23 Article 916; 2011 No. 20 Article 257).

President
of the Republic of Kazakhstan