

On the Parliament of the Republic of Kazakhstan and the Status of Its Deputies

The Constitutional Law of the Republic of Kazakhstan from October 16th, 1995 № 2529

Chapter I Total Provisions

Article 1. The Status of Parliament of the Republic

Parliament is the highest representative body of the Republic performing legislative functions.

Article 2. The Term of Appointment of Parliament of the Republic

1. Term of the powers of the Senate deputies - six years, term of the powers of the Majilis deputies - five years. Powers of Parliament of the regular convocation begin from the opening of its first session and terminate with the first session of a new convocation. Thus the sequence of convocation of Parliament is defined by sequence of convocation of the Majilis. The term of powers of Parliament is defined by a term of powers of deputies of the Majilis of the regular convocation.

2. The powers of Parliament may be prematurely terminated in cases and according to the procedure stipulated by the Constitution of the Republic of Kazakhstan.

Article 3. Legal bases of the activity of Parliament of the Republic

The organization and activity of Parliament, the legal status of its deputies are determined by the Constitution of the Republic, the present Constitutional Law and other legislative acts of the Republic.

Article 4. The Structure of Parliament of the Republic

1. The Parliament consists of two Chambers acting on a permanent basis: the Senate and the Majilis.

2. The Senate is composed of deputies elected on two persons from each oblast, major city and the capital of the Republic at a joint session of the deputies of all representative bodies of the respective oblast, major city and the capital of the Republic. Half of elected deputies of the Senate are re-elected each three years.

3. Seven deputies of the Senate are appointed by the President of the Republic for the term of the Senate and their re-election every three year is not a subject.

4. The Majilis consists of seventy seven deputies. Sixty seven deputies are elected on one-mandatory territorial constituencies according to the administrative-territorial division of the Republic with an approximately equal number of constituents. Ten deputies are elected on the basis of the Party Lists according to the system of proportional representation and in the territory of a unified national constituency.

5. A deputy of Parliament may not be a member of both Chambers simultaneously.

6. The order of election of deputies of the Senate and the Majilis is established by the Constitutional Law.

Chapter II The Competence of Parliament of the Republic and Organizational Forms of Its Realization

Article 5. The Competence of Parliament of the Republic

The competence of Parliament of joint and separate sessions of the Senate and the Majilis, the exclusive competence of Chambers are established by the Constitution of the Republic and realized at sessions of Parliament, in activity of Chambers of Parliament, its bodies and deputies.

Article 6. Sessions of Parliament of the Republic

1. Session of Parliament passes in the form of joint and separate sessions of its Chambers.

2. The first session of Parliament is convoked by the President of the Republic not later than thirty days from the date of publication of election results.

3. At the first session of Parliament, before election of Chairperson of the Senate and

Chairperson of the Majilis, the President of the Republic and Chairperson of the Central Election Commission preside at sessions of the Senate and the Majilis respectively.

4. Regular sessions of Parliament are spent yearly, since the first working day of September and finishing last working day of June.

5. Session of Parliament opens and closed at joint sessions of the Senate and the Majilis. Session of Parliament is opened by the President of the Republic, and in case of his absence – by the Chairperson of the Majilis.

6. In period between sessions of Parliament the President of the Republic under his own initiative, under the offer of Chairpersons of Chambers or not less than one third of the total number of deputies of Parliament can call extraordinary joint session of Chambers. Only the questions, which have caused its convocation, can be considered.

Article 7. Quorum at Sessions of Parliament of the Republic

Joint and separate sessions of Chambers are competent at presence not less than two thirds of the total number of deputies of each of Chambers.

Article 8. Publicity of sessions of Parliament of the Republic

1. Joint and separate sessions of Chambers are open. In the cases, stipulated by rules, confidential meetings can be spent.

2. The President, the Prime-Minister and members of the Government, Chairperson of National Bank, the Prosecutor General, Chairperson of Committee of the National Security of the Republic, and also the State Secretary and the Head of Administration of the President of the Republic have the right to be present on any, both open and confidential meetings, and have the right to be listened.

3. Officials of the state bodies and institutions of local self-government, whose presence at session is adopted by the decision of Parliament or its Chambers, are obliged to arrive to Parliament and give necessary concerning under their competence. The Parliament and its Chambers have not the right to adopt similar decisions concerning the President of the Republic.

Article 9. Chairpersons of Chambers of Parliament of the Republic

1. Chambers are headed by their Chairpersons who are elected by the Senate and the Majilis from among the deputies, who have a perfect command of the state language, under secret ballot by a majority of votes from the total number of deputies of Chambers.

2. The candidacy for the Chairperson of the Senate is nominated by the President of the Republic of Kazakhstan. The nomination a new candidate instead of rejected by the Senate is exercised by the President of the Republic.

3. The candidacy on a post of Chairperson of the Majilis is nominated by deputies of the Chamber.

4. The Chairpersons of Chambers may be recalled from office and also have the right to submit their resignation if the majority of the total number of the deputies of Chambers have voted against them.

5. The Chairpersons of Chambers of Parliament:

- 1) convene sessions of Chambers and preside over them;
- 2) exercise total supervision in preparation of the issues under consideration by Chambers;
- 3) ensure the observance of the procedural orders in the activities of Chambers;
- 4) supervise the activities of the coordinating bodies of Chambers;
- 5) sign acts issued by Chambers;
- 6) each appoint two members to the Constitutional Council of the Republic of Kazakhstan;
- 7) fulfill other duties assigned to them by the Procedural Orders of Parliament.

6. Chairpersons of Chambers use the right of a casting vote if the voices of deputies, in case of voting in respective Chamber, will be divided fifty-fifty.

7. Chairperson of the Majilis:

- 1) opens sessions of Parliament;

2) convene regular joint sessions of Chambers, presides at regular and extraordinary joint sessions of Chambers.

8. Chairperson of the Senate and Chairperson of the Majilis have one Deputy Chairperson, elected on nomination of Chairperson by the majority of votes from the total number of deputies of the respective Chamber. Deputy Chairpersons of Chambers under consent of Chairpersons of Chambers carry out their separate functions, and also substitute Chairpersons in case of their absence or impossibility to realize their duties. Deputy Chairpersons of Chambers can be recalled from a post under the proposal of Chairpersons of Chambers, if the majority from the total number of deputies of respective Chamber has voted for it.

9. The Chairpersons of Chambers issue instructions on the items of their jurisdiction.

Article 10. Coordination Bodies of Parliament of the Republic

1. Coordination bodies of Parliament are the Bureau of the Senate and the Bureau of the Majilis, established under the Chairpersons of Chambers.

2. The bureau includes Deputy Chairpersons of Chambers, Chairmen of standing committees of Chambers.

3. Bureau of Chambers:

1) coordinates a work of committees and commissions of Chambers;

2) prepares for Chambers the order of consideration of a draft of laws and other decisions of Parliament and its Chambers;

3) assists in the organization of teamwork of committees concerning to the competence of several committees;

4) solves other questions of the organizational work of Chambers, not carried by the present Constitutional Law to the competence of other bodies and officials of Parliament.

4. Sessions of Bureau of Chambers are convened as required by Chairpersons of Chambers, and are competent at presence not less than two thirds of the total number of their members.

Article 11. Functioning Bodies of Parliament of the Republic

1. Functioning bodies of Parliament are standing committees of the Senate and the Majilis, and also the joint commissions of Chambers.

2. Standing committees of Chambers are formed for exercising legislative work, preliminary consideration and preparation of the questions under the authority of Chambers. Chambers define the list and quantitative structure of standing committees, and then elect their members. The number of standing committees in the Senate and the Majilis should not exceed seven in each Chamber.

3. The Senate and the Majilis have the right to form joint commissions on a parity basis, which numerical structure is defined as agreed between Chambers, for solution of issues dealing with the joint activity of Chambers,. Election of members of the commissions is exercised independently by each of Chambers.

4. For realization of powers of Parliament and its Chambers, stipulated by items 1 and 2 of Article 47, sub items 5) and 6) of Article 57 of the Constitution, special occasional commissions are formed by Chambers of Parliament.

5. Sessions of standing committees and the commissions are competent at presence not less than two thirds of the total number of their members.

6. Standing committees and the commissions issue resolutions on items of their jurisdictions.

7. Powers and the organization of the activities of standing committees and the commissions are determined by law.

Article 12. Parliamentary Hearings

1. Chambers of Parliament spend Parliamentary hearings on items of their jurisdiction.

2. Parliamentary hearings are spent by standing committees of Chambers under the decision of Bureau of Chambers and can be spent in open and confidential forms.

3. Parliamentary hearings are not spent in days of joint or separate plenary sessions of Chambers.

Article 13. Acts of Parliament of the Republic of Kazakhstan

1. The Parliament adopts acts in the form of laws of the Republic of Kazakhstan having an obligatory power in all territory of the Republic, including the constitutional laws and individual decisions of Parliament. The Senate and the Majilis on items of their jurisdiction adopt decisions of individual character.
2. The Parliament and its Chambers on items of their jurisdiction has the right to adopt appeals, declarations, references, other acts not of legislative character. Their adoption is exercised under the conditions and requirements established by the Procedural Orders of Parliament and its Chambers.
3. Adoption of the legislative and other acts by Parliament in joint session of the Senate and the Majilis requires separate voting in Chambers.
4. Laws of the Republic, the resolutions of Parliament and its Chambers should not contradict the Constitution of the Republic. Resolutions of Parliament and its Chambers should not contradict laws.
5. The order of development, presentation, discussion, the introduction into a validity and publication of legislative and other normative legal acts of the Republic is regulated by the special law and Procedural Orders of Parliament and its Chambers.

Article 14. The Procedural Order of Parliament of the Republic and its Chambers

1. Procedural Orders of Parliament, the Senate and the Majilis establish conditions and the order of carrying out joint and separate sessions of Chambers, formations of their bodies and the organization of their activity, and also realization of powers of deputies and officials of Parliament.
2. Procedural Orders of Parliament, procedural Orders of the Senate and the Majilis are confirmed by the resolution of Parliament, resolutions of its Chambers respectively.
3. Any session of deputies of Parliament aimed at realization of its constitutional powers, which is spent without execution of the conditions and procedures of the Procedural Orders, is illegal. Acts adopted by such assembly are not valid.

Chapter III Legislative Process in Parliament of the Republic

Article 15. The Legislative Initiative

1. The legislative initiative is an official submission of the text of a draft of law or other legislative act of Parliament, obligatory to consideration by Parliament, by the subject with the right of a legislative initiative.
2. The right of a legislative initiative is realized exclusively in the Majilis and belongs:
 - 1) to the deputies of Parliament, who offer the decision on incoming project of the act by corresponding presentation in the Majilis;
 - 2) to the Government of the Republic, which adopts decision on incoming project of the act in the Majilis by the edition of the corresponding resolution of the Government.
3. The projects of legislative acts, proposed by deputies and the Government, are forwarded by the Majilis resolution for consideration to corresponding standing committees of the Majilis, and can be considered at its plenary session only with the conclusions of standing committees of the Majilis.
4. Drafts of law envisioning reduction of state revenues or increase in state expenditures may be submitted only when supplied with the positive resolution of the Government of the Republic.
5. Other questions, connected with the right of the legislative initiative, are solved by the procedural order of the Majilis.

Article 16. The Competence of Parliament on Adoption of Laws

1. Parliament has the right to issue laws that regulate the most important public relations, establish fundamental principles and standards dealing with:
 - 1) legal capacity of individuals and legal entities, civil rights and freedoms, obligations and responsibility of individuals and legal entities;

- 2) conditions of ownership and other rights of property;
 - 3) foundations of organization and activity of state bodies and bodies of local self-administration, state and military service;
 - 4) taxation, establishment and levying of duties and other obligatory payments;
 - 5) the republican budget;
 - 6) issues of the judicial system and legal proceedings;
 - 7) education, health care and social provision;
 - 8) privatization of enterprises and their property;
 - 9) environmental protection;
 - 10) administrative-territorial structure of the Republic;
 - 11) ensuring defense and security of the state.
2. All other relations are regulated by legislative acts.

Article 17. Definition of Sequence and Terms of Consideration of A draft of laws by Parliament of the Republic

1. The sequence of consideration of a draft of laws and other acts of Parliament is defined by Parliament, its Chambers, and also by the President of the Republic in cases established by the Constitution.
2. The President of the Republic in the special address to Parliament has the right:
 - 1) to determine priority consideration of draft of laws;
 - 2) to declare consideration of a draft of law urgent signifying that Parliament must consider this draft within a month from the day of its submission. If the Parliament does not meet this requirement, the President of the Republic has the right to issue a decree having the force of law which shall be in effect until Parliament adopts a new law as established by the Constitution.

Article 18. Adoption of Laws

1. A draft of law considered and approved by the majority of votes from the total number of the deputies of the Majilis is transmitted to the Senate where it is considered for no more than sixty days from the date of reception by the Senate. A draft of law approved by the majority of votes of the total number of deputies of the Senate becomes the law and is submitted to the President to be signed. A draft of law rejected as a whole by the majority of votes from the total number of the Senate's deputies is returned to the Majilis. If the Majilis approves the draft of law again by the majority of two-thirds of votes from the total number of its deputies, it is transferred to the Senate for a second discussion and voting. A twice-rejected draft may not be submitted again during the same session.
2. Amendments and additions to a draft of law proposed by the majority of votes from the total number of the Senate's deputies are sent to the Majilis. If the Majilis by the majority of votes from the total number of its deputies agrees with the proposed amendments and additions, the law is deemed to be adopted. If the Majilis by the same majority of votes objects to the amendments and additions proposed by the Senate, the disagreement between Chambers are resolved through conciliatory procedures.
3. In the case when of a draft of law submitted by the Government is not adopted, the Prime-Minister has the right to raise an issue of no confidence in the Government at a joint session of Chambers. Voting on this issue is held not earlier than within forty-eight hours from the moment of calling for a vote of confidence. If the call for a vote of no confidence does not receive the necessary number of votes established by Constitution, a draft of law is deemed adopted without voting. However, the Government may not use this right more than twice a year.

Article 19. Representation of Laws of the Republic for the Signature to the President of the Republic

1. Laws of the Republic come into effect after they are signed by the President of the Republic.

2. Laws adopted by Parliament, preliminary ratified by Chairperson of each of Chambers of Parliament, and also by the signature of the Prime-Minister, if a draft of law was submitted by the Government, within ten days from the date of their adoptions should be represented for the signature to the President of the Republic, who within fifteen working days signs the presented law and promulgates it, or returns the law or its separate articles in Parliament for repeated discussion and voting.

3. The law not returned during term, named in item 2 of present Article, is considered signed.

4. If a session of Parliament is closed before expiry of the term during which the law can be returned by the President, the law returns by the President in the first day of regular session of Parliament.

Article 20. Consideration by Parliament of the Republic of objections of the President of the Republic

1. Repeated discussion and voting on laws or articles of the law, which caused objections of the President of the Republic, are spent in a month from the date of incoming of objections. Non-observance of this term means adoption of objections of the President.

2. The law or articles of the law returned with objections of the President of the Republic are transferring to respective permanent committee of the Majilis, which prepares the conclusion with participation of the representative of the President of the Republic and introduces it together with the law or its articles and objections of the President on consideration of the Majilis. The decision of the Majilis on a given question, adopted by the majority of two-thirds of votes from the total number of its deputies, together with objections of the President and the conclusion of permanent committee of the Majilis is transferring on studying to the Senate, and also is transferring for consideration at joint session of Chambers.

3. President of the Republic on results of consideration of objections in permanent committee of the Majilis and at session of the Majilis has the right to change objected edition of the law as a whole or its separate articles, taking in consideration the deputies' proposals.

4. At repeated discussion and voting of the law or its separate articles at joint session of Chambers of Parliament the law is voted as a whole, if the objection of the President was caused by the law as a whole, or separate articles, which have caused objections of the President of the Republic.

5. Objections of the President of the Republic are considered overcome if the Parliament in two-third of voices of the total number of deputies of each of Chambers will confirm the earlier decision on the law as a whole or its separate articles. In this case the law or its articles are considered adopted in version adopted by Parliament for the first time, and the President signs the given law in seven-day term from the moment of its representation for the signature.

6. If as a result of voting the Parliament could not overcome objections of the President, the law is considered not adopted, or if in objections of the President of the Republic has been presented a new version of the law, or separate articles of the law, it is considered adopted in this version.

Chapter IV Parliamentary powers to give consent to the President of the Republic to appoint on a post, elect on a post and release from office the officials of the Republic

Article 21. The officials, appointed to a post, elected on a post and released from office by the President with the consent of Parliament

The list of officials of the Republic, appointed to a post, elected on a post and released from office by the President of the Republic with the consent of Parliament, is defined by sub item 5) of Article 53, sub items 1), 2) of Article 55, sub item 3) of Article 56 of the Constitution.

Article 22. The order of parliamentary powers to give consent to the President of the Republic to appoint on a post, elect on a post and release from office the officials of the Republic

1. The President of the Republic to receive the Parliament's consent for the appointment of the Prime-Minister and the Chairperson of the National Bank of the Republic, as well as to receive

the Senate's consent to appoint the Procurator General and Chairperson of the Committee of National Security of the Republic, for election by the Senate and release from office Chairperson of the Supreme Court, Chairmen of boards and judges of the Supreme Court of the Republic, election by the Majilis and release from office the Chairperson, the Deputy Chairperson, the secretary and members of the Central Election Commission of the Republic, introduces into Parliament respective written proposal, on the basis of which the decision on inclusion of a respective question in the agenda of the nearest joint session of Chambers of Parliament or respective Chamber is made.

2. The consent of Parliament to the President of the Republic to appoint the specified officials has preliminary or subsequent character and is given directly at joint session of Chambers or session of the Senate accordingly.

3. The offered nominees for election by Parliament on a post and release from a post are a subject to discussion at sessions of respective committees of the Senate or the Majilis, defined by the Bureau of the Senate or the Majilis, before consideration of a question at session of the Senate or the Majilis respectively. Committees on results of consideration of nominees assume the conclusions on each discussed nominee, disclosed on session of the Senate or the Majilis.

4. The President of the Republic or the official of the Republic authorized by him represents a nominee at joint session of Chambers of Parliament, session of respective Chamber during the consideration of a question to give consent to appoint on a post, elect on a post and release from office.

5. At joint session of Chambers of Parliament, session of respective Chamber can be:

1) asked questions to the candidate and the person representing the candidate;

2) stated opinions of deputies for or against the offered nominee.

6. Debate on the offered nominee can not be opened, if deputies do not insist on it.

7. In case the Parliament, or the Senate or the Majilis respectively did not give consent to appoint on a post, elect on a post and release from office the nominees, offered by the President, the President submits in Parliament or respective Chamber written proposals on the same persons or new nominees.

8. In case the Senate or the Majilis have not made a decision on release the selected official from office, the President has the right to submit repeated written proposal on the given question in respective Chamber.

Article 23. Adoption of Parliamentary decisions on the presented nominees

1. Parliament, its Chambers adopt the decision on consent on a post, election on a post and release from a post by the majority of voices from the total number of deputies of each Chambers accordingly, deputies of respective Chamber of Parliament.

2. Decisions are adopted separately on each nominee by show of hands voting if the Parliament or respective Chamber will not define other voting procedure.

3. Decisions are formulated separately on each nominee by decisions of Parliament, corresponding Chamber respectively.

4. In case of rejection of the nominees presented by the President for consent, election on a post and release from a post, the decision of Parliament or its respective Chamber should contain the motivated of rejection.

Chapter V The Status of Deputies of Parliament of the Republic

Article 24. The deputy of Parliament of the Republic

1. The deputy of Parliament is not be bound by any imperative mandate, including the order or the assignment, and votes in Parliament on the belief.

2. Powers of the deputy of Parliament begin from the moment of his registration as the deputy of Parliament by the Central Election Commission of the Republic. At the first session of Parliament at joint session of its Chambers deputies take to people of Kazakhstan the following oath: «I Swear to serve truly people of Kazakhstan, to strengthen integrity and independence of the Republic of Kazakhstan, to submit strictly to its Constitution and laws, to carry out honestly the high duties of the deputy assigned to me". Adoption of the oath is

exercised by the President and spent in solemn conditions, at presence of members of the Government, the Constitutional Council, judges of the Supreme Court, ex-presidents of the Republic.

3. A deputy of Parliament has no right to be a deputy of another representative body, hold other paid offices, except teaching, research and creative activities, engage in entrepreneurial activity, enter a managing body or a supervisory board of a commercial organization. Violation of this rule shall result in the termination of a deputy's powers on representation of the Central Election Commission of the Republic.

4. The powers of the deputy of Parliament shall be terminated in cases of resignation, being recognized as incapable, dissolution of Parliament and in other cases stipulated by the Constitution. A deputy of Parliament shall be deprived of his mandate in cases being duly convicted in a court of law, establishing permanent residency beyond the boundaries of the Republic of Kazakhstan. The decision on the termination or deprivation of deputy powers is adopted by the respective Chamber of Parliament by the majority of voices from the total number of its deputies at the proposal of the Central Election Commission of the Republic.

Article 25. Powers of the deputy of Parliament of the Republic

1. The deputy uses the right of a casting vote on all questions considered at sittings of Parliament and sittings of its bodies into which structure he enters.

2. The deputy of Parliament has the right:

1) to elect and be elected in coordination and functioning bodies of Parliament and its Chambers;

2) to make inquiries and remarks concerning the agenda of sitting, the order of consideration and an essence of discussed questions;

3) to express the opinion on nominees of officials elected or appointed by Chambers of Parliament or needed a consent on a post of Parliament and the Senate;

4) to submit in a Bureau of Chambers proposals under the agenda of a joint and separate sittings of Chambers of Parliament, and in case of no acceptance of his proposals - to submit them for consideration of plenary sittings of Chambers;

5) to inquiry questions for consideration at sittings of Parliamentary bodies and Chambers;

6) to make inquiries about hearing at sitting of Parliament report or information of the officials accountable to Chambers of Parliament;

7) to address with deputy inquiries in the order established by the law;

8) to participate in debate, to ask questions to speakers, and also to the chair of the sitting;

9) to substantiate motives of his voting, to give the information;

10) to make amendments to the drafts of laws, resolutions, other acts accepted by Parliament;

11) to acquaint deputies of Parliament with the opinions of citizens of public value;

12) to get acquainted with texts of presentations of deputies in shorthand reports and reports of sittings of Parliament;

13) to exercise other powers, according to the present Constitutional Law, procedural orders of Parliament and its Chambers.

Article 26. Participation of the deputy in sittings of Parliament, sittings of its Chambers

1. The deputy is obliged to participate in work of Parliament and its bodies in which structure he is elected. Voting in Parliament is carried out by the deputy only personally.

2. Chairperson of Chamber, or respectively the head of body, which member is the deputy, informs the deputy about time and a place of sittings, sittings of a body, and also about questions, introduced on their consideration, provides with necessary materials on these questions in terms established by the procedural order,.

3. In case of impossibility to arrive on sitting the deputy informs Chairperson of Chamber or the head of body of Parliament or its Chamber respectively in advance.

4. Absence of a deputy at sittings of Chambers and their bodies without a good reason for more than three times as well as transferring the right to vote shall cause the imposition of penalties established by the present Constitutional Law.

5. The deputy who is a member of a Bureau of Chambers, their permanent committees,

commissions of Parliament and its Chambers, has the right to introduce any questions and inquiries on their consideration, to participate in preparation of questions, discussion and acceptance of decisions, and also in the organization and control of their realization.

6. The deputy as a member of body of Parliament, not concordant with its decision, has the right to state his point of view at sitting of Parliament or to inform the Chairperson in writing.

7. The deputy, who is not a member of a Bureau of Chambers, their respective permanent committees, commissions of Parliament and its Chambers, can participate at sittings of these bodies, make inquiries, to participate in discussion and decision-making with the right of a deliberative vote. In case of disagreement with the decision of a Bureau of Chambers, permanent committee or commission the deputy can make his inquiries as amendments to the draft of law, the project of decision. The amendments of the deputy are considered at sitting of Parliament and are voting.

Article 27. Deputy inquiries and questions

1. The deputy's inquiry is an official requirement of the deputy on the joint and separate sitting of Chambers of Parliament to the state officials to give the proved explanation or to state a position under the competence of this body or the official at sitting of Parliament.

2. The deputy of Parliament has the right to make an inquiry to the Prime-Minister and members of the Government, Chairperson of National Bank, Chairperson and members of the Central Election Commission, the Prosecutor General, the Chairperson of the Committee of National Security of the Republic of Kazakhstan, Chairperson and members of the Accounts Committee for control over execution of the republican budget. Thus the inquiry to the Prosecutor General cannot concern the questions of criminal prosecution. Consideration of inquiries to the Chairperson of the Committee of National Security is spent on a confidential sitting of Chambers.

3. The inquiry can be introduced in writing and is a subject to announcement at sitting of Parliament.

4. Officials as a subject of inquiry are obliged to give an oral or written answer on sitting of Parliament. The written answer to inquiry is represented no later than a month and is disclosed at sitting. Debate can be opened around the answer to inquiry. The deputy has the right to express the attitude to the answer to inquiry.

5. Parliament or respective Chamber accepts decision on the answer to inquiry and results of its discussion. The inquiry and the answer can be published in mass media.

6. Deputies have the right to address with oral questions to the Prime-Minister and members of the Government, Chairperson of National Bank, Chairperson and members of the Central Election Commission, the Prosecutor General, the Chairperson of the Committee of National Security of the Republic of Kazakhstan, Chairperson and members of the Accounts Committee for control over execution of the republican budget at joint and separate sitting of Chambers. The answer to a question should be given at the same sitting and if additional preparation is necessary - in three-day term.

Article 28. The right of the deputy to urgent reception by officials

1. The deputy has the right of free visiting of state bodies, public associations, the state organizations on items of deputy activity, and also the right of urgent reception by their heads and other officials.

2. The order of deputy's visiting the organizations, which activity is connected with the state secrets, is established by the law.

Article 29. The information supply of the deputies' activity

1. The Bureau of Chambers provide the deputy with the documents accepted by Parliament, as well as officially distributed information and reference materials of Parliament and its bodies, other state bodies and public associations.

2. The state bodies and the organizations, their officials consult the deputy during his activity.

Article 30. Material, financial and social protection of deputies' activity

1. The salary of deputies of Parliament is set up by the President of the Republic in order established by sub item 9) of Article 44 of the Constitution of the Republic.
2. Deputies, living outside of the capital of the Republic, are provided with free furnished accommodation from the state housing for the term of their powers and on the norms established by the legislation.
3. Each deputy for maintenance of mutual relations with voters, their regular information about Parliamentary activity, performance of assignments of Parliament, its Chambers and their bodies has the right:
 - 1) for extraordinary purchase of travel documents;
 - 2) for business trips to constituencies. Thus travel and living expenses are reimbursed by order established by sub item 9) of Article 44 of the Constitution of the Republic .
4. Deputy is paid travel and living expenses on the norms established by the legislation, in case of sending the deputy for exercising tasks of Parliament, its Chambers and their bodies.
5. Transport service of deputies of Parliament within the capital of the Republic of Kazakhstan, their medical and sanatorium service are carried out by order established by the President of the Republic.
- 5-1. Deputy of Parliament after term of his powers, as well as in case of resignation or dissolution of Parliament and till the moment of his employment or achievement of a pension age is monthly paid the average monthly salary grant, but no longer than three months from the date of the termination of powers or satisfaction the application for resignation.

Article 31. Guarantees for realization of deputy powers

1. Pressure on the deputy or his close relatives in any form with the purpose to prevent execution of deputy duties attracts the responsibility according to the legislation of the Republic of Kazakhstan.
2. Officials of the state bodies and public associations, institutions of local government, the organizations, not executing their duties for the deputy, providing him with obviously a false information, abusing guarantees of deputy activity, are a subject to the responsibility according to the legislation of the Republic of Kazakhstan.

Article 32. Parliamentary immunity

1. A deputy of Parliament during the term of his office may not be arrested, subject to detention, measures of administrative punishment imposed by a court of law, arraigned on a criminal charge without the consent of a respective Chamber except for the cases of being apprehended on the scene of a crime or committing grave crimes.
2. For reception the consent to attract the deputy to the criminal charge, arrest or measures of administrative punishment imposed by a court of law, the Prosecutor General submits suggestion to the Senate or the Majilis, which is forward directed by Chambers to the Central Election Commission for its consideration at sitting of respective Chamber. Suggestion is submitted to the deputy before presentation of charge, sanction on arrest or direction of administrative punishment in court. Suggestion of the Prosecutor General and the conclusion of the Central Election Commission are considered not later than in two-weeks term from the date of their acceptance, and the Chamber has the right to demand from respective officials to represent an additional information. The Chamber accepts motivated decision and within three-day term directs it forward to the Prosecutor General and the head of the state body of the Republic, who is in charge of inquiry and preliminary investigation. The deputy has the right to participate in consideration by Chamber a question of his inviolability.
3. Criminal case concerning the deputy can be raised only by the head of the state body of the Republic, carried out inquiry and preliminary investigation, and upon termination is a subject to transfer to the Prosecutor General for realization of supervision.
4. The Central Election Commission requests in the respective court, which has made a decision, information on results of consideration, and in case of a guilty verdict submits suggestion to the respective Chamber about deprivation of the deputy mandate.

Article 33. Disciplinary measures can be applied to the deputy

1. Absence of a deputy at sittings of Chambers and their bodies without a good reason for more than three times shall cause refuse in payment of wages for days of absence. In case of absence of a deputy at sittings of Chambers and their bodies without a good reason for more than one month he loses all material, financial and social protection declared by items 1, 3, 4, 5 of Article 30 of the present Constitutional Law. Decision about this is accepted by Chairperson of respective Chamber at absence of the deputy at sitting of Chamber or joint sitting of Chambers, and the Bureau of respective Chamber - at absence of the deputy at sittings of bodies of Chamber.
2. Transferring the right to vote by the deputy shall cause the decision of the Bureau of Chamber to refuse in payment one-day wages for day in which the right to vote was transferred, and at a repeated transferring the right to vote - in payment of monthly wages.
3. In case of violation the rules of the deputy ethics, established by the procedural order of Parliament and its Chambers, the following disciplinary measures can be applied to the deputy by the decision of the Chairperson of respective Chamber:
 - 1) parliamentary censure;
 - 2) compulsion to bring a public apology;
 - 3) deprivation of a speech during one joint or separate sitting of Chambers;
 - 4) deprivation of a speech during three joint or separate sittings of Chambers;
 - 5) elimination from the assembly room for the period of one joint or separate sitting of Chambers;
 - 6) elimination from the assembly room for the period of three joint or separate sittings of Chambers;
 - 7) deprivation of one-day wages.
4. Preparation of questions concerning the imposition of these measures on the deputies, shall be delegated to the Central Election Commission of the Republic of Kazakhstan. Control for presence of the deputies on sittings of Chambers and their bodies, and as well as inadmissibility to transfer the right to vote is carried out by members of the Central Election Commission.

Article 34. Deputy associations in Parliament of the Republic

1. Deputies of Parliament have the right to establish deputy associations in the form of fractions of political parties and other public associations, deputy groups. The Chairpersons of Chambers and Deputy Chairpersons, the deputies delegated by Chambers to the Highest Judicial Council and the Qualification Collegiums of Justice, cannot be members of deputy associations.
2. Fraction is the organized group of deputies representing political party or other public association, registered in the legitimate order, which is established to express the interests of the respective political party or other public association in Parliament. The fraction should consist of no less than ten deputies of Parliament. The fraction can include deputies of both Chambers of Parliament. The deputy has the right to be a member of one deputy fraction only.
3. Deputy group is the association of deputies for realization of the powers of teamwork in constituencies. The deputy group should consist of no less than fifteen deputies of Parliament.
4. The registration of deputy fractions and groups is realized by a Bureau of Chambers of Parliament, and has exclusively information character.
5. Powers, the organization and activity of deputy fractions and groups in Parliament, maintenance of their work are defined by the procedural order of Parliament and its Chambers.

Article 35. The deputy certificate and a breastplate of the deputy

1. The deputy has the deputy certificate and the deputy breastplate offered by the Central Election Commission of the Republic after his registration as an elected deputy. The deputy uses the deputy certificate and a breastplate during term of the powers.
2. Rules on the certificate and a breastplate of the deputy of Parliament of the Republic, their samples and the description are confirmed by the Central Election Commission of the Republic.

Chapter VI. Final provisions

Article 36. The prematurely termination of powers of Parliament of the Republic

1. The President of the Republic may dissolve Parliament in cases:

- expression a vote of no confidence to the Government by Parliament;
- twice refusal of Parliament to give consent to the appointment of the Prime-Minister;
- political crisis resulting from of insurmountable differences between Chambers of Parliament or Parliament and other branches of state power.

2. The Parliament may not be dissolved in the period of a state of emergency or martial law, during the last six months of the President's term, as well as within a year after a previous dissolution.

Article 37. The working languages of Parliament of the Republic

The use of working languages of Parliament is carried out according to the Constitution of the Republic and the legislation on languages of the Republic.

Article 38. Financing of activity of Parliament of the Republic

Financing of Parliamentary activity is managed from the republican budget.

Article 39. The apparatus of Parliament of the Republic

1. The apparatus of Parliament consists of separate apparatus of the Senate and the Majilis, managing organizational, legal, information-analytical and other maintenance of the activity of Parliament.

2. The Bureau of Chambers define the structure, regular number of apparatus of the Senate and the Majilis and their formation within the limits of the budgetary funds allocated for financing the Parliamentary activity.

3. Activity of the Apparatus is exercised according to the legal normative acts of the Republic on public service.

4. The activity of civil servants of the Apparatus of Parliament with expiration of terms of Parliament, in case of dissolution of Parliament and election of new deputies does not stop.

5. Civil servants of the Apparatus of Parliament on a level of wages, other conditions of material, financial and social protection are equated to respective civil servants of the Office of the Prime-Minister of the Republic of Kazakhstan.

Article 40. The order of coming into effect of the present Constitutional Law

The present Constitutional Law comes into effect from the date of publication.

President of the Republic of Kazakhstan

N. Nazarbaev