

CONSTITUTIONAL LAW OF THE REPUBLIC OF KAZAKHSTAN N132-II
of December 25, 2000
ON THE JUDICIAL SYSTEM AND THE STATUS OF JUDGES
OF THE REPUBLIC OF KAZAKHSTAN

Section 1. GENERAL PROVISIONS

Article 1. Judicial Power

1. Judicial power in the Republic of Kazakhstan belongs only to the courts in the face of permanent judges, and jurors engaged in the criminal court proceedings in the cases and in the procedure stipulated by the law.

Justice in the Republic of Kazakhstan shall be administered only by a court.

It is prohibited to issue any legislative acts providing for transfer of exclusive powers of a court to any other agencies.

No other agencies or persons shall have the right to assume the powers of a judge or the functions of judicial power.

Appeals, applications and complaints, which are subject to consideration in the course of court proceedings, may not be considered or monitored by any other agencies, officials or other persons.

2. Judicial power shall be exercised on behalf of the Republic of Kazakhstan and is intended to protect the rights, freedoms and lawful interests of individuals and organizations, and to ensure the implementation of the Constitution, laws, other regulatory legal acts, and international treaties of the Republic.

Everyone shall be guaranteed judicial protection against any unlawful decisions and acts of state agencies, organizations, officials and other persons which infringe or restrict the rights, freedoms and legitimate interests provided by the country's Constitution and the laws.

No one may be deprived of the right to have his case considered in compliance with all the requirements of the law and fairness by a competent, independent and impartial court.

Judicial power shall be exercised by means of civil and criminal court proceedings and other forms of court proceedings established by the law.

3. In the administration of justice, judges shall be independent and subject only to the Constitution and the law. It shall not be allowed to adopt any laws or other regulatory legal acts impairing the status and independence of judges.

Any interference in the court's activity concerning administration of justice shall not be allowed and shall entail liability pursuant to the law. Judges shall not be accountable for specific cases. Any claim filed in violation of the established court procedure, and also on issues which do not come within the competence of court, shall be left without consideration or forwarded to relevant bodies.

Any contempt of a court or a judge shall entail liability stipulated by the law.

Court acts and demands of judges in exercising their powers shall be binding on all state agencies and their officials, natural persons and legal entities. Failure to implement court acts and demands of a judge shall entail liability stipulated by the law.

Article 2. Symbols of State Power

1. The State Flag of the Republic of Kazakhstan and the State Emblem of the Republic of Kazakhstan shall be placed on court buildings and in the courtrooms.

2. Judges shall administer justice in their gowns, design and description of which shall be approved by the plenary session of the Supreme Court.

Article 3. The Judicial System

1. The judicial system of the Republic of Kazakhstan shall consist of the Supreme Court of the Republic of Kazakhstan, the local and other courts established in accordance with the Constitution of the Republic of Kazakhstan and this Constitutional Law.

Establishment of special and extraordinary courts under any name shall not be permitted.

2. The local courts shall include:

1) regional courts and courts equivalent to them (the city court of the country's capital, city courts of the cities of national significance);

2) district courts and courts equivalent to them (a city, inter-district court).

3. Other courts, including specialized courts (martial, financial, economic, administrative, juvenile courts, and other courts) may be formed in the Republic of Kazakhstan.

3-1. Specialized courts with the status of a regional or district court shall be established by the President of the Republic of Kazakhstan.

4. The Supreme Court of the Republic of Kazakhstan, local and others courts shall have a seal depicting the State Emblem of the Republic of Kazakhstan and their names.

Article 4. The Unity of the Judicial System

The unity of the judicial system of the Republic of Kazakhstan shall be ensured by:

1) the common and uniform principles of justice for all courts and judges and established by the Constitution, this Constitutional Law, procedural and other laws;

2) the exercise of judicial power within the same forms of court proceedings for all courts and established by the laws;

3) the application of the current law of the Republic of Kazakhstan by all courts;

4) the legislative embodiment of the single status of judges;

5) the obligatory enforcement of judicial acts which have entered into legal force throughout the entire territory of Kazakhstan; and

6) the financing of all courts only from the national budget.

Article 5. Legislation Determining the Procedure of the Courts Activity and the Judges' Status in the Republic of Kazakhstan

The judicial system and the judges' status, as well as the procedure of justice administration in the Republic of Kazakhstan shall be determined by the Constitution, this Constitutional Law, and other legislative acts of the Republic of Kazakhstan.

SECTION 2. THE JUDICIAL SYSTEM

Chapter 1. District Courts and Courts Equivalent to Them

Article 6. Establishment of District Courts and Courts Equivalent to Them

1. District courts and courts equivalent to them (hereinafter referred to as the district courts) shall be established, reorganized, renamed and abolished by the President of the Republic of Kazakhstan pursuant to the proposal of the Chairman of the Supreme Court in concurrence with the High Judicial Council.

The President of the Republic of Kazakhstan may establish one district court in several administrative-territorial areas, or several district courts in one administrative-territorial area.

2. The total number of judges for the district courts shall be approved by the President of the

Republic of Kazakhstan pursuant to the proposal of the Chairman of the Supreme Court cleared by the High Judicial Council.

3. The number of judges for each district court shall be established by the Chairman of the Supreme Court in concurrence with the High Judicial Council based on a proposal of the authorized body responsible for organizational and logistical support to operation of the Supreme Court, local and other courts (hereinafter - the authorized body).

Article 7. The Composition of a District Court

1. A district court shall consist of the chairman and judges to be appointed in compliance with the procedure established by the Constitution and this Constitutional Law.

If under its staff chart, a district court has only one judge (one-member court), he shall exercise the powers of the chairman of the court.

2. Deleted pursuant to the RK Constitutional law N199-III of December 11, 2006 (entered into force January 1, 2007).

Article 8. The Powers of a District Court

1. A district court shall be a court of first instance.

2. A district court shall:

- 1) consider court cases and materials within its jurisdiction;
- 2) deleted pursuant to the RK Constitutional law N199-III of December 11, 2006 (entered into force January 1, 2007);
- 3) exercise other powers prescribed by the law.

Article 9. Chairman of a District Court

1. The chairman of a district court shall be a judge and alongside with performance of the functions of a judge he shall:

- 1) make decisions on organization of judicial proceedings;
- 2) carry out general management of the court registry;
- 3) receive individuals;
- 3-1) approve a work plan of a district court;
- 4) organize internships of candidates for judicial office;
- 5) ensure measures to prevent corruption and comply with the judicial ethics;
- 6) issue orders; and
- 7) exercise other powers as provided by the law.

2. In the temporary absence of the chairman of a district court, his duties shall be assigned to one of the judges of that court pursuant to the order of the chairman of that court.

In the absence of the chairman and of judges in the district court, their duties shall be assigned to judges of another court pursuant to the order of the chairman of a regional court.

In case of early termination or expiration of the term of powers of the district court's chairman, temporary duties of the chairman shall be assigned to one of the judges of that court pursuant to the order of the chairman of the regional court.

Chapter 2. Regional Courts and Courts Equivalent to Them

Article 10. Establishment of Regional Courts and Courts Equivalent to Them

1. Regional courts and courts equivalent to them (hereinafter referred to as the regional courts) shall be established, reorganized, renamed and abolished by the President of the Republic of Kazakhstan pursuant to the proposal of the Chairman of the Supreme Court in concurrence with the High Judicial Council.
2. The total number of judges for the regional courts shall be approved by the President of the Republic of Kazakhstan pursuant to the proposal of the Chairman of the Supreme Court cleared by the High Judicial Council.
The number of judges for each regional court shall be established by the Chairman of the Supreme Court in concurrence with the High Judicial Council based on the proposal of the authorized body.

Article 11. The Structure and Composition of a Regional Court

1. A regional court shall consist of the chairman and judges.
2. A regional court shall form judicial boards and may establish specialized judicial boards.
3. The bodies of a regional court shall be as follows:
 - 1) the plenary session of the court;
 - 2) the appellate judicial board on civil and administrative cases;
 - 3) the appellate judicial board on criminal cases;
 - 4) the cassation judicial board.

The appellate judicial board shall be headed by the chairman appointed pursuant to the procedure established by this Constitutional Law.

The cassation judicial board shall be headed by the chairman of the regional court appointed pursuant to the procedure established by this Constitutional law.

4. The total number of members and membership of the judicial board shall be established on a plenary session of the regional court pursuant to the proposal of the chairman of the regional court.
5. Specialized judicial boards shall be formed by the chairman of the regional court.

Article 12. Powers of a Regional Court

A regional court shall:

- 1) consider court cases and materials within its jurisdiction;
- 2) deleted pursuant to the December 11, 2006 RK Constitutional law N199-III (entered into force January 1, 2007);
- 3) study court practice and, based on its summaries, consider the issues of legality in the administration of justice by the regional courts;
- 4) supervise the activities of the offices of the authorized body in regions, cities of Astana and Almaty; and
- 5) exercise other powers prescribed by the law.

Article 13. Deleted pursuant to the November 17, 2008 RK Constitutional Law N80-IV.

Article 14. Chairman of a Regional Court

1. The chairman of a regional court shall be a judge, and in addition to the duties of a judge he shall:
 - 1) make decisions on issues of organization of court proceedings;

- 2) preside over sessions of the judicial cassation boards;
- 3) convene and chair plenary sessions of the regional court;
- 4) ensure measures to prevent corruption and comply with the judicial ethics standards;
- 5) based on the recommendation of a plenary session of the court, send an evaluation of the internship results of a candidate for a judicial office to the High Judicial Council;
- 6) approve a work plan of a regional court;
- 7) organize studies of the court practice;
- 8) issue orders;
- 9) carry out general management of the registry of regional courts, the courts of Astana and Almaty cities;
- 10) personally receive individuals;
- 11) exercise other duties as prescribed by the law.

2. In case of early termination or expiration of the term of the chairman of the regional court, the Chairman of the Supreme Court shall assign temporary performance of the chairman's duties to one of the chairmen of appellate judicial boards of the regional court. Chairmanship at cassation judicial board sessions shall be assigned to a judge of the cassation judicial board of the regional court.

In the absence of chairmen of the appellate judicial boards, the Chairman of the Supreme Court shall assign temporary performance of the chairman's duties to a judge of the cassation judicial board of the regional court.

3. In the temporary absence of the chairman of a regional court, his duties shall be assigned to one of the chairmen of the regional court's appellate boards by the chairman of the regional court. In the absence of chairmen of the appellate judicial boards, the chairman of the regional court shall assign temporary performance of the chairman's duties to a judge of the cassation judicial board of the regional court.

Article 15. Chairman of a Judicial Board of the Regional Court

1. The chairman of a judicial board of a regional court shall be a judge, and in addition to his duties he shall:

- 1) make decisions on organization of judicial proceedings in the judicial board;
- 2) chair the sessions of the judicial board;
- 3) organize work on studying and summarizing of judicial practice;
- 4) submit information to a plenary session of the court concerning the activities of the judicial board; and
- 5) exercise other duties as prescribed by the law.

2. The chairman of the appellate judicial board shall submit proposals to the chairman of the regional court concerning formation of specialized bodies in the appellate judicial board;

3. In the temporary absence of the chairman of the judicial board, the chairman of the court shall assign his duties to one of the judges of the judicial board.

In case of early termination or expiration of the term of the chairman of the judicial board, the chairman of the regional court shall assign temporary performance of his duties to a judge of the respective judicial board of the regional court.

Article 16. Plenary Session of the Regional Court

1. Whenever necessary, but no less than twice a year, the regional court shall hold plenary sessions, on which it shall:

- 1) establish the total number of members and membership of the corresponding judicial board;
- 2) deleted pursuant to the November 17, 2008 RK Constitutional law N80-IV;
- 3) hear information of the chairman of the regional court and chairmen of the judicial boards;
- 4) discuss the court practice and based on its summaries, consider the issues of legality in the administration of justice by the regional courts;
- 5) issue consent to the authorized body for appointment of a head of the authorized body's office in the region, cities of Astana and Almaty;
- 6) hear activity reports of the head of the authorized body's office in the region, cities of Astana and Almaty;
- 7) consider candidates for vacancy of a judge of the regional court, the chairman of a district court and, based on its results, issue relevant conclusions;
- 8) submit proposals to the authorized body on dismissal of the head of the authorized body's office in the region, cities of Astana and Almaty;
- 9) consider results of internship of candidates for a judicial office and issue relevant conclusions;
- 9-1) discuss issues of forwarding materials against a judge who has low justice performances or allows systematic violation of law in legal proceeding to the Judicial Jury, and based on the results of the discussion, make an appropriate decision; and
- 10) exercise other duties as prescribed by the law.

2. A plenary session shall be legally competent provided that no less than two thirds of the total number of the judges of the regional court attends it.

3. The procedure of work of a plenary session of a regional court shall be determined by the rules of procedure approved by it.

Chapter 3. The Supreme Court of the Republic of Kazakhstan

Article 17. The Powers of the Supreme Court

1. The Supreme Court shall be the highest judicial body for civil, criminal and other cases which are in the jurisdiction of local and other courts, and shall supervise their activity within the procedural forms established by the law and offer explanations on issues of the court practice.

2. The Supreme Court shall:

- 1) review the court cases and materials within its jurisdiction;
- 2) study the court practice, and based on the results of its summaries, consider the issues of legality in the administration of justice by the country's courts;
- 3) adopt regulatory resolutions, offer explanations on issues of court practice;
- 3-1) assemble a pool of candidates to positions of chairmen of courts, chairmen of judicial boards of local and other courts, judges and chairmen of judicial boards of the Supreme Court (hereinafter, the pool of candidates); and
- 4) perform other duties as prescribed by the law.

3. The Chairman of the Supreme Court shall approve the procedure for assembling and organizing the work with the pool of candidates.

Article 18. The Structure and Composition of the Supreme Court

1. The Supreme Court shall consist of the Chairman and judges. The total number of the Supreme Court judges shall be established by the President of the Republic of Kazakhstan

pursuant to the proposal of the Chairman of the Supreme Court.

2. Under the Supreme Court, judicial boards shall be established and specialized judicial boards may be set up.

3. The bodies of the Supreme Court shall be as follows:

- 1) the plenary session;
- 2) the supervisory judicial board for civil and administrative cases;
- 3) the supervisory judicial board for criminal cases.

The judicial board shall be headed by the Chairman appointed to office in accordance with the procedure established by this Constitutional Law.

4. The total number of members and membership of the judicial board shall be established on a plenary session of the Supreme Court pursuant to the proposal of the Chairman of the Supreme Court.

5. The Chairman of the Supreme Court may form specialized boards.

6. A scientific-advisory council and an official journal shall be set up under the Supreme Court.

Article 19. Deleted pursuant to the November 17, 2008 RK Constitutional Law N80-IV.

Article 20. Chairman of the Supreme Court

1. The Chairman of the Supreme Court shall be a judge, and in addition to his duties of a judge he shall:

- 1) head the Supreme Court as the highest judicial body;
- 2) may chair sessions of judicial boards and specialized boards;
- 3) convene and chair plenary sessions of the Supreme Court;
- 4) submit materials to a plenary session of the Supreme Court for consideration, in order to adopt regulatory resolutions on issues of court practice and a report on the review of judicial acts in the exercise of supervisory powers, on the grounds provided by law;
- 5) nominate candidates to the positions of the secretary of a plenary session of the Supreme Court and members of the scientific- advisory council for approval by the plenary session of the Supreme Court;
- 6) when necessary, assign judges of one judicial board to review cases in another judicial board;
- 6-1) ensure measures to prevent corruption and comply with the judicial ethics;
- 7) approve the work plan of the Supreme Court;
- 8) coordinate work of the judicial boards;
- 8-1) approve the number of judges for each local and other courts in concurrence with the High Judicial Council;
- 9) submit the Regulations on the authorised body to the President of the Republic of Kazakhstan for his approval;
- 9-1) approve the structure and the staffing of the authorised body within the staffing chart approved by the President of the Republic of Kazakhstan, in the manner prescribed by law;
- 9-2) appoint and dismiss the head of the authorized body and his deputies, in the manner prescribed by law;
- 10) personally receive individuals; and
- 11) issue orders.

2. The Chairman of the Supreme Court shall represent the interests of the country's judicial system in relations with the agencies of other branches of state power of the country and international organizations, and shall:

- 1) deleted pursuant to the December 29, 2010 RK Constitutional law N370-IV;

- 2) submit lists of candidates for vacant positions of the chairmen and chairmen of judicial boards of local and other courts, the chairmen of judicial boards and judges of the Supreme Court for consideration of the relevant plenary sessions of the courts on an alternative basis;
- 3) based on decisions of plenary sessions of regional courts, propose candidates for vacant positions of the chairmen of district courts on an alternative basis to the High Judicial Council;
- 3-1) based on decisions of plenary sessions of the Supreme Court, propose candidates for vacant positions of the chairmen and chairmen of the judicial boards of regional courts, chairmen of judicial boards and judges of the Supreme Court on an alternative basis to the High Judicial Council;
- 4) submit proposals for improvement of legislation to the President of the Republic of Kazakhstan;
- 5) if any grounds stipulated in this Constitutional Law arise, submit proposals and materials concerning discharge of chairmen, chairmen of judicial boards and judges of the Republic's courts to the High Judicial Council;
- 6) submit to the President of the Republic of Kazakhstan proposals concerning awarding state awards and confer honorary titles to judges;
- 7) confer to judges the title of Honorary Judge, and approve the Regulations on the Procedure of Conferring of this Title;
- 8) deleted pursuant to the December 11, 2006 RK Constitutional Law N199-III (enacted January 1, 2007); and
- 9) exercise other powers established by the law and other regulatory legal acts.

3. In the temporary absence of the Chairman of the Supreme Court, his duties shall be assigned to one of the chairmen of the judicial boards, by an order of the Chairman of the Supreme Court. In the absence of the chairmen of the judicial boards, temporary performance of the Chairman's duties shall be assigned to one of the Supreme Court judges by an order of the Chairman of the Supreme Court.

4. If the Chairman of the Supreme Court resigns or his duties are terminated early otherwise, the President of the Republic of Kazakhstan shall temporarily assign the Chairman's duties to one of the chairmen of the judicial boards (judge) of the Supreme Court.

Article 21. Chairman of a judicial board of the Supreme Court

1. The chairman of a judicial board of the Supreme Court shall be a judge, and in addition to his duties as a judge he shall:

- 1) chair the sessions of the judicial board;
- 1-1) make decisions on organization of judicial proceedings in the judicial board;
- 2) organize work on studying and summarizing court practice;
- 3) ensure preparation of relevant documents by judges for review at a plenary session of the Supreme Court;
- 4) submit information to a plenary session concerning the activities of the judicial board;
- 4-1) personally receive citizens; and
- 5) exercise other powers established by the law.

2. In the temporary absence of the chairman of a judicial board, his duties shall be assigned to one of the judges of the board, pursuant to an order of the Chairman of the Supreme Court.

In cases of early termination or expiration of the term of the chairman of the Supreme Court's judicial board, performance of his duties shall be assigned temporarily to a judge of

the respective board of the Supreme Court by an order of the Chairman of the Supreme Court.

Article 22. Plenary Session of the Supreme Court

1. A plenary session of the Supreme Court shall:

- 1) pursuant to a proposal of the Chairman of the Supreme Court, establish the number of judges and membership of the corresponding judicial board;
- 2) study court practice and based on its summaries, consider the issues of legality in administration of justice by the courts of the Republic;
- 3) adopt regulatory decisions, offer explanations on judicial practice and proposals for improvement of legislation;
- 3-1) review court cases, in the exercise of its supervisory power, as prescribed by law;
- 4) hear information from the chairmen of the judicial boards of the Supreme Court and the head of the authorized body;
- 5) issue its opinion in cases stipulated by Article 47.2 of the Constitution of the Republic of Kazakhstan;
- 6) discuss candidates for vacant positions of the chairmen, the chairmen of judicial boards of regional courts, the chairmen of judicial boards and judges of the Supreme Court, and issue relevant opinions;

- 7) pursuant to a proposal of the Chairman of the Supreme Court, approve the secretary of a plenary session and members of the research and advisory council, and elect the Judicial Jury by secret voting;
- 7-1) discuss submission to the Judicial Jury of materials against a judge who has low justice performances or allows systematic violation of law in legal proceeding, and based on the results of discussion make an appropriate decision;
- 7-2) approve a uniform and description of a judge's gown; and
- 8) exercise other powers established by the law.

2. A plenary session shall be legally competent provided that no less than two thirds of the total number of the judges of the Supreme Court attends it.

3. The procedure of work of a plenary session of the Supreme Court shall be determined by the regulations it approves.

Section 3. THE STATUS OF JUDGES

Chapter 1. The Legal Status of Judges

Article 23. The Status of a Judge

1. Judges of all courts of the Republic of Kazakhstan shall have equal status and shall differ only in power.

A judge is a state official vested with the power to administer justice, carry out his duties on a permanent basis, and be a bearer of judicial power in the manner prescribed by the Constitution of the Republic of Kazakhstan and this Constitutional Law.

The legal status of judges shall be determined by the Constitution of the Republic of Kazakhstan, this Constitutional Law and other laws.

2. A judge may not be assigned any non-judicial functions and duties not provided for by law.

A judge may not be a member of state structures on issues of combating crime, compliance with law and order.

Article 24. Irremovability of Judges

1. Judges shall be elected or appointed in accordance with the Constitution of the Republic of Kazakhstan and this Constitutional Law and vested with the power on a permanent basis.
2. Powers of the judges may be terminated or suspended only on the grounds and in the manner prescribed by this Constitutional Law and other laws of the Republic of Kazakhstan.

Article 25. Independence of a Judge

1. Independence of a judge shall be protected by the Constitution and the law. In administration of justice, judges shall be independent and be governed only by the Constitution of the Republic of Kazakhstan and the law.
2. No one shall interfere in the administration of justice or exert any impact on a judge or jury. Such actions are punishable by law.
3. A judge shall not be obliged to provide any explanations on the essence of the court cases that have been considered or are under review. Confidentiality of the retiring room must be secured in all cases without exception.
4. Financing of courts, financial and social security of judges, as well as providing them with housing, shall be covered by the national budget in the amount sufficient for the full and independent administration of justice.

Article 26. Guarantees of Judge's Independence

1. The independence of a judge shall be ensured by:
 - 1) the procedure stipulated by the law for administration of justice;
 - 2) the liability stipulated by the law for any interference in the judge's activity associated with the administration of justice and for contempt of court and judges;
 - 3) the immunity of a judge;
 - 4) the procedure established by the Constitution of the Republic of Kazakhstan and this Constitutional Law for the election, appointment, termination and suspension of the powers of a judge, and the judge's right to resign; and
 - 5) the provision to judges, at the expense of the state, of financial support and social security appropriate to their status, and prohibition to deteriorate it.
2. Judges, members of their family and their property shall be under the protection of the state.

Law-enforcement bodies shall take timely and exhaustive measures to provide for security of a judge and members of his family, safety of their property, if the judge files a relevant statement.

Any damage inflicted to a judge and his property in connection with his professional activity shall be reimbursed from the national budget.

Article 27. The Immunity of Judges

1. A judge may not be arrested, taken into custody, subjected to administrative punishments imposed in the judicial procedure, or charged with criminal liability without the consent of the President of the Republic of Kazakhstan, based on the opinion of the High Judicial Council, and in the case stipulated by Article 55.3) of the Constitution, without the consent of

the Senate of the Parliament of the Republic of Kazakhstan, except for cases of detention at the scene of the crime or the commission of a serious crime. Immunity of the judge shall include immunity of his/her personality, property, private premises and offices, both personal and office vehicles used by him/her, documents belonging to him/her, luggage and other property.

2. A criminal case against a judge may be initiated only by the General Prosecutor of the Republic of Kazakhstan. Special investigative measures against a judge may be initiated only by sanction of prosecutor.

3. A judge shall be issued an ID card pursuant to the procedure set by the President of the Republic of Kazakhstan.

Article 28. Requirements to a Judge

1. A judge shall be obliged to:

1) strictly observe the Constitution and laws of the Republic of Kazakhstan, remain faithful to the oath of the judge;

2) comply with the requirements of judicial ethics and avoid anything which might denigrate the authority or dignity of the judge or cause doubt about his integrity, justice, impartiality and objectiveness in carrying out his constitutional duties associated with the administration of justice, and in unofficial relations;

3) oppose any corrupt practices and attempts of illegal interference in his activity associated with the administration of justice; and

4) to observe the confidentiality of judges' deliberations.

2. The office of a judge shall be incompatible with a deputy's mandate, any paid position except teaching, research or other creative activity, business activity, or being a member of the management body or supervisory board of a commercial organization.

Judges may not be members of parties or trade unions, and may not come out in support of or opposition to any political party.

Article 29. Requirements to Judicial Candidates

1. Any citizen of the Republic of Kazakhstan may be appointed a judge of a district court who:

is at least twenty-five years of age;

has a higher legal education, an impeccable reputation, and has a working experience in legal profession of no less than two years;

passed the qualification examination. Persons who graduated from a specialized master's programme shall be exempted from the examination for five years upon graduation;

passed medical examination, and confirmed the absence of disease, preventing the fulfillment of professional duties of a judge;

completed successful internship in a court and received a positive evaluation by the plenary session of the court. No internship in the court shall be required for a candidate who completed the specialized Master's program course.

2. Any citizen who meets the requirements of clause 1 of this Article, who has working experience in legal profession of no less than fifteen years or work experience as a judge not less than five years, and who received a positive evaluation by a plenary session of a relevant regional court may be appointed a judge of a regional court.

No evaluation of a plenary session of a relevant regional court is required for incumbent judges.

An appeal on evaluation of a plenary session of a relevant regional court may be filed with the plenary session of the Supreme Court.

The candidate shall submit an evaluation of a plenary session of a relevant regional court or the Supreme Court to the High Judicial Council.

3. Any citizen who meets the requirements of clause 1 of this Article, who has work experience in legal profession of no less than twenty years or work experience as a judge not less than ten years, and who has received a positive evaluation by the Supreme Court's plenary session may be appointed a judge of the Supreme Court.

4. Judicial candidates shall undertake internship in a court on a regular basis. Conditions and procedure for a judicial candidate's internship in the court shall be determined by the Regulations approved by the President of the Republic of Kazakhstan.

Article 29-1. Medical examination of a candidate for the position of a judge

1. Medical examination of a candidate shall be carried out to confirm the absence of diseases which hinder execution of professional duties as a judge.

2. List of the diseases hindering execution of professional duties of a judge shall be provided pursuant to the joint regulatory legal act issued by the authorized government body providing organizational and logistical support of the Supreme Court, local and other courts and by the authorized public health body.

Article 30. Selection of Candidates for Positions of a Judge, Chairman and Chairman of a Judicial Board of a Court

1. A judicial candidate shall be guaranteed equal rights to the position irrespective of his background, social and property status, race and ethnic origin, sex, political views, religious beliefs, or other circumstances.

2. Judicial candidates for filling the vacancy of a judge of local and other courts shall be selected by the High Judicial Council on a competitive basis out of those persons who filed applications to the vacant positions and who meet the requirements of Article 29 of this Constitutional Law.

Based on the competition results, the High Judicial Council shall recommend candidates to vacant offices in local and other courts to the President of the Republic of Kazakhstan for appointment to the office.

3. A candidate for the vacant position of a chairman of a district court shall be considered on an alternative basis by the High Judicial Council pursuant to a proposal of the Chairman of the Supreme Court which he submits based on an opinion of a plenary session of a corresponding regional court.

Candidates for vacant positions of chairmen and chairmen of judicial boards of regional courts, chairmen of judicial boards and judges of the Supreme Court shall be considered on an alternative basis by the High Judicial Council pursuant to a proposal of the Chairman of the Supreme Court which he submits based on an opinion of a plenary session of the Supreme Court.

Candidates for vacant positions of the chairman of a district court, chairmen and chairmen of judicial boards of regional courts, as a rule, shall be recommended from among incumbent judges or persons with the length of service as a judge no less than five years.

A candidate for the vacant position of the chairman of a judicial board of the Supreme Court shall be recommended from among judges of the Supreme Court.

The High Judicial Council shall recommend candidates for the vacant positions of the

chairmen, the chairmen of judicial boards of local and other courts, chairmen of judicial boards of the Supreme Court to the President of the Republic of Kazakhstan for appointment to office.

A candidate for the position of the Chairman of the Supreme Court shall be considered by the High Judicial Council.

The High Judicial Council shall recommend candidates for the vacant positions of the Chairman, a judge of the Supreme Court to the President of the Republic of Kazakhstan for introduction to the Senate of the Parliament of the Republic of Kazakhstan.

Article 31. Procedure for Vesting Powers in a Judge

1. Judges of the Supreme Court of the Republic of Kazakhstan shall be elected by the Senate pursuant to the proposal of the President of the Republic of Kazakhstan based on the recommendation of the High Judicial Council.

2. Judges of local and other courts shall be appointed to office by the President of the Republic of Kazakhstan pursuant to the recommendation of the High Judicial Council.

3. Chairmen of judicial boards of local and other courts, chairmen of judicial boards of the Supreme Court shall be appointed to office by the President of the Republic of Kazakhstan pursuant to the recommendation of the High Judicial Council based on the proposal of the Chairman of the Supreme Court and the decision of plenary sessions of the Supreme Court for a term of five years.

4. The Chairman of the Supreme Court shall be elected pursuant to the proposal of the President of the Republic of Kazakhstan based on the recommendation of the High Judicial Council for a term of five years.

5. The chairmen of local and others courts shall be appointed to office by the President of the Republic pursuant to the recommendation of the High Judicial Council of the Republic of Kazakhstan for a five-year term.

6. Deleted pursuant to the November 17, 2008 RK Law N80-IV.

7. Upon expiry of their term in office, the chairmen and chairmen of judicial boards of local and other courts, the chairman and chairmen of the judicial boards of the Supreme Court shall continue performing the powers of a judge of the corresponding court, unless they have been elected or appointed accordingly to a similar position in another court.

In case of absence of vacancies of judges in a corresponding court, the chairmen and chairmen of judicial boards of local and other courts who were not re-appointed to a similar position, by their consent, shall be recommended for the position of a judge of equivalent or subordinate court without participation in a competition.

8. In case of reorganization or liquidation of a court, reducing the total number of judges in this court, its judges, with their consent, may be recommended for the position of a judge of equal or subordinate court without participating in a competition.

Article 32. The Judge's Oath

1. A person elected or appointed to the position of a judge for the first time shall take the following oath:

"I solemnly swear that I will faithfully and impartially perform my duties, administer justice subject only to the Constitution and the laws of the Republic of Kazakhstan, and be unbiased and fair as my duty of a judge tells me."

2. The Chairman and judges of the Supreme Court shall take the oath at a session of the Senate of the Parliament of the Republic of Kazakhstan.

3. Deleted pursuant to the November 17, 2008 RK Law N80-IV.

4. 4. A person appointed to the position of a chairman, chairman of the judicial board, and judge of a regional court, chairman and judge of a district court for the first time shall take the oath at a plenary session of the regional court.

When a judge is appointed a chairman of the court or a chairman of the judicial board, or a judge of another court, he shall not take the oath repeatedly.

Article 33. Suspension of the Powers of a Judge

1. The powers of a judge shall be suspended in case of:

- 1) the judge has been registered as a candidate for the President of the Republic of Kazakhstan, for a deputy of the Parliament or maslikhats of the Republic of Kazakhstan;
- 2) the judge has been recognized as missing by a court decision which has entered into legal force;
- 3) a consent has been given to initiate criminal proceedings against the judge;
- 3-1) there is a decision made by the Judicial jury on the necessity of suspension of the judge's powers on the grounds provided for by Clause 2 Article 34 of the present Constitutional law;
- 3-2) Deleted pursuant to the February 16, 2012 RK Constitutional law N559-IV.
- 4) in case of his transfer to another job.

2. The powers of a judge shall be suspended:

by the President of the Republic of Kazakhstan with regard to the Chairman of the Supreme Court;

by the Chairman of the Supreme Court with regard to all other judges of the Republic.

2-1. When judge's powers are suspended, his powers as the chairman of court or the chairman of a judicial board of the respective court shall also be suspended.

3. The powers of a judge shall be renewed if the circumstances, which served as the grounds for making decision to suspend the powers of a judge, are no longer relevant.

Article 34. Discharge from Office and Termination of Powers of a Chairman of Court, Chairman of Judicial Board and a Judge

1. The grounds for termination of the powers of a chairman of a court, chairman of judicial board and a judge are as follows:

- 1) judge's resignation;
- 2) judge's dismissal from the office pursuant to his own will;
- 3) health condition impeding further performance of professional duties, in accordance with a medical report;
- 4) entry into a legal force of a court decision recognizing the judge as legally incapable or with limited capacity, or applying compulsory measures of a medical nature to him;
- 5) entry into a legal force of a conviction in respect of this judge;
- 6) termination of citizenship of the Republic of Kazakhstan;
- 6) death of the judge or entry into legal force of a court decision recognizing him as deceased;
- 8) appointment, election of the judge to another position or his transfer to another job;
- 9) abolishment or re-organization of the court, downsizing the number of judges in the respective court unless the judge agrees to take a vacant position of a judge in another court;
- 10) abolishment or re-organization of the court, downsizing the number of judges in the respective court or expiry of powers unless the chairman of the court, chairman of a judicial board agrees to take a vacant position of a judge in another court

9) conclusion made by the Judicial jury on inconsistency with job because of professional impropriety, on the necessity to dismiss him from the judge's position for

commitment of disciplinary offenses or failure to meet the requirements established in article 28 of this Constitutional law;

12) achievement of the pension age or judges' compulsory retirement age.

2. The powers of a chairman of court, chairman of a judicial board may be terminated before the expiry time at his own will or in failure to meet the requirements set in articles 9, 14, 15, 20, 21 and 28 of this Constitutional law.

3. Decision to discharge a judge from office shall be made by:

1) a resolution of the Senate of the Parliament of the Republic of Kazakhstan, with regard to the Chairman, judges of the Supreme Court, pursuant to the proposal of the President of the Republic of Kazakhstan;

2) a decree of the President of the Republic of Kazakhstan, with regard to the chairmen of the judicial boards of the Supreme Court, chairmen, chairmen of judicial boards and judges of local and other courts.

4. Discharge from office as a judge shall entail at the same time termination of powers of the chairman or chairman of judicial board of the corresponding court.

Discharge from office of the chairman or chairman of judicial board of the corresponding court pursuant to his own wish or upon expiry of their term shall not entail their discharge from office as a judge of such court with the exception of cases specified in paragraph 7, article 31 of this Constitutional law.

5. The grounds for dismissal of judges stipulated by sub-clauses 5) and 11) of paragraph 1 of this Article shall be considered as negative reasons.

Article 34-1. The judges' compulsory retirement age

1. When a judge achieves a retirement age established by the law of the Republic of Kazakhstan, the Chairman of the Supreme Court, in concurrence with the High Judicial Council, may further extend his tenure of the judicial office until the judge's compulsory retirement age.

Judicial tenure shall be allowed until the judges' compulsory retirement age – 65 years, which in exceptional circumstances may be extended for not more than five years pursuant to the procedure specified in paragraph 1 of this article.

Article 35. Judge's resignation

1. A special form of termination of the powers of a judge having an impeccable reputation, having the experience of judicial work of not less than fifteen years, remaining a member of the judicial community, reserving the guarantees of personal immunity and other material and social guarantees stipulated by this Constitutional Law shall be recognized as resignation. A judge shall be discharged from office in the form of resignation upon the application of a judge's resignation in writing.

2. When a judge resigns, he shall be paid a lump-sum severance pay in the amount of twenty four monthly official salaries if his length of court service is twenty or more years, and eighteen monthly official salaries if the length of court service is fifteen-twenty years.

3. A judge's resignation shall be terminated in cases of :

commitment of a crime or misdemeanor which brings the authority of the judiciary into disrepute;

On his own;

cessation of citizenship of the Republic of Kazakhstan; and

his/her death or the entry into force of a court decision to declare him/her dead.

Resignation of a judge shall be suspended in cases of engagement in entrepreneurial activity, becoming a member of the governing body or the supervisory board of a commercial organization, entering the paid position, except teaching, research or other creative activities.

Resignation is suspended by the Chairman of the Supreme Court.

Resignation of a judge shall be resumed if the circumstances that led to the decision to suspend the resignation of a judge were eliminated.

4. In case of termination of resignation, the judge shall forfeit the guarantees of personal immunity and the guarantees spelled out in Articles 51, 53 and 55 of the present Constitutional law.

In case of suspension of resignation, the judge's guarantees of personal immunity and the guarantees pursuant to Articles 51, 53 and 55 of the present Constitutional law shall also be suspended.

5. Termination of suspension is carried out in the same order as the dismissal of a judge from his position in connection with resignation.

Article 35-1. The judge's pension provision

1. The judge's pension provision shall be ensured pursuant to the terms and procedures set forth in the legislation of the Republic of Kazakhstan on pension support.

2. Additional compulsory pension payments out of the funds of the national budget shall be established for the judge in the amount stipulated by the legislation of Republic Kazakhstan on pension support.

At the judge's dismissal from office on the negative grounds, the above specified payments shall be withdrawn and returned to the national budget.

Article 36. High Judicial Council

1. The High Judicial Council shall consist of the Chairman, the secretary and other members to be appointed by the President of the Republic.

2. The status and organization of work of the High Judicial Council shall be determined by the law.

Article 37. Judicial Community and its Bodies

1. In order to implement and protect common interests of the judicial community, judges shall have the right to create public associations.

2. Judicial associations shall, where necessary, represent and protect interests of their members in compliance with the procedure established by law and may not influence the administration of justice, and shall not pursue any political goals.

Article 38. deleted pursuant to the February 16, 2012 RK Constitutional law N559-IV.

Article 38-1. Judicial jury

1. The Judicial jury shall be set up to evaluate professional competence of an incumbent judge, to confirm a judge's right to resignation and its termination as well as to consider issues of initiation of disciplinary proceedings, disciplinary cases against judges.

The Judicial jury has eleven members including three judges of district courts, three judges of regional courts, and five judges of the Supreme Court.

2. The grounds for consideration of materials against a judge by the Judicial jury shall be a

decision of the plenary session of a regional or Supreme Court or a submission of the chairman of a regional court or the Chairman of the Supreme Court.
The procedure for establishment and operation of the Judicial jury as well as the procedure for consideration of materials, disciplinary cases by the Judicial jury shall be determined by the Regulation approved by the President of Republic Kazakhstan.

Chapter 2. Disciplinary Liability of Judges

Article 39. Grounds for Disciplinary Liability of Judges

1. A judge may be charged with disciplinary liability:
 - 1) for breaching the law while reviewing court cases;
 - 2) for committing a misdemeanor that contradicts judicial ethics; and
 - 3) for a gross violation of the labor discipline.
2. Chairmen of courts, and chairmen of the judicial boards of courts may be brought to disciplinary responsibility for improper performance of their duties as stipulated by this Constitutional Law.
3. The reversal or modification of a judicial act shall not entail per se the liability of the judge, unless he committed gross violations of the law, which are indicated in a judicial act of a higher court instance.

Article 40. Types of Penalties Applied to a Judge

1. The following disciplinary penalties may be applied to judges:
 - 1) note;
 - 2) reprimand;
 - 3) deleted pursuant to the December 29, 2010 RK Constitutional law N370-IV.
 - 4) discharge of the chairman of a court or chairman of a judicial board from the office for improper performance of his duties;
 - 5) discharge of a judge from office on the grounds stipulated by this Constitutional Law.
2. Only one disciplinary penalty shall be imposed for each disciplinary violation subject to the nature of the misdemeanor, the judge's personality and degree of his guilt.

Article 41. deleted pursuant to the February 16, 2012 RK Constitutional law N559-IV.

Article 42. Deadlines for Initiation and Consideration of a Disciplinary Case

1. Disciplinary proceedings against a judge may be initiated not later than three months after the discovery of the misdemeanor, not counting the time of official investigation and the judge's absence from work for a good reason, but not later than one year after the misdemeanor was committed.

The day of the discovery of a disciplinary misdemeanor related to breach of the law by a judge when considering a court case, shall be the day of entry into legal force of the judicial act of a higher court instance, which has established the fact of breach of the law, and the day of committing such misdemeanor shall be the day of issuing the illegal judicial act.

2. A disciplinary case must be considered within two months of the date of its institution.

Article 43. Deleted pursuant to the February 16, 2012 RK Constitutional law N559-IV.

Article 44. Decisions of the Judicial Jury

In consideration of a disciplinary case and of materials in regard to a judge whose professional qualification is challenged, the Judicial jury shall issue one of the following decisions:

- 1) to impose a disciplinary sanction under Clause 1 Article 40 of the present Constitutional law;
- 2) that the disciplinary proceedings be terminated;
- 3) on the judge's consistency with the occupied office;
- 4) on taking measures required for the improvement of the judge's professional skills (referral of the judge to a training, arrangement of mentoring, practical training at a higher-level court and others)
- 5) on the judge's inconsistency with his position because of professional impropriety.

2. The Judicial jury's decision shall serve the ground for the Chairman of the Supreme Court to submit a relevant proposal to the High Judicial Council on dismissal of the chairman of the court, chairman of judicial board or a judge from his office.

3. The High Judicial Council's denial of issuance of a recommendation to dismiss the chairman of court, chairman of a judicial board or a judge from his office shall serve a ground for the Judicial jury's reversal or re-consideration of its decision.

Article 45. Term of a Disciplinary Penalty

1. If for one year from the date of imposition of a penalty a judge is not subjected to another disciplinary penalty, he shall be deemed not to have been subjected to any disciplinary penalty.
2. Upon the expiry of six months from the date of imposition of a disciplinary penalty, the penalty may be remitted early if the judge's behavior has been irreproachable and the judge's attitude towards his duties has been conscientious.

Article 46. Deleted pursuant to the February 16, 2012 RK Constitutional law N559-IV

Chapter 3. Financial Support and Social Security for Judges

Article 47. Financial Support for Judges

1. Financial support for a judge must conform to his status and ensure the possibility of full and independent administration of justice, and may not be reduced.
2. Judges' remuneration shall be determined by the President of the Republic of Kazakhstan in accordance with Article 44.9) of the Constitution taking into account the status of the judge, procedure of his/her appointment and election, and also functions he/she performs.

Article 48. Deleted pursuant to the December 29, 2010 RK Constitutional law N370-IV.

Article 49. Judges' Annual Leave

Judges shall be granted annual leave of thirty calendar days with payment of a recuperation allowance in the amount of their two-month wage.

Article 50. Compensation for relocation

Appointed (elected) judges, reappointed (re-elected) judges to another region of Kazakhstan, and members of their families shall be paid the relocation costs actually incurred in full.

Article 51. Housing provision

1. Housing for judges shall be covered from the funds of the national budget.
2. A judge and members of his family shall, in the priority manner but no later than within six months from the day of assumption of his office, be provided comfortable housing, in accord with the standards of that specific region, from the state housing stock based on the norms which exclude placement of the judge into the category of people who need to improve their housing conditions. Official housing occupied for permanent residence by a judge who has worked as a judge for more than ten years may be purchased by him at its residual value if the judge wishes.
3. Upon the release from office, the judge and his family members may not be evicted from official housing without being granted other housing.

Article 52. Providing Gowns to Judges

Judges of all courts shall be provided with judge's gowns at the expense of the national budget.

Article 53. Medical Care for Judges

1. Judges and members of their families who live together with them shall be provided with medical care at relevant state health care institutions in accordance with the established procedure.
2. The procedure and conditions of medical care for judges shall be determined by the Government of the Republic of Kazakhstan.

Article 54. Compensation in the event of injury (trauma, injury, contusion, occupational disease) or death of a judge

1. In the event of injury (trauma, injury, contusion, occupational disease) in the performance of his/her official duties, he/she shall be paid lump-sum compensation in the amount established by the present Article.
2. In the event of the death of a judge in performance of duties or within a year after termination of his/her powers as a result of injury (trauma, wound, contusion, occupational disease) sustained in the performance of duties, those who are entitled to compensation, shall be paid lump sum compensation in the amount of sixty monthly official salaries paid in the last position.
3. If a judge's disability resulting from injury (trauma, wound, contusion, occupational disease) sustained in the performance of duties was established, he/she shall be paid lump sum compensation in the following amounts:
 - 1) person of the 1st disability group –thirty monthly official salaries;
 - 2) person of the 2nd disability group – eighteen monthly official salaries;
 - 3) person of the 3rd disability group - six monthly official salaries.
4. If severe injury sustained by the judge in the performance of duties (trauma, wound, contusion, occupational disease) does not entail assignment of disability, he/she shall be paid

lump sum compensation in the amount of one and half-month official salary, if the injury is slight - a half-month official salary.

5. The procedure for payment of the lump sum compensation is determined by the Government of the Republic Kazakhstan.

6. The lump sum compensation shall not be paid, if in accord with the procedure stipulated by the legislation of the Republic of Kazakhstan, it was proved that the injury (trauma, wound, contusion, occupational disease) or death of the judge occurred in connection with the circumstances not related to the performance of official duties.

Article 55. Compensation of Funeral Costs

A lump-sum monetary compensation in the amount of three months' salary of a judge in the corresponding position as of the moment of the judge's death shall be paid for the funeral of judges who died from natural or external causes and of pensioners who retired from the office of judge.

The procedure for payment of the lump-sum monetary compensation shall be determined by the Government of the Republic of Kazakhstan.

Article 55-1. Deprivation of judges of guarantees of the financial and social security

If a judge terminated his/her power in compliance with the opinion of the Judicial jury in connection with commitment of a crime or discrediting misconduct which impair the authority of the judiciary, breach of judicial ethics and failure to meet other requirements specified in Article 28 of this Constitutional law, as well as according to a decision on professional impropriety, he/she shall be deprived of:

- 1) the right to resignation and the guarantee of personal immunity ;
- 2) all the material and social guarantees provided for in Articles 51, 53, 54 and 55 of this Constitutional Law.

Section 4. SUPPORT FOR COURTS' ACTIVITY

Article 56. Organizational and Logistical Support for Courts' Activity

1. Organizational and logistical support for the activity of the Supreme Court of the Republic of Kazakhstan, local and other courts, as well as provision of documented judicial statistics to the authorized agency on legal statistics and special records in compliance with legislation of the Republic of Kazakhstan shall be provided by the authorized body formed by the President of the Republic of Kazakhstan.

2. That state body and its territorial offices in regions and the cities of Astana and Almaty shall form a unified system of the authorized body.

3. The competence of the authorized state body shall be determined by the Regulations approved by the President of the Republic of Kazakhstan.

4. The structure and staffing chart of the authorized body shall be approved by the Chairman of the Supreme Court pursuant to the procedure set in the law within the staff limits approved by the President of the Republic of Kazakhstan.

5. The legal status and remuneration of the authorized body's staff shall be regulated by the legislation of the Republic of Kazakhstan on civil service.

Article 57. The Financing of Courts

1. The Supreme Court, local and other courts of the Republic of Kazakhstan shall be financed from the funds of the national budget.
2. The budget of the Supreme Court, local and others courts must fully provide for the courts' exercise of their constitutional powers.

Section 5. CONCLUDING AND INTERIM PROVISIONS

Article 58. Invalidated Legislative Acts

The following shall be invalidated:

1. Law of the Kazakh SSR “On Judicial System of the Kazakh SSR” dated November 23, 1990 (Bulletin of the Supreme Soviet of the Kazakh SSR, 1990, No. 48, Item 443; Bulletin of the Supreme Court of the Republic of Kazakhstan, 1992, No. 8, Item 206; No. 11-12, Item 293; 1993, No. 8, Item 161; 1995, No. 23, Item 140).
2. Resolution of the Supreme Council of the Kazakh SSR “On the Procedure of Giving Effect to the Law of the Kazakh SSR “On Judicial System of the Kazakh SSR” dated November 23, 1990 (Bulletin of the Supreme Soviet of the Kazakh SSR, 1990, No. 48, Item 444).
3. Decree No. 1545 of the President of the Republic of Kazakhstan Having Force of Law “On Organizational Issues of Activity of the Supreme Court of the Republic of Kazakhstan” dated February 7, 1994 (Collection of Acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, 1994, No. 6, Item 62).
4. Decree No. 1670 of the President of the Republic of Kazakhstan Having Force of Law “On Further Measures to Increase the Level of Financial and Social Support for Judges of the Courts of the Republic of Kazakhstan” dated 18 April 1994 (Collection of Acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, 1994, No. 18, Item 182).
5. Decree No. 2125 of the President of the Republic of Kazakhstan Having Force of Law “On the Procedure of Forming Lower Courts of the Republic of Kazakhstan” dated March 17, 1995 (Collection of Acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan, 1995, No. 10, Item 113).
6. Decree No. 2581 of the President of the Republic of Kazakhstan Having Force of Law “On Courts of the Republic of Kazakhstan” dated October 20, 1995 (Bulletin of the Supreme Court of the Republic of Kazakhstan, 1995, No. 21, Item 128; No. 22, Item 134).
7. Decree No. 2694 of the President of the Republic of Kazakhstan Having Force of Constitutional Law “On Courts and Status of Judges in the Republic of Kazakhstan” dated December 20, 1995 (Bulletin of the Supreme Court of the Republic of Kazakhstan, 1995, No. 23, Item 147; Bulletin of the Parliament of the Republic of Kazakhstan, 1997, No. 7, Item 78; No. 11, Item 156; No. 13-14, Item 194; 1999, No. 4, Item 100; No. 23, Item 915; 2000, No. 10, Item 231).

Article 59. Introduction of this Constitutional Law into Effect and Related Specific Features of Judges' Activity

1. This Constitutional Law shall become effective as of the day of its official publication, except for Article 11.2, Article 13, Article 18.2, Article 19, Article 30 and Article 36.2 part two, which shall become effective as the corresponding legislation is enacted, but not later than July 1, 2001.
2. The incumbent chairmen and judges of the country's courts who were appointed or elected to their offices before this Constitutional Law becomes effective, shall retain their tenure.
3. The five-year term of tenure of the courts' chairmen who were elected or appointed to their offices before this Constitutional Law becomes effective, shall be calculated from the time of

their election or appointment.

4. Chairmen of judicial boards of regional and equivalent courts, and the Supreme Court of the Republic of Kazakhstan shall retain their powers until judicial boards of the courts of the Republic of Kazakhstan stipulated by this Constitutional Law are formed.

President of the Republic of Kazakhstan N. Nazarbaev