

**On Republican Referendum
Constitutional Act of the Republic of Kazakhstan
of 2 November 1995 No. 2592**

Footnote: Words in the title and in the text have been changed by the Constitutional Act of RK of 6 May 1999 No. 376

This Constitutional Act in accordance with the Constitution of the Republic of Kazakhstan shall define the procedure of appointing, preparation and conduct of the republican referendum.

Chapter I. General Provisions

Article 1. Definition of the republican referendum

1. Republican referendum shall be a national vote on the drafts of the Constitution, constitutional acts, laws and decisions on other most important issues of the public life in the Republic of Kazakhstan.

2. Referendum shall be conducted in the whole territory of the Republic.

Article 2. Subject of the republican referendum

The subject of referendum shall be:

1) adoption of the Constitution, constitutional acts, laws of the Republic, introduction to them of any changes and additions;

2) solution of other most important issues of the public life of the Republic.

Article 3. Questions that cannot be the subject of the republican referendum

The following questions shall not be the subject of referendum:

1) which may entail violation of constitutional rights and freedoms of individuals and citizens;

2) change of unitary and territorial integrity of the state, the form of government of the Republic;

3) administrative-territorial structure and borders of the Republic;

4) justice, defense, national security and protection of public order;

5) budget and tax policy;

6) amnesty and clemency;

7) appointment and election to the office, dismissal of officials under authority of the President, Houses of the Parliament and the Government of the Republic;

8) implementation of obligations arising from international treaties of the Republic.

Article 4. Principles for conduct of the republican referendum

Conduct of referendum shall be based on the following principles:

- 1) voluntary participation in the referendum and free expression of the citizens' will;
- 2) universal, equal and direct right of citizens to take part in referendum by secret ballot;
- 3) publicity.

Article 5. Right to take part in the republican referendum

1. The right to take part in referendum shall belong to citizens of the Republic, who have reached the age of 18 years regardless of origin, social, official and ownership status, sex, race, ethnicity, language, religion, belief, place of residence and any other conditions. Citizens, who have been judged incapable by court or kept in confinement on the court's sentence, shall not be eligible to take part in referendum. Any sort of direct or indirect restriction of other rights of citizens of the Republic to take part in referendum shall be inadmissible and punishable by law.

2. Citizens shall take part in referendum on equal basis and respectively each of them shall have one vote or equal number of votes.

3. Citizens shall take part in referendum directly.

Article 6. Publicity in the organization and conduct of the republican referendum

1. Organization and conduct of referendum shall be carried out openly and publicly.

2. Decision to conduct referendum and question (questions) submitted to referendum shall be brought to the attention of citizens by mass media.

3. Referendum commission shall inform citizens about their work on the conduct of referendum, formation of polling stations, composition, location, working hours of the commissions and lists of citizens eligible to take part in referendum.

4. Representatives of public associations of the Republic, observers of foreign states and international organizations, whose credentials shall be certified according to the order established by the Central Referendum Commission, shall be eligible to be present in the conduct of referendum. Interference of representatives and observers in the work of commissions shall not be admitted.

5. Mass media shall cover the preparation for referendum and its conduct, and their representatives having been accredited in referendum commissions shall be guaranteed with the access to the activities related with conduct of referendum.

Article 7. Campaigning prior to republican referendum

1. Citizens, public associations of the Republic shall be guaranteed with the right to express their views on the question (questions) submitted to referendum at meetings, rallies, gathering of citizens, in mass media.

2. All printed campaign materials shall contain information about the organization which has printed these materials, place of printing, number of copies,

individuals responsible for printing. Distribution of anonymous campaign materials shall be prohibited.

3. Agitation in favor of forcible change of the constitutional system, violation of the Republic's integrity, undermining the state security, war, social, racial ethnical, religious, class and tribal superiority as well as cult of cruelty and violence shall be prohibited.

4. On the day prior referendum and on the day of conducting referendum campaigning shall be prohibited. Printed campaign materials, posters, previously posted outside of polling stations can be kept on their original locations.

Article 8. Support to the republican referendum

1. The costs, associated with preparation for referendum and its conduct, shall be covered exclusively from the republican budget.

2. State bodies, bodies of local self-government and organizations regardless of form of ownership shall make available to referendum commissions facilities, equipment and vehicles, required for the preparation for referendum and its conduct.

3. Any direct or indirect involvement of international organizations and international public associations, foreign state bodies, legal entities and citizens, stateless persons in financing and rendering other support to activities associated with referendum from the part shall be prohibited.

Article 9. Legislation on republican referendum

Legislation on referendum includes:

- 1) Constitution of the Republic of Kazakhstan;
- 2) Constitutional Act of the Republic of Kazakhstan "On elections in the Republic of Kazakhstan" in the context which does not contradict to this Constitutional Act;
- 3) this Constitutional Act;
- 4) acts of the Central Referendum Commission of the normative character.

Chapter II. Appointment and conduct of the republican referendum

Article 10. Right to appoint the republican referendum

The right to appoint referendum belongs to the President of the Republic of Kazakhstan.

Article 11. Initiative to appoint the republican referendum

1. The initiative to appoint the republican referendum belongs to:
 - 1) President of the Republic of Kazakhstan;
 - 2) Parliament of the Republic of Kazakhstan, which shall request the President of the Republic of Kazakhstan to appoint a referendum. Submission of the initiative shall be carried out by the Parliament at separate sessions of the Houses by consequent consideration of the issue first in Mazhilis and then in Senate and shall be issued by the relevant resolutions of Parliament Houses;

3) Government of the Republic of Kazakhstan, which shall request the President of the Republic of Kazakhstan to appoint a referendum. Submission of the initiative shall be carried out by the Government at its session by the majority of votes of the total number of its members and shall be issued by the relevant resolution;

4) at least by 200 thousand citizens of the Republic eligible to take part in the republican referendum, who quantitatively and equally shall represent all oblasts, capital of the Republic and city of the republican status, who shall request the President of the Republic to appoint a referendum.

2. Proposals on the appointment of referendum on one and the same question (the same questions) can be submitted and reviewed by the President of the Republic not earlier than two years after the previous decision on the above question (above questions).

Footnote: Article 11 with amendments made by the Constitutional Act of RK of 04.05.2008 No. 30-IV (see Article 2 on the order of entry into force).

Article 12. Formation of the action group on the issue on appointment of the republican referendum

1. If the initiative to conduct referendum has been submitted by citizens, the referendum action group to be composed of no less than three representatives of each oblast, capital of the Republic of Kazakhstan and the city of republican status shall be established.

2. Referendum action group of shall be formed at the meeting, which attended by citizens eligible to take part in referendum but not less than 30 representatives of each oblast, capital of the Republic of Kazakhstan and city of republican status.

3. Not later than 10 days prior to the meeting its initiators must in written form inform the local executive body about the time, place and the purpose of meeting.

4. Before meeting the registration of participants shall be carried out and the list of participants with mandatory indication of their family, first, patronymic names, place of residence and documents, certifying the identity of citizens of the Republic of Kazakhstan, shall be compiled.

5. Members of referendum action group shall be elected by majority vote of meeting participants. The list of action group shall include family, first, patronymic names, place of residence of each member of the group. The question proposed for referendum shall be formulated by action group clearly so that it shall be possible to make definite answer to it.

Article 13. Registration of referendum action group and question (questions) proposed to referendum

1. Action group of referendum shall apply to the Central Election Commission with the request to register the group and the question (questions) proposed for the referendum.

2. Registration shall be done upon submission of the following documents:

1) application for registration of the group and registration of the question (questions) proposed by it for the referendum;

2) minutes of the meeting, at which the action group has been established;

3) list of action group's members.

3. Action group and question (questions) proposed for the referendum shall be registered by the Central Election Commission within ten days from the date of application for registration. Information about registration shall be reported by the Central Election Commission in mass media.

4. Referendum action group shall be issued with certificate of registration of the group and the question (questions) proposed by it for the referendum within five days from the date of registration. The sample of certificate of registration shall be approved by the Central Election Commission.

5. Registration can be denied in cases of violation of the requirements of this Constitutional Act. The refusal of the Central Election Commission to register action group and question (questions) proposed for the referendum may be appealed within ten day in the Supreme Court of the Republic, which shall examine the complaint within ten days from the date of its submission. Decision of the Supreme Court shall be final.

Article 14. The order and timing for collection of signatures

1. Collection of citizens' signatures shall be organized by referendum action group from the date of receipt of the certificate of registration of the group and the question (questions) proposed by it for the referendum and shall be carried out by members of the group who shall be eligible to take part in the republican referendum.

2. Issue of subscription lists to the referendum action group shall be carried out by the Central Election Commission at the same time with issue of certificate of registration of the group and the question (questions) proposed by it for the referendum.

3. Subscription lists shall include the wording of question (questions) proposed by the action group for the referendum.

4. The person who collects signatures shall submit a copy of certificate of registration of the action group and the question (questions) proposed by it for the referendum. Every citizen shall be eligible to sign the subscription list only once. In this case the citizen shall present a document proving his/her identity. Citizen's signature shall be supplemented with indication of his/her family, first, patronymic names, place of residence, data of documents certifying his/her identity, and date of signing the list.

5. Each completed subscription list shall be signed by a person, who has been involved in collection of signatures.

6. Subscription lists of the non fixed format as well as subscription lists, which have been filled with violation of the requirements of this Constitutional Act, shall be cancelled.

7. Within three days after completion of collection of signatures the filled subscription list shall be handed over by persons involved in the collection of signatures to the territorial election commission, which within ten days shall examine the authenticity of citizens' signatures at the subscription lists with the assistance of employees of passport services, draw up a corresponding protocol and submit it to the Central Election Commission.

Article 15. Responsibility for the violation of the order for the signature collection

1. In case of invalid signatures, violation of the order for collection of signatures and filling the subscription lists the chairperson of the territorial election commission shall make the corresponding statement to the Central Election Commission.

2. Central Election Commission within one month from the date of submission of the statement can take a decision on the termination of the activities of action group's members, who have committed violations, on the cancellation of subscription lists, in which violation of the requirements of this Constitutional Act has been found.

3. During preparation for referendum and its conduct re-election of the action group's members in respect of which the decision on the termination of activities has been taken shall not be permitted.

4. In case of repeated violation of the order to collect signatures and filling the subscription lists by the action group the Central Election Commission shall be eligible to take a decision on termination of the activities of the referendum action group and on cancellation of the certificate of its registration.

Article 16. Submission of subscription lists and final protocol on the results of collection of signatures

1. Subscription lists to be filled and authenticated in the relevant territorial election commissions shall be submitted by persons, who have been carried out collection of signatures, to the action group of referendum. The action group shall compile aggregate data on the results of signature collection and not less than ten days from the date of completion of signature collection shall forward filled subscription lists and aggregate data to the Central Election Commission.

2. If the submitted subscription lists comply with the requirements of this Constitutional Act, the Central Election Commission shall add the results of signature collection to the final protocol. Proposal to conduct referendum along with the final protocol on the results of signature collection shall be forwarded to the President of the Republic of Kazakhstan within one month from the date of receipt of documents from the referendum action group.

3. The procedure and terms for storage of subscription lists and final protocols on the results of signature collection shall be established by the Central Election Commission.

Article 17. Adoption by the President of the Republic of Kazakhstan of the decision on the initiative to appoint the republican referendum

President of the Republic upon an initiative of the Parliament, the Government or citizens of the Republic to appoint referendum shall take one of the following decisions:

- 1) to appoint a referendum;
- 2) to make changes and additions to the Constitution, to adopt the constitutional act, the law or any other decision on the question (questions) proposed as the subject of referendum without conduct of referendum;
- 3) to reject the initiative to appoint a referendum.

1-1. If the President of the Republic shall reject the proposal of the Parliament to submit for the republican referendum changes and additions to the Constitution then the Parliament shall be eligible by the majority votes of total number of each Houses of the Parliament but not less than four fifth to adopt the law on making these changes and additions to the Constitution. In this case the President of the Republic shall sign this law and put it to the republican referendum. <*>

Footnote: Article 17 has been supplemented with clause 1-1 by the Constitutional Act of RK of 6 May 1999 No. 376.

Article 18. Decision to appoint the republican referendum

1. The decision to appoint referendum shall be made by the President of the Republic by issuance of the corresponding Decree, which shall establish:

- 1) date for conducting the referendum;
- 2) wording of the question (questions) put to referendum;
- 3) solution of other issues associated with conduct of referendum.

2. President of the Republic with the consent of referendum initiators prior to conduct of referendum shall be eligible to clarify the wording of the question (questions) to be submitted for the referendum for the purposes of more accurate expression of the will of its initiators.

3. The Decree of the President of the Republic Указ to appoint referendum, texts of drafts of the Constitution, the constitutional act, the law, introduction of changes and additions to them shall be published in mass media.

Article 19. Terms for the conduct of republican referendum

Referendum shall be conducted in the term of not less of one month and not later than three months from the date of taking decision on its appointment. In exceptional cases the President of the Republic may establish other terms for the conduct of referendum.

Article 20. Republican Referendum Commissions

1. Preparation for referendum and its conduct shall be carried out by:
 - 1) Central Election Commission of the Republic of Kazakhstan, which shall perform the functions of the Central Referendum Commission;

2) territorial election commission of the Republic of Kazakhstan, which shall perform the functions of the territorial referendum commissions; and

3) precinct election commission, which shall perform the functions of the precinct referendum commission.

2. Formation of territorial and precinct referendum commissions and their composition shall be carried out by relevant akims in the order established by the Constitutional Act of the Republic of Kazakhstan “On Elections in the Republic of Kazakhstan”.

Article 21. Authorities of the Central Referendum Commission

1. The Central Election Commission shall:

1) exercise throughout the Republic control over the implementation of the legislation on referendum, ensure its uniform application; take within its competence decisions mandatory on the entire territory of the republic;

2) arrange preparation for referendum and its conduct;

3) prepare and submit to the Government of the Republic draft budget for the preparation for referendum and its conduct;

4) provide guidance to the referendum commissions, cancel and suspend their decisions; distribute among them the means for the preparation for referendum and its conduct;

5) control the logistical support to the referendum commissions;

6) examine applications and complaints about violations of the referendum legislation;

7) establish the form and texts of the ballot, the voter lists, subscription lists and other documents necessary for conduct of referendum; the voting time; the procedure for storage of referendum documents;

8) be eligible to hear reports of the referendum commission, state bodies and their officials on the matters related to the preparation for referendum and its conduct as well as information of public associations on compliance with the legislation on elections;

9) inform citizens about the preparations for the referendum;

10) sum up the results of the referendum in the Republic as a whole; ensure transmission of the message about it in the mass media;

11) register the referendum action group and the question (questions) proposed by it for the referendum as well as make official statement about it in the mass media;

12) establish the form of the certificate for registration of the referendum action group;

13) issue the certificate for registration of referendum action group simultaneously with the issuance of subscription lists;

14) take a decision on termination of the activities of members of action group, activities of the action group as well as on cancellation of the certificate for registration of action group in cases stipulated by this Constitutional Act;

15) recognize conduct of referendum in some constituencies (territorial-administrative units) as invalid in the cases stipulated by this Constitutional Act.

2. Meeting of the Central Referendum Commission shall be legally qualified in the presence of at least two thirds of its members.

3. Central Referendum Commission shall take its decisions by majority vote of its members. <*>

Footnote: Article 21 has been amended by the Constitutional Act of RK of 24 November 2004 No 604 (entered into force since 1 January 2005.).

Article 22. Authorities of the territorial referendum commissions

1. Territorial election commissions shall:

1) form the polling stations upon the presentation of the corresponding akims;
2) exercise on the territory of the corresponding territorial-administrative units control over the implementation of the legislation on referendum;

3) organize the activities of precinct commissions, distribute among them means allocated for the conduct of referendum;

4) control the logistical support to precinct referendum commissions;

5) examine applications and complaints about violations of the referendum legislations;

6) be eligible to hear the reports of precinct referendum commission, local state bodies and their officials on the matters related to the preparation for referendum and its conduct as well as information of public associations on matters related the preparation for referendum and its conduct;

7) receive from precinct referendum commission the protocols on voting results, sum up the referendum results at the relevant territorial-administrative unit;

8) check the subscription lists of the referendum action group for the compliance with the requirements established by this Constitutional Act.

2. Meeting of the territorial referendum commissions shall be legally qualified in the presence of at least two thirds of their members.

3. Territorial referendum commissions shall take their decisions by majority vote of their members. <*>

Footnote: Article 22 has been amended by the Constitutional Act of RK of 24 November 2004 No. 604 (entered into force since 1 January 2005).

Article 23. Authorities of the precinct referendum commissions

1. Precinct referendum commissions shall:

1) in compliance with the rules established by the Constitutional Act the Republic of Kazakhstan “On elections in the Republic of Kazakhstan” compile the lists of voters who are eligible to take part in the republican referendum, resolve related issues;

2) acquaint the citizens with the list of citizens eligible to take part in the republican referendum, examine applications on errors and inaccuracies in the lists, solve the issues of entering the relevant changes in the lists;

3) notify citizens about the date, time, place and order of voting;

- 4) arrange the premises for voting as well as the manufacture of voter booths and ballot boxes;
- 5) organize voting at the polling station on the day of referendum;
- 6) conduct the counting of votes and determine the voting results at polling stations;
- 7) examine applications and complaints on the preparation for voting and its conduct at the polling stations and take decisions on them;
- 8) take decisions on recognition of the cancelled ballots.

2. Meeting of precinct referendum commissions shall be legally qualified in the presence of at least two thirds of their members.

3. Precinct referendum commissions shall take their decisions by majority vote of their members, except the cases, when according to this Constitutional Act two-thirds majority of all commission's members shall be needed to take a decision. <*>

Footnote: Article 23 has been amended by the Constitutional Act of RK of 24 November 2004 No. 604 (entered into force since 1 January 2005).

Article 24. Ensuring the operation of referendum commissions

1. Decisions of referendum commissions made within their authority shall be mandatory for implementation by all state bodies, bodies of local self-government, organizations as well as for their officials of the corresponding territory.

2. During preparation for referendum and its conduct chairperson, deputy chairperson, secretary or member of the referendum commission may be exempted from their job duties with preservation of the average wage at the expense of funds, allocated to conduct the referendum.

3. State bodies, bodies of local self-government, organizations and their officials shall be obliged to assist the referendum commission in exercising their authorities, provide necessary for their work information and materials, and provide other assistance.

Chapter III. Procedure to conduct the republican referendum

Article 25. Lists of citizens eligible to take part in the republican referendum

Compilation of lists of citizens eligible to take part in referendum, inclusion in the lists of citizens, appeal by citizens of the non-inclusion in the list, incorrect inclusion in the list or incorrect exclusion from the list, admitted inaccuracies as well as ensuring the right to take part in the referendum of those citizens, who has changed the place of residence, shall be performed according to the rules, established by the Constitutional Act of the Republic of Kazakhstan "On elections in the Republic of Kazakhstan".

Article 26. Notification on the time and place of voting during the conduct of republican referendum

1. Precinct election commission shall notify citizens about the time and place of voting at least ten days before polling day.

2. Text of the question submitted to referendum, drafts of the Constitution, Constitutional Acts, laws, draft amendments to them shall be posted in the polling station in the visible place.

Article 27. Ballot paper at the republican referendum

1. Ballot paper shall include the formulation of each question submitted to referendum and options for answer by a voter.

2. If several questions have been submitted to the referendum then ballot papers designed for each of them shall be different in color.

3. Ballot papers shall be printed in Kazakh and Russian languages as well as in the language of the majority population, densely residing in the territory of the corresponding territorial-administrative unit.

4. The order of printing ballot papers shall be determined by the Central Referendum Commission.

5. Precinct referendum commissions shall be supplied with ballot papers not later than seven days before referendum.

Article 28. Cancelled ballot papers at the republican referendum

1. While summing up the results of referendum the following ballot papers shall be cancelled:

1) of not fixed format;

2) which has no signature of a member of precinct referendum commission;

3) where none of options of the answer to the referendum question has been crossed out;

4) where the will of voters in the referendum cannot be determined.

2. Ballot papers, where all options of the answer to the referendum question have been crossed out, shall be considered as valid but shall not be counted.

3. In case of disagreement in respect to the cancellation of ballot papers during summing up the results of referendum the dispute shall be resolved by precinct referendum commission by a vote. In this case the decision shall be made by not less of two-thirds of the total number of commission's members. <*>

Footnote: Article 28 has been amended by the Constitutional Act of RK of 24 November 2004 No. 604 (entered into force since 1 January 2005).

Article 29. Voting at the republican referendum

The time, place, organization and procedure for the conduct of voting at the referendum shall be determined in accordance with the rules established by the Constitutional Act of the Republic of Kazakhstan "On elections in the Republic of Kazakhstan".

Article 30. Vote count and summing up the results of the republican referendum

1. During vote count the precinct referendum commission shall determine:
 - 1) total number of citizens eligible to take part in the republican referendum in the polling station;
 - 2) number of citizens who have received ballot papers;
 - 3) total number of citizens who have taken part in voting;
 - 4) number of votes cast in favor of each question and number of votes cast against of each question;
 - 5) number of cancelled ballot papers;
 - 6) number of ballot papers recognized as valid but kept uncounted during vote count.
2. Other issues related to vote count at the polling station, summing up the results of voting in the territorial-administrative unit shall be resolved in accordance with the Constitutional Act of the Republic of Kazakhstan “On Elections in the Republic of Kazakhstan” to the extent not contrary to this Constitutional Act.

Article 31. Summing up the results of the republican referendum

1. Central Referendum Commission on the basis of submitted protocols on the results of voting shall determine:
 - 1) the total number of citizens of the Republic of Kazakhstan eligible to take part in the referendum;
 - 2) number of citizens, who have taken part in voting;
 - 3) number of citizens, who cast their votes in favor of the referendum question as well as those, who cast their votes against the referendum question, and number of cancelled ballot papers, on each question submitted to the referendum.
2. Referendum shall be considered as valid, if more than half of the citizens eligible to take part in the referendum have been voted.
3. Decision on a questions submitted to referendum shall be considered as adopted if as a result of voting it has been supported by more than half of citizens, who have taken part in voting.

Additions and changes to the Constitution, submitted to the republican referendum, shall be considered as adopted if they have been supported by more than half of citizens, who have taken part in voting at least of two thirds of oblasts, the city of republican status and the capital.
4. The results of voting shall be summing up at the meeting of Central Referendum Commission, formed by protocol to be signed by Chairman, Deputy Chairman, Secretary and members of Central Referendum Commission and adopted by the resolution.
5. Central Referendum Commission, while summing up the results of the referendum, can recognize its conduction in some polling stations (territorial-administrative units) as invalid, if in the course of the conduct of referendum or during the vote count, or determining the voting results, there have been violations of this Constitutional Act and the Constitutional Act of the Republic of Kazakhstan “On elections in the Republic of Kazakhstan”.

Footnote: Article 31 with changes introduced by the Constitutional Act of RK of 4 May 2008 No. 30-IV (see article 2 on the order of entering into force).

Article 32. Consideration by the Constitutional Council of the question on the correctness of the conduct of the republican referendum

1. In the case of dispute about the correctness of the conduct of the republican referendum upon the request of the President of the Republic, chairpersons of the Parliament Houses, no less than one fifth of the total number of Parliament deputies, Prime Minister the Constitutional Council shall take the corresponding decision.

2. In the case of dispute about correctness of the conduct of the republican referendum the Central Referendum Commission shall submit the materials related to the preparation for referendum and its conduct to the Constitutional Council.

3. In the case of violation of the Constitution the Constitutional Council shall be eligible to recognize the referendum as inconsistent with the Constitution of the Republic. In this case the Central Referendum Commission shall take a decision on recognizing the referendum results as invalid in those polling stations (territorial-administrative units), where referendum have been declared as inconsistent with the Constitution, as well as on the conduct of repeat voting at those polling stations (territorial-administrative units).

4. The results of the republican referendum at the corresponding polling stations (territorial-administrative units), which have been recognized as inconsistent with the Constitution, shall be considered as invalid by the decision of the Central Referendum Commission. Recognition of the conducted referendum as consistent with the Constitution shall lead to renewal of summing up the results of referendum.

Article 33. Publication of the results of the republican referendum

Official statement of the Central Referendum Commission on the results of referendum shall be published in mass media not later than seven days after the day of referendum.

Глава IV. Final Provisions

Article 34. Entry into force of the decisions taken at the republican referendum

Adopted at the referendum Constitution, constitutional acts, laws, additions and changes to them, decisions on other questions, put to the referendum, shall entry into force from the date of publication of the official statement on the referendum results in the case if the Constitution, constitutional act, law, additions and changes to them, the decision adopted at referendum shall not set another date.

Article 35. Legal effect and binding decisions adopted at the republican referendum

1. Decision taken at referendum shall have a binding force throughout the territory of the Republic of Kazakhstan and shall not need any confirmation by the acts of the President and bodies of state power of the Republic.

2. Inconsistency between the decision adopted by the referendum and the Constitution, constitutional acts, laws and other normative acts of the Republic shall be removed by bringing the Constitution, constitutional acts, laws and other normative acts in compliance with the decision, adopted by the referendum.

Article 36. Responsibility for the violation of the legislation on the republican referendum

1. Hampering in any form of the free exercise by a citizen of the Republic of his/her right to take part in the referendum, conduct the campaigning on the question (questions), put to referendum, forgery of election documents, flagrant incorrect vote count, violation of the secrecy of ballot or any other violation of legislation on the republican referendum shall entail liability in the order prescribed by the law.

2. Actions of the state bodies and public officials on the issues of the preparation for referendum and its conduct shall be appealed in the court.

Article 37. The order of entry into force of this Constitutional Act

This Constitutional Act shall enter into force since the date of publication.

President of the Republic of Kazakhstan