

(UNOFFICIAL TRANSLATION)

LAW OF THE REPUBLIC OF KAZAKHSTAN  
on Citizenship of the Republic of Kazakhstan

(with amendments and additions as of 27.04.2012.)

Enforced by the Resolution of the Supreme Council of the RK of December 20, 1991

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The preamble bears amendments and additions introduced in line with the Decree of the President of the RK of 03.10.95, № 2477

The citizenship of the Republic of Kazakhstan determines the stable political and legal relationship of an individual with a state and reflects their mutual rights and obligations.

Each individual in the Republic of Kazakhstan has the right to citizenship. Citizenship of the Republic of Kazakhstan is acquired and terminated in accordance with this Law.

A citizen of the Republic of Kazakhstan under no circumstances shall be deprived of citizenship, the right to change his/her citizenship and expelled from Kazakhstan.

## Chapter 1. General Provisions

*Article 1 bears amendments introduced in line with the Law of the RK of 17.05.02, № 322-II (previous version)*

### Article 1. Citizen and the State

The Republic of Kazakhstan represented by its public agencies and officials shall be responsible to its citizens, and a citizen shall be responsible to the Republic of Kazakhstan. He/she is obliged to observe the Constitution and the laws of the Republic of Kazakhstan, defend the interests of the Republic of Kazakhstan, protect its territorial integrity; respect its customs, traditions, and national language and the languages of all ethnic groups residing on its territory; and promote enhancement of the authority, sovereignty and independence of the Republic of Kazakhstan.

*Article 2 is presented in the wording of the Law of the RK of 29.04.09, № 154-IV (see previous version)*

### Article 2. Legislation on the Citizenship of the Republic of Kazakhstan

1. Legislation of the Republic of Kazakhstan on Citizenship is based on the **Constitution** of the Republic of Kazakhstan and incorporates the present Law and other legislative acts of the Republic of Kazakhstan.

2. Should international treaties ratified by the Republic of Kazakhstan set rules different than those stipulated in the present Law, the rules of the international treaty shall be applied.

*Article 3 bears amendments introduced in compliance with the [Decree](#) of the President of the RK of 03.10.95; the [Law](#) of the RK of 17.05.02, № 322-II ([see previous version](#))*

### **Article 3. Citizenship of the Republic of Kazakhstan**

Citizens of the Republic of Kazakhstan are persons who:

permanently reside in the Republic of Kazakhstan as of the date when the present Law enters into force;

were born on the territory of the Republic of Kazakhstan and are not citizens of a foreign state;

citizens of the Republic of Kazakhstan who obtained their Citizenship in line with the present Law;

citizenship of a different state shall not be recognized in the context of Citizenship of the Republic of Kazakhstan.

The Republic of Kazakhstan shall **create conditions** for return on its territory of individuals, as well as their descendants, who were forced to leave the territory of the Republic in the time of mass reprisals and forced collectivization, as a result of other inhuman political actions, and also for the return of ethnic Kazaks residing on the territory of other states.

*Article 4 bears amendments introduced in compliance with the [Decree](#) of the President of the RK of 03.10.95; the [Law](#) of the RK of 17.05.02, № 322-II ([see previous version](#))*

### **Article 4. Document of the Citizenship**

The document that certifies the Citizenship of the Republic of Kazakhstan is an **identification card or passport of a citizen of the Republic of Kazakhstan**. The citizenship of a child under 16 is certified by a birth certificate and passport of either parent.

*Article 5 bears additions introduced in compliance with the [Decree](#) of the President of the RK of 03.10.95.*

### **Article 5. Legal Status of the Citizen of the Republic of Kazakhstan**

Citizenship of the Republic of Kazakhstan shall be one and equal regardless of the reasons of its acquisition.

Citizens of the Republic of Kazakhstan shall be equal before the Law irrespective of their origin, social or property status, racial and ethnic background, gender, education, language, religion, political or other beliefs, type or nature of occupation, place of residence or any other circumstances.

Citizens of the Republic of Kazakhstan shall fully enjoy the civil, political, economic and social rights and freedoms proclaimed and guaranteed by the **Constitution** and laws of the Republic of Kazakhstan.

*Article 6 is presented in the wording of the [Law](#) of the RK of 17.05.02 z. № 322-II ([see previous version](#))s*

### **Article 6. Legal Status of Foreigners and Stateless Persons**

Foreigners and stateless persons in Kazakhstan shall enjoy the rights and freedoms and shall bear the responsibilities stipulated for citizens unless otherwise provided by the **Constitution**, **laws** and international treaties.

### **Article 7. Retention of the Citizenship of the Republic of Kazakhstan**

Residence of a citizen outside the Republic shall not result in termination of Citizenship of the Republic of Kazakhstan.

Marriage of a citizen of the Republic of Kazakhstan to an individual, who is not a citizen of the Republic of Kazakhstan, as well as divorce, shall not result in change of Citizenship.

*Article 8 bears additions introduced in compliance with the [Decree](#) of the President of the RK of 03.10.95.*

### **Article 8. Inadmissibility of Extradition of a Citizen of the Republic of Kazakhstan to another State**

A citizen of the Republic of Kazakhstan shall not be extradited to a foreign state unless otherwise provided for by international treaties of the Republic.

*Article 9 is presented in the wording of the [Decree](#) of the President of the RK of 03.05.10. 95*

## **Article 9. Protection of Citizens Residing Outside of the Republic of Kazakhstan**

The Republic of Kazakhstan shall guarantee its citizens protection and patronage outside its borders.

## **Chapter 2. Acquisition of the Citizenship of the Republic of Kazakhstan**

*Paragraph 3 of Article 10 is presented in the wording of the [Decree](#) of the President of the RK of 03.10.95.*

### **Article 10. Grounds for the Acquisition of Citizenship**

Citizenship of the Republic of Kazakhstan shall be acquired:

- 1) by virtue of birth;
- 2) as a result of being admitted to the Citizenship of the Republic of Kazakhstan;
- 3) on basis of and in the manner stipulated by international treaties of the Republic of Kazakhstan;
- 4) on other grounds set out in the present Law.

*Article 11 bears amendments introduced in compliance with the [Law](#) of the RK of 17.05.02, № 322-II ([see previous version](#))*

### **Article 11. Citizenship of a Child Whose Parents are Citizens of the Republic of Kazakhstan**

A child whose parents are both citizens of the Republic of Kazakhstan at the time of birth of the child shall be a citizen of the Republic of Kazakhstan irrespective of the child's place of birth.

*The Law has been complemented by Article 11-1 in line with the [Law](#) of the RK of 22.07.11, № 478-IV*

### **Article 11-1. Citizenship of the Child Whose Parents are Citizens of a Foreign State**

A child whose parents are both citizens of a foreign state by the time of the birth shall not be a citizen of the Republic of Kazakhstan irrespective of the child's place of birth.

*Article 12 bears amendments introduced in compliance with the [Law](#) of the RK of 17.05.02, № 322-II ([see previous version](#))*

### **Article 12. Citizenship of a Child Whose Parents Have Different Citizenship**

A child born to parents with different citizenships, one of whom was a citizen of the Republic of Kazakhstan at the time of the child's birth shall be a citizen of the Republic of Kazakhstan provided he/she was born:

- 1) in the territory of the Republic of Kazakhstan;
- 2) outside the Republic of Kazakhstan but to one parent or both parents who had permanent residence on the territory of the Republic of Kazakhstan at that time.

Under different Citizenship of parents, one of which was the citizen of the Republic of Kazakhstan by the time a child was born and both parents had permanent residence outside the Republic of Kazakhstan, Citizenship of the child shall be determined upon written consent of both parents.

A child born to one parent who was a citizen of the Republic of Kazakhstan at the time of his/her birth and another who was a stateless person or a person whose citizenship was unknown shall be a citizen of the Republic of Kazakhstan irrespective of the child's place of birth.

Should the mother of a child be a stateless person and the father a citizen of the Republic of Kazakhstan, a child under the age of 14 shall be a citizen of the Republic of Kazakhstan irrespective of the child's place of birth. Should the child permanently reside outside the Republic of Kazakhstan, his/ her citizenship shall be determined on the basis of a written request from both parents.

*Article 13 bears amendments introduced in compliance with the [Law](#) of the RK of 17.05.02, № 322-II ([see previous version](#))*

### **Article 13. Citizenship of a Child whose Parents are Unknown**

A child staying on the territory of the Republic of Kazakhstan whose parents are both unknown shall be a citizen of the Republic of Kazakhstan.

*Article 14 bears amendments introduced in compliance with the [Law](#) of the RK of 17.05.02, № 322-II ([see previous version](#)); it is presented in the wording of the [Law](#) of the RK of 22.07.11, № 478-IV ([see previous version](#)), [Law](#) of the RK of 27.04.12 г. № 15-V ([see previous version](#)).*

### **Article 14. Acquisition of the Citizenship of the Republic of Kazakhstan by a Child of Stateless Persons**

A child born in the territory of the Republic of Kazakhstan to stateless parents who have permanent residency in the territory of the Republic of Kazakhstan shall be a citizen of the Republic of Kazakhstan.

*Article 15 bears amendments introduced in compliance with the [Law](#) of the RK of 17.05.02, № 322-II ([see previous version](#))*

#### **Article 15. Admittance into the Citizenship of the Republic of Kazakhstan**

Foreigners and stateless persons may be admitted into the Citizenship of the Republic of Kazakhstan on the basis of their petition under the present Law.

The decision on petition for admission into the citizenship of the Republic of Kazakhstan is made by the President of the Republic of Kazakhstan.

*Article 16 is presented in the wording of the [Decree](#) of the President of the RK of 03.10.95; it bears amendments introduced in compliance with the [Law](#) of the RK of 17.05.02, № 322-II ([see previous version](#)); the [Law](#) of the RK of 04.10.04, № 600-II; the [Law](#) of the RK of 22.05.07, № 255-III ([see previous version](#)); the [Law](#) of the RK of 22.07.11, № 478-IV ([see previous version](#))*

#### **Article 16. Terms of Admittance into the Citizenship of the Republic of Kazakhstan**

Citizenship of the Republic of Kazakhstan shall be granted to:

1) persons permanently residing in the territory of the Republic of Kazakhstan on a legal basis for at least five years, or married to citizens of the Republic of Kazakhstan for at least three years.

Fulfillment of the requirements stipulated under Subparagraph 1 of this Paragraph shall not be required when granting citizenship of the Republic of Kazakhstan to underage or disabled persons, or to those who have performed special work for the Republic of Kazakhstan, and to family members of these people, or those that have qualifications and meet the requirements under the [List](#) set by the President of the Republic of Kazakhstan;

2) Citizens of the former union of republics who arrived in the Republic of Kazakhstan with the aim of permanent residence who have one close relative who is a citizen of the Republic of Kazakhstan: a child (including an adopted one), a spouse, a parent (adoptive parents), a sister, a brother, a grandfather or a grandmother irrespective of the term of their residence in the Republic of Kazakhstan.

Citizenship of military personnel performing military service and deployed in the territory of the Republic of Kazakhstan shall be governed by international treaties of the Republic of Kazakhstan.

*See [Instruction](#) on the review of issues related to Citizenship of the Republic of Kazakhstan by departments of internal affairs of the Republic of Kazakhstan.*

*The Law is complemented by Article 16-1 in compliance with the [Law](#) of the RK of 22.07.11, № 478-IV*

#### **Article 16-1. Terms of Admittance into the Citizenship of the Republic of Kazakhstan in a Simplified (Registration) Manner**

Citizenship of the Republic of Kazakhstan may be granted in a simplified (registration) procedure to those permanently residing in the territory of the Republic of Kazakhstan irrespective of the period of residence to:

1) ethnic Kazakhs who arrived to the territory of the Republic of Kazakhstan with the aim of permanent residence on their historical homeland;

2) rehabilitated victims of mass political repressions who have been deprived of or involuntary lost their Citizenship, and their descendants.

The term of review of the documents related to admittance into Citizenship in a simplified (registration) manner shall not exceed three months from the date of submission of the application.

*Article 17 bears amendments introduced in compliance with the [Decree](#) of the President of the RK of 03.10.95; the [Law](#) of the RK of 17.05.02, № 322-II ([see old version](#)); it is presented in the wording of the [Law](#) of the RK of 22.07.11, № 478-IV ([see the previous version](#)), [Law](#) of the RK of 27.04.12, № 15-V ([see the previous version](#))*

#### **Article 17. Grounds for Rejecting Admittance into Citizenship and Reinstatement of the Citizenship of the Republic of Kazakhstan**

The application for Citizenship and the application for reinstatement of the Citizenship of the Republic of Kazakhstan shall be declined in the event the applicant:

- 1) has committed a crime against humanity as defined by the international law or deliberately makes a stand against the sovereignty and independence of the Republic of Kazakhstan;
- 2) calls for violation of unity and integrity of the territory of the Republic of Kazakhstan;
- 3) carries out illegal activity detrimental to the national security and health of the population;
- 4) stirs up international hatred and religious hostility, acts against functioning of the national language of the Republic of Kazakhstan;
- 5) belongs to terrorist and extremist organizations or has been convicted for terrorist activity;
- 6) is on the international wanted list, serves a sentence under a court verdict that has gone into effect or his/her activities are recognized by the court as highly dangerous recidivism.
- 7) is a citizen of other states;
- 8) has given false personal information when applying for Citizenship of the Republic of Kazakhstan or without any good reason has failed to submit the necessary documents within the time-limit set by the legislation of the Republic of Kazakhstan;
- 9) has unexpunged or outstanding convictions for committing an intentional crime on the territory of the Republic of Kazakhstan or outside its borders recognized as such by the legislation of the Republic of Kazakhstan;
- 10) has committed an economic crime and (or) violated [legislation](#) of the Republic of Kazakhstan in the sphere of population migration within the five year period prior to submission of the application for Citizenship of the Republic of Kazakhstan;
- 11) has lost citizenship of the Republic of Kazakhstan under [subparagraphs 1\), 2\) and 5\) of Article 21](#) of the present Law in the five year period prior to submission of the application for Citizenship of the Republic of Kazakhstan;

Provisions of subparagraph 7) of Part One of the present Article shall not be applied to individuals covered by international treaties ratified by the Republic of Kazakhstan, as well as to individuals mentioned in Part Two of [subparagraph 1\) of Part One of Article 16 and Article 16-1](#) of the present Law who approached the departments of internal affairs with a notarized written application on renunciation of foreign Citizenship on the name of the executive officer of the state of which they are citizens who is a decision-maker on issues of Citizenship. Information about the existence of such an application in the case of admittance into the Citizenship of the Republic of Kazakhstan of those who have applied and the foreign passports of these persons shall be sent to the foreign state.

*Article 18 bears amendments introduced in compliance with the [Law](#) of the President of the RK of 17.05.02, № 322-II ([see previous version](#)); it is presented in the wording of the [Law](#) of the RK of 22.07.11, № 478-IV ([see the previous version.](#)), [Law](#) of the RK of 27.04.12, № 15-V ([see the previous version](#)).*

#### **Article 18. Reinstatement of the Citizenship of the Republic of Kazakhstan**

A person who once was a citizen of the Republic of Kazakhstan may have his citizenship of the Republic of Kazakhstan reinstated at his/her request in accordance with the requirements of the legislation of the Republic of Kazakhstan.

The procedure and time for reinstatement of the Citizenship of the Republic of Kazakhstan shall be approved by the Government of the Republic of Kazakhstan.

*In line with the [Law](#) of the RK of April 14, 1993, № 2143-XII "On Rehabilitation of the Victims of Mass Political Repressions" all those rehabilitated in compliance with the aforementioned Law that have been deprived of or lost their Citizenship against their free will as well as their descendants shall be eligible for the reinstatement of their Citizenship of the RK upon application (registration)*

*See. [Instruction](#) on review of issues related to Citizenship of the Republic of Kazakhstan by the departments of internal affairs of the Republic of Kazakhstan, [Instruction](#) on processing documents related to Citizenship of the Republic of Kazakhstan by overseas agencies of the Republic of Kazakhstan.*

*The Law is complemented by Article 18-1 in line with the [Law](#) of the RK of 22.07.11, № 478-IV*

#### **Article 18-1. Terms of Reinstatement of Citizenship of the Republic of Kazakhstan**

Persons who once were citizens of the Republic of Kazakhstan may be reinstated as citizens in a simplified (registration) manner, provided that they permanently reside in the territory of the Republic of Kazakhstan regardless of their residence period and are not citizens of a foreign state with the exception of persons with regard to whom the loss of their Citizenship has been previously registered.

### Chapter 3. Termination of Citizenship

#### Article 19. Grounds for Termination of Citizenship

Citizenship of the Republic of Kazakhstan shall be terminated as a result of:

- 1) renunciation of Citizenship of the Republic of Kazakhstan
- 2) loss of Citizenship of the Republic of Kazakhstan.

#### Article 20. Renunciation of Citizenship

Renunciation of Citizenship of the Republic of Kazakhstan shall be allowed based on an individual's application and according to the procedure set by the present Law.

Renunciation of Citizenship of the Republic of Kazakhstan may be denied should the person applying for renunciation have outstanding obligations to the Republic of Kazakhstan or property obligations related to material interests of citizens, companies, institutions, public associations located in the Republic of Kazakhstan.

Renunciation of Citizenship of the Republic of Kazakhstan shall not be possible if a person applying for renunciation has been brought to trial as an **accused** or is serving a sentence under a court decision that entered into effect, or if the individual's renunciation of Citizenship of the Republic of Kazakhstan conflicts with the interests of national security of the Republic of Kazakhstan.

*See **Instruction** on review by the departments of internal affairs of the Republic of Kazakhstan, related to Citizenship of the Republic of Kazakhstan, **Instruction** on processing documents related to Citizenship of the Republic of Kazakhstan by overseas agencies of the Republic of Kazakhstan.*

*Article 21 bears amendments introduced in compliance with the **Decree** of the President of the RK of 03.10.95; the **Law** of the RK of 17.05.02, № 322-II (**see the previous version**); the **Law** of the RK of 04.10.04., № 600-II; the **Law** of the RK of 22.07.11, № 478-IV (**see the previous version**)*

#### Article 21. Loss of Citizenship

Citizenship of the Republic of Kazakhstan shall be lost:

- 1) as a result of joining the military service, security service, police, justice agencies or other State government bodies and other administrative bodies of another state with the exception of cases stipulated by international treaties of the Republic of Kazakhstan.
- 2) in the event that Citizenship of the Republic of Kazakhstan has been obtained through submission of false information or fake documents;
- 3) on the grounds stipulated by intergovernmental treaties of the Republic of Kazakhstan;
- 4) excluded under the **Law** of the RK of 22.07.11, № 478-IV (**see the previous version**)
- 5) in the event that a person has obtained Citizenship of a different state;
- 6) in the event that a marriage with a citizen of the Republic of Kazakhstan, which was the ground for the person to obtain Citizenship of the Republic of Kazakhstan, is recognized as invalid by the court.

A citizen of the Republic of Kazakhstan who has obtained the citizenship of a foreign state shall notify the departments of internal affairs or overseas agencies of the Ministry of Foreign Affairs of the Republic of Kazakhstan within three working days about the acquisition of foreign Citizenship and hand over his/her passport and (or) identity cards to the aforementioned authorities.

*See.: **Resolution** of the Constitutional Council of the RK of December 1, 2003, № 12 "On Formal Interpretation of Articles 10 and 12 of the constitution of the RK", **Instruction** on review of issues related to the Citizenship of the Republic of Kazakhstan by the departments of internal affairs of the Republic of Kazakhstan, **Instruction** on processing documents related to Citizenship of the Republic of Kazakhstan by overseas agencies of the Republic of Kazakhstan.*

*The title of Chapter 4 and Article 22 bear amendments introduced in conformity with the **Law** of the RK of 17.05.02, № 322-II (**see the previous version**)*

### Chapter 4. Citizenship of a Child in Case of Change of the Citizenship by Parents and in Case of Adoption

#### Article 22. Change of Citizenship of a Child in Case of Change of the Citizenship by Parents

Should both parents of a child change their Citizenship, as a result of which they become citizens of the Republic of Kazakhstan, or they surrender Citizenship of the Republic of Kazakhstan, the Citizenship of the child under the age of 14 shall be changed accordingly.

In cases where only one parent of the child is known then the change of the Citizenship of this parent shall accordingly entail the change of Citizenship of the child under the age of 14.

*Article 23 bears amendments introduced in compliance with the [Law of the RK of 17.05.02, № 322-II \(see the previous version\)](#)*

**Article 23. Acquisition of Citizenship of the Republic of Kazakhstan by a Child in Case of Acquisition of Citizenship of the Republic of Kazakhstan by one of the Parents**

Should one of the parents become a citizen of the Republic of Kazakhstan while the other one remains the citizen of another state or a stateless person, a child under the age of 14 residing in the territory of the Republic of Kazakhstan may obtain the Citizenship of the Republic of Kazakhstan on the basis of a relevant written application of his parents.

*Article 24 bears amendments introduced in line with the [Law of the RK of 17.05.02, № 322-II \(see the previous version\)](#)*

**Article 24. Retention of Citizenship of the Republic of Kazakhstan by a Child in the Event of Renunciation of the Citizenship of the Republic of Kazakhstan by One of His Parents**

In the event of renunciation of Citizenship of the Republic of Kazakhstan by one of the child's parents while another one remains the citizen of the Republic of Kazakhstan, a child under the age of 14 shall retain Citizenship of the Republic of Kazakhstan. Upon written application of the parents such a child shall be allowed to renounce his Citizenship of the Republic of Kazakhstan.

*Article 25 bears amendments introduced in compliance with the [Law of the RK of 17.05.02, № 322-II \(see the previous version\)](#)*

**Article 25. Acquisition of Citizenship of the Republic of Kazakhstan by a Child in Case of His/Her Adoption**

Upon adoption by the citizens of the Republic of Kazakhstan, a child under the age of 14 who is a citizen of another state or a stateless person shall become a citizen of the Republic of Kazakhstan.

A child under the age of 14, who is a citizen of another state or a stateless person adopted by the parents, one of whom is the citizen of the Republic of Kazakhstan and the other one is not, shall become a citizen of the Republic of Kazakhstan upon written consent of his adoptive parents.

*Article 26 is presented in the wording of the [Law of the RK of 22.07.11, № 478-IV \(see previous version\)](#)*

**Article 26. Retention of Citizenship of the Republic of Kazakhstan by a Child under the Guardianship**

A child under the age of 14 residing in the territory of the Republic of Kazakhstan shall retain Citizenship of the Republic of Kazakhstan at the request of a guardian in the event of:

- 1) renunciation of Citizenship of the Republic of Kazakhstan by both parents or a single parent and if both are subsequently deprived of their parental rights;
- 2) both parents being citizens of other states are dead or missing and the relatives, being citizens of the same state of the child's parents, refuse to adopt the child or the child opposes being adopted by these parents;
- 3) if one parent is dead or missing the Citizenship of the child shall be determined by the second parent.

*Article 26 is presented in the wording of the [Law of the RK of 17.05.02, № 322-II \(see previous version\)](#)*

**Article 27. Retention of Citizenship of the Republic of Kazakhstan by an Adopted Child**

A child being a citizen of the Republic of Kazakhstan and adopted by a foreigner shall retain Citizenship of the Republic of Kazakhstan until he/she is no longer a minor.

A child adopted by citizens of the Republic of Kazakhstan in case of renunciation of the Citizenship of the Republic of Kazakhstan by both adoptive parents or one of them shall retain his/her Citizenship of the Republic of Kazakhstan until he/she is no longer a minor.

Renunciation of Citizenship of the Republic of Kazakhstan of the child mentioned in the present Chapter shall only be allowed when the child becomes an adult and on the basis of his/her own free will.

*Article 28 bears amendments introduced in line with the [Law of the PK of 17.05.02. № 322-II \(see the previous version\)](#); the [Law of the RK of 22.07.11. № 478-IV \(see the previous version\)](#)*

**Article 28. Requirement of a Child’s Consent when Changing His/her Citizenship**

Change of the Citizenship of a child between the ages of 14 and 18 in case of the change of the parents’ Citizenship, and in the event of his/her adoption or placement in care, shall be possible only upon consent of the child according to the procedure stipulated by [Article 33](#) of the present Law.

**Chapter 5. Powers of the President of the Republic of Kazakhstan and State Agencies Concerning Issues of Citizenship**

*Article 29 bears amendments introduced in line with the [Decree of the President of the RK of 03.10.95; the Law of the RK of 17.05.02, № 322-II \(see the previous version\)](#)*

**Article 29. Powers of the President of the Republic of Kazakhstan**

The President of the Republic of Kazakhstan shall be the official that makes decisions pertaining to Citizenship.

The President of the Republic of Kazakhstan shall resolve the issues of:

- o Admittance into Citizenship of the Republic of Kazakhstan;
- o Reinstatement of Citizenship of the Republic of Kazakhstan;
- o Renunciation of Citizenship of the Republic of Kazakhstan.

*Article 30 is presented in the wording of the [Decree of the President of the RK of 03.10.95; the Law of the RK of 22.07.11, № 478-IV \(see the previous version\)](#)*

**Article 30. Powers of the Departments of Internal Affairs**

Departments of Internal Affairs:

- 1) shall collect applications concerning the Citizenship of the Republic of Kazakhstan from persons permanently residing in the Republic of Kazakhstan and shall forward them to the President of the Republic of Kazakhstan for review along with other required documents;
- 2) shall perform registration of admission into and renunciation of Citizenship of the Republic of Kazakhstan stipulated by the international treaties of the Republic of Kazakhstan;
- 3) shall register the loss of Citizenship of the Republic of Kazakhstan by persons permanently residing in the territory of the Republic of Kazakhstan;
- 4) shall process admittance into Citizenship of the Republic of Kazakhstan in a simplified (registration) procedure;
- 5) shall determine Citizenship (lack of Citizenship) of the Republic of Kazakhstan of persons permanently residing in the territory of the Republic of Kazakhstan.

The Ministry of Internal Affairs of the Republic of Kazakhstan shall enforce the procedure of acquisition of Citizenship of the Republic of Kazakhstan under simplified (registration) procedures.

*See: [Instruction on review of issues related to Citizenship of the Republic of Kazakhstan by the Departments of internal affairs.](#)*

*Article 31 bears amendments introduced in line with the [Law of the RK of 20.12.04. № 13-III \(enforced on January 1, 2005.\) \(see the previous version\)](#); the [Law of the RK of 22.07.1, № 478-IV \(see the previous version\)](#)*

**Article 31. Powers of the Ministry of Foreign Affairs of the Republic of Kazakhstan, Overseas Agencies of the Republic of Kazakhstan**

The Ministry of Foreign Affairs of the Republic of Kazakhstan, and overseas agencies and missions of the Republic of Kazakhstan:

Shall collect applications concerning the Citizenship of the Republic of Kazakhstan from persons permanently residing outside the Republic of Kazakhstan and shall forward them to the President of the Republic of Kazakhstan for review along with other required documents;

Shall register the loss of Citizenship of the Republic of Kazakhstan by persons permanently residing outside the Republic of Kazakhstan;

Shall register the citizens of the Republic of Kazakhstan permanently residing outside the Republic of Kazakhstan;

Shall verify the Republic of Kazakhstan citizenship of the persons permanently residing outside of the Republic of Kazakhstan.



In the absence of overseas agencies of the Republic of Kazakhstan in a country the functions of such agencies shall be implemented by diplomatic missions and consulates of other states based on relevant agreements.

*See.: [Instruction](#) on processing documents related to Citizenship of the republic of Kazakhstan by diplomatic missions, consulates and plenipotentiary agencies of the Republic of Kazakhstan.*

## **Chapter 6. Proceedings for Reviewing of Applications and Statements Concerning Issues of Citizenship of the Republic of Kazakhstan**

*Article 32 bears amendments introduced in line with the [Law](#) of the RK of 22.07.11, № 478-IV ([see the previous version](#))*

### **Article 32. Procedure for Submitting Applications Concerning Citizenship**

Applications for Citizenship shall be submitted in the name of the President of the Republic of Kazakhstan via the departments indicated in [Articles 30](#) and [31](#) of the present Law.

The period for review of an application or a statement shall not exceed six months.

Applications on issues of registration of Citizenship in a simplified (registration) procedure shall be submitted to the departments of internal affairs.

*Article 33 bears amendments introduced in line with the [Laws](#) of the RK of 17.05.02, № 322-II ([see the previous version](#)); of 20.12.04, № 13-III (enforced on January 1, 2005) ([see the previous version](#))*

### **Article 33. Citizenship Application Form**

Application for admittance into Citizenship, restoration of Citizenship, or renunciation of Citizenship shall be reviewed at the written request of an applicant. Applications with regard to individuals under 18 years shall be reviewed at the notarized written request of their legal representatives and in other states – certified by an overseas agency of the Republic of Kazakhstan.

When submitting an application on conferment of Citizenship of the Republic of Kazakhstan, its restoration and its renunciation by a child between the ages of 14 and 18 his/her written and notarized consent shall be mandatory and in other countries this consent shall be certified by an overseas agency of the Republic of Kazakhstan.

When applying for renunciation of Citizenship of the Republic of Kazakhstan on behalf of a child under 14 years, an application shall be provided by one of the parents who is a citizen of the Republic of Kazakhstan, which shall reflect his/her attitude to the child's renunciation of Citizenship of the Republic of Kazakhstan. Such an application shall be notarized and in other countries it shall be certified by an overseas agency of the Republic of Kazakhstan.

In case an applicant is unable to sign his/her application due to illiteracy or due to physical impairments the application shall be signed at his/her request by another person and a notary public officer, overseas agency of the Republic of Kazakhstan shall appropriately register the application.

Personal identification documents of the applicant should be attached to his/her application for renunciation of Citizenship.

*Amendments have been introduced in line with the [Decree](#) of the President of the RK of 03.10.95; the [Law](#) of the RK of 20.12.04, № 13-III (enforced on January 1, 2005) ( )*

### **Article 34. Conclusions on Applications related to Citizenship Issues**

Departments of internal affairs and overseas agencies of the Republic of Kazakhstan shall forward their conclusions on applications and statements related to Citizenship along with the applicant's written letter on compliance with the terms stipulated by [Article 1](#) of the present Law, via the Ministry of Internal Affairs of the Republic of Kazakhstan or the Ministry of Foreign Affairs of the Republic of Kazakhstan in the name of the President of the Republic of Kazakhstan.

The Ministry of Foreign Affairs and the body of the Republic of Kazakhstan responsible for migration of population shall present before the President of the Republic of Kazakhstan a substantiated conclusion on expediency of admittance into Citizenship of the Republic of Kazakhstan or restoration of it for each applicant permanently residing outside the Republic of Kazakhstan, including the opportunities for his/her employment, housing and other arrangements in the Republic of Kazakhstan.

Conclusions on applications for renunciation of the Citizenship of the Republic of Kazakhstan shall include accurate information on any outstanding obligations of the applicant before the Government, his/her property obligations related to material interests of citizens or companies, institutions and

organizations and public associations, criminal charges against him/her, or court sentences that are currently in effect with regards to the applicant, and if the person's renunciation of Citizenship is against the interests of the national security of the Republic of Kazakhstan.

#### **Article 35. Commission under the President of the Republic of Kazakhstan on Citizenship Issues**

The President of the Republic of Kazakhstan shall set up a [Commission on Citizenship Issues](#) to preliminarily review issues related to Citizenship specified in [Article 29](#) of the present Law. While considering applications and statements on Citizenship issues the Commission shall comprehensively assess the arguments of the applicant, the content of the statement, other documents and duly formalized statements of witnesses.

The Commission shall have the right to request documents and materials related to the case under review from respective Government agencies and public associations, which shall present required information within the time period specified by the Commission.

The Commission shall submit recommendations on each application or statement to the President of the Republic of Kazakhstan for consideration.

Meetings of the Commission shall be legitimate provided that more than half of its members are present. The decision of the Commission shall be taken by a simple majority of votes.

The decision of the Commission shall be reflected in the Minutes signed by all the members of the Commission that participated in the meetings.

*The first sub-paragraph is presented in the wording of the [Decree](#) of the President of the RK of 03.10.95.*

#### **Article 36. Citizenship Related Acts**

A Decree of the President of the Republic of Kazakhstan shall be issued to cover issues of admittance into, changing of Citizenship and rejection of the application.

Repeated applications on Citizenship shall be reviewed one year after the previous decision was made on this issue. Should significant circumstances arise with regards to the case which the applicant did not know about and could not have been previously aware of, a new application may be reviewed earlier.

*Article 37 bears amendments introduced in line with the [Decree](#) of the President of the RK of 03.10.95; the [Law](#) of the RK of 22.07.11, № 478-IV ([see the previous version](#))*

#### **Article 37. Calculation of Term of Acquisition and Loss of Citizenship**

Citizenship of the Republic of Kazakhstan shall be acquired on the day:

- of issuance of the Decree of the President of the Republic of Kazakhstan on admittance into Citizenship;
- of birth or adoption of minors;
- of issuance of the Decree of the President of the Republic of Kazakhstan on admittance into Citizenship of the Republic of Kazakhstan to parents of minors;
- of its registration according to the procedure stipulated by interstate treaties;
- of registration of admittance into Citizenship of the Republic of Kazakhstan under a simplified (registration) procedure.

Citizenship of the Republic of Kazakhstan shall be terminated on the day:

- of issuance of the Decree of the President of the Republic of Kazakhstan on termination of Citizenship;
- of registration of its loss by the Government bodies according to the procedure stipulated by the present Law;
- of registration of termination of Citizenship of the Republic of Kazakhstan according to the procedure stipulated by interstate treaties of the Republic of Kazakhstan.

*Article 38 bears amendment introduced in line with the [Law](#) of the RK of 17.05.02., № 322-II ([see the previous version](#))*

#### **Article 38. Period of Residence in the Territory of the Republic of Kazakhstan**

The period of residence in the territory of the Republic of Kazakhstan specified in [sub-paragraph 1](#) of Article 16 of the present Law shall include:

Period of military service provided that a person previously resided in the territory of the Republic and the time interval between the day of demobilization and the day of arrival to the Republic of Kazakhstan for permanent residence does not exceed three months;

Period of study outside the Republic provided that the time interval between the date of the study completion or expulsion from a school and the date of arrival to the Republic of Kazakhstan does not exceed three months.

A three-month period specified in Part one of the present Article shall be suspended in the event of disease, natural disaster or other valid reasons.

The period of residence in the territory of the Republic of Kazakhstan shall not include the time of serving court sentences of other states as a criminal penalty as well as the term of staying in the territory of the Republic for business, treatment and other cases of temporary residence.

The period of residence in the territory of the Republic of Kazakhstan shall not include the period preceding the cancellation of Citizenship of the Republic of Kazakhstan.

## **Chapter 7. Execution of Decisions on Issues of Citizenship**

*Article 39 bears amendments introduced in line with the [Decree](#) of the President of the RK of 03.10.95; the [Law](#) of the RK of 17.05.02, № 322-II ([see the previous version](#)); is presented in the wording of the Law of the RK of 20.12.04. [№ 13-III](#) (is enforced on January 1, 2005) ([see the previous version](#))*

### **Article 39. Bodies Implementing Decisions on Issues of Citizenship of the Republic of Kazakhstan**

Execution of decisions on issues of Citizenship with regard to persons permanently residing in the Republic of Kazakhstan shall be assigned to the authorized body on documentation and issuance of passports and identification cards, and with regard to people residing in an another state – to overseas missions of the Republic of Kazakhstan.

Persons who acquired Citizenship of the Republic of Kazakhstan shall receive identification cards and (or) passports as citizens of the Republic of Kazakhstan from authorized bodies on documentation and issuance of passports or overseas agencies. Regarding a child's Citizenship, an entry shall be made in the documents of children under sixteen years.

Departments of internal affairs shall issue certificates of stateless persons to those residing in the Republic of Kazakhstan whose Citizenship has been terminated.

*See also: [Instruction](#) on review of issues related to Citizenship of the Republic of Kazakhstan by the departments of internal affairs of the Republic of Kazakhstan.*

### **Article 40. Control over the Execution of Decisions Related to Citizenship**

Control over the execution of decisions on issues of Citizenship shall be performed by the Commission under the President of the Republic of Kazakhstan in charge of Citizenship issues.

## **Chapter 8. Appealing Decisions on Issues of Citizenship**

### **Article 41. Appeals against the Decisions on Citizenship Issues**

Decisions on Citizenship issues may be reversed by the President of the Republic of Kazakhstan.

Complaints regarding decisions on issues of Citizenship and loss of Citizenship shall be submitted in the name of the President of the Republic of Kazakhstan.

Ungrounded refusal to accept applications related to issues of Citizenship, violation of the terms of application review and other unauthorized actions on the part of officials violating the procedure of consideration of Citizenship related issues and procedure of executing decisions on Citizenship issues may be appealed according to the procedure specified by the Law with the superior official in terms of subordination or with the [court](#).

*Chapter 9 bears amendments pursuant to [Law](#) of the RK of 17.05.02, № 322-II ([see the previous version](#))*

**Chapter 9.** Was excluded pursuant to [Law](#) of the RK of 29.04.09. № 154-IV ([see the previous version](#))

**President  
of the Republic of Kazakhstan**

**N. NAZARBAEV**

December 20, 1991, № 1017-XII

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