

On approval of model rules for regulation of migration processes in regions, cities of the republican significance, the capital

Invalidated Unofficial translation

Decree of the Government of the Republic of Kazakhstan dated May 25, 2017 No. 296.
Abolished by the Decree of the Government of the Republic of Kazakhstan dated 09/01/2023 No. 753

Unofficial translation

Footnote. Abolished by the Decree of the Government of the Republic of Kazakhstan dated 09/01/2023 No. 753 (effective after the day of its first official publication)

In accordance with subparagraph 7-2) of article 8 of the Law of the Republic of Kazakhstan dated July 22, 2011 "On Migration" the Government of the Republic of Kazakhstan **HEREBY DECREES:**

1. To approve the model rules for regulation of migration processes in regions, cities of the republican significance, the capital according to the annex to this decree.
2. Local executive bodies of regions, cities of the republican significance, the capital shall take necessary measures arisen from this decree.
3. This decree shall come into force upon expiry of ten calendar days after the date of its first official publication.

*Prime Minister
of the Republic of Kazakhstan*

B. Sagintayev

Approved
by the decree
of the Government
of the Republic of Kazakhstan
dated May 25, 2017 no. 296

Model rules for regulation of migration processes in regions, cities of the republican significance, the capital

Chapter 1. General provisions

1. These model rules for regulation of migration processes in regions, cities of the republican significance, the capital (hereinafter referred to as the model rules) have been developed in accordance with the Constitution of the Republic of Kazakhstan, laws of the Republic of Kazakhstan dated July 22, 2011 "On Migration", dated January 23, 2001 "On Local Government and Self-government in the Republic of Kazakhstan", dated July 1, 1998 "On the special status of Almaty City", dated July 21, 2007 "On the

status of the capital of the Republic of Kazakhstan", dated April 16, 1997 "On Housing Relations" and other normative legal acts, as well as international treaties and agreements ratified by the Republic of Kazakhstan, concerning the issues of migration of population, and shall determine the model procedure for regulation of migration processes in re другими нормативными правовыми актами, а также международными договорами и соглашениями, ратифицированными Республикой Казахстан, по вопросам миграции населения и определяют типовой порядок регулирования миграционных процессов in regions, cities of the republican significance, and the capital.

2. In accordance with the model regulations, local executive bodies of regions, cities of republican status and the capital, for the purposes of migration processes manageability and economic growth, enhancing of the country's security and creating conditions for migrants to exercise the socio-economic rights, shall develop the rules for regulating migration processes, approved by the relevant local representative bodies

Footnote. Paragraph 2 - as amended by Resolution No.193 of the Government of the Republic of Kazakhstan dated 31.03.2021 (shall be enforced ten calendar days after the date of its first official publication).

3. The regulation of migration processes shall be based on:

Provision of the human constitutional right to free choice of place of residence, freedom of labor and free choice of occupation and profession;

freedom of travel and movement;

inadmissibility of discrimination on the grounds of origin, social and property status or any other circumstances.

4. Main terms that used in these model rules shall be as follows:

1) migrant – an internal migrant resettling to regions, determined by the Government of the Republic of Kazakhstan;

2) regional quota for admission of migrants – the maximum number of migrants or migrants and members of their families arriving for permanent residence in the regions determined by the Government of the Republic of Kazakhstan, which are provided with state support measures provided for participants in active measures to promote employment in accordance with the legislation of the Republic of Kazakhstan on employment of population;

3) regional quota for accepting kandases - the maximum number of kandases or kandases and their family members arriving for permanent residence in the regions determined by the Government of the Republic of Kazakhstan, who are provided with state support measures envisioned for participants in active employment promotion measures in accordance with the legislation of the Republic of Kazakhstan on public employment.

Footnote. Paragraph 4 as amended by the decree of the Government of the Republic of Kazakhstan dated 11.08.2018 no.501 (shall come into force upon expiry of ten calendar days from the date of its first official publication); No.193 dated 31.03.2021 (shall be enforced ten calendar days after the date of its first official publication).

Chapter 2. Procedure of regulation of migration processes in regions, cities of the republican significance, the capital

5. In regions, the monitoring of migration processes shall be carried out subject to their influence on the state of socio-economic and cultural development, environmental situation.

The specificities of migration processes in the region shall include population density, immigration, emigration, labor migration, internal migration flows, the process of urbanization, the ecological and religious situation in the region, the ethnic composition of the population, and the balance of the regional labor market.

6. To regulate migration processes in the region, local executive bodies shall file proposals to the authorized migration body regarding:

assignment (exclusion) of the corresponding territory of the region for the resettlement of kandases and migrants;

increasing (reducing) the quota for engaging foreign labor force, including from among ethnic Kazakhs and expatriates;

increase (reduction) of regional quotas for receiving kandases and migrants for the medium term or the upcoming year.

Footnote. Paragraph 6 - as amended by Resolution No.193 of the Government of the Republic of Kazakhstan dated 31.03.2021 (shall be enforced ten calendar days after the date of its first official publication).

7. The resettlement of kandases and migrants shall be carried out in accordance with the regional quotas for the reception of kandases and migrants in the manner determined by the Government of the Republic of Kazakhstan.

Footnote. Paragraph 7 - as amended by Resolution No.193 of the Government of the Republic of Kazakhstan dated 31.03.2021 (shall be enforced ten calendar days after the date of its first official publication).

8. With the population outflow exceeding the population reproduction rate, the regulation of migration processes shall also be carried out through the development of measures aimed to attract qualified labor force and assisting them in a speedy social adaptation, vocational training and retraining of kandases, especially young people.

Footnote. Paragraph 8 - as amended by Resolution No.193 of the Government of the Republic of Kazakhstan dated 31.03.2021 (shall be enforced ten calendar days after the date of its first official publication).

9. In order to ensure monitoring and forecasting the development of the migration situation, addressing issues of employment, construction of schools, kindergartens, medical institutions, planning socio-economic development, registration of the population shall be carried out.

10. Registration and record of citizens of the Republic of Kazakhstan, foreigners and stateless persons temporarily staying or permanently residing in the Republic of Kazakhstan at the place of permanent and (or) temporary stay (residence) shall be carried out in accordance with the procedure, determined by the Government of the Republic of Kazakhstan.

11. Local executive bodies, in the interests of local government, shall exercise other powers in the field of regulation of migration processes assigned to them by the legislation of the Republic of Kazakhstan.