

On state targeted social aid

Invalidated Unofficial translation

The Law of the Republic of Kazakhstan dated 17 July, 2001 № 246. It became invalid by the Code of the Republic of Kazakhstan № 224-VII dated April 20, 2023.

Unofficial translation

Footnote. It became invalid by the Code of the Republic of Kazakhstan No. 224-VII dated 20.04.2023 (effective from 01.07.2023).

Footnote. Through the whole text, the word "aul (village)" is substituted respectively by the word "village" by the Constitutional Law of the Republic of Kazakhstan dated 03.07.2013 No. 121-V (shall be enforced upon expiry of ten calendar days after its first official publication);

the words “repatriat” and “repatriats” have been replaced by the words “compatriot” and “compatriots” respectively, by the Law of the Republic of Kazakhstan dated 13.05.2020 No. 327-VI (shall be enforced from 01.01.2021).

the words "of disabled", "by disabled child", "by disabled", "to disabled", and "by disabled ones" are replaced respectively by the words "of persons with disabilities", "by child with disabilities", "by person with disabilities", "to person disabled with disabilities", "by persons with disabilities", by the Law of the Republic of Kazakhstan dated 27.06.2022 No. 129-VII (shall come into effect ten calendar days after the day of its first official publication).

This Law regulates legal relations related to rendering state targeted social aid to the public.

Article 1. Basic definitions used in this Law

The following basic definitions are be used in this Law:

1) The State Corporation "Government for Citizens" (hereinafter referred to as the State Corporation) is a legal entity established by the decision of the Government of the Republic of Kazakhstan to provide public services, services for issuing technical conditions for connecting natural monopoly entities to networks and services of quasi-public sector entities in accordance with the legislation of the Republic of Kazakhstan, organization of work on accepting applications for the provision of public services, services for issuing technical conditions for connecting natural monopoly entities to networks, services of entities of the quasi-public sector and issuing their

results to the service recipient on the principle of "one window", as well as ensuring the provision of public services in electronic form, carrying out state registration of rights to real estate at its location;

1-1) assistant - an employee of the employment center, performing the functions of assisting the social work consultant and the akim of the town, village, and rural district in conducting consultations, and interviews, as well as monitoring the fulfillment of obligations under the social contract;

1-2) social work consultant - an employee of the employment center, assisting in the appointment of targeted social assistance and the exit of a low-income person (family) from a situation caused by his/her (their) being below the poverty line;

1-3) social contract - an agreement that defines the rights and obligations of the parties, on participation in active measures to promote employment between a citizen of the Republic of Kazakhstan or a kandas from among the unemployed, certain categories of employed persons determined by the Government of the Republic of Kazakhstan, as well as other persons in cases provided for The Law of the Republic of Kazakhstan "On Public Employment", and the employment center, and in cases provided for by the Law of the Republic of Kazakhstan "On Public Employment", with individuals and legal entities involved in the organization of active measures to promote employment, as well as on the provision of state targeted social assistance;

1-4) an able-bodied person (an able-bodied family member) - a person or family member from sixteen years of age to the age provided for in paragraph 1 of Article 11 of the Law of the Republic of Kazakhstan "On Pension Provision in the Republic of Kazakhstan", except for the disabled people of I or II disability group and (or) persons with diseases, for which a temporary disability period exceeding two months can be established;

2) per capita income – share of aggregate income of a family which is accounted for each member of the family per month;

3) aggregate income – sum of types of income, taken into account in the prescription of the targeted social aid;

3-1) the poverty line – the maximum minimum amount of monetary income per person, established as a criterion for determining the amount of targeted social assistance;

3-2) excluded by the Law of the Republic of Kazakhstan dated 26.12.2022 No. 168 -VII (shall come into effect from 01.01.2023);

4) state targeted social assistance (hereinafter referred to as the targeted social assistance) - assistance provided by the state to individuals (families) with a monthly average per capita income below the poverty line established in regions, cities of republican significance, the capital;

5) central executive body – the state body carrying out the administration in the scope of public employment as well as within the limits, provided by the legislation of the Republic of Kazakhstan, inter-industry coordination;

5-1) an individual plan of assistance to a person (family) (hereinafter - an individual plan) - a plan of measures to promote employment and (or) social adaptation, drawn up by the employment center together with the person who applied for the targeted social assistance and (or) members of his family;

5-2) low-income persons (families) are the persons (families) who have per capita incomes per month below the poverty line established in oblasts, cities of republican significance, capital;

6) authorized body – local executive body of a city of republican significance, the capital, a district, a city of regional significance, district in a city, city of district significance, carrying out the prescription of the targeted social aid;

7) divisional commission – special commission created by decision of the mayors of relevant administrative and territorial units for performance of inspection of financial condition of persons (families), who applied for targeted social aid;

8) employment center - a legal entity created by the local executive body of a district, cities of regional and republican significance, the capital in order to implement active measures to promote employment and organize social protection from unemployment and other measures to promote employment in accordance with the Law of the Republic of Kazakhstan “On Employment”;

9) unconditional cash assistance - a type of targeted social assistance provided in the form of monthly cash payments, including electronic money to electronic money wallets, to low-income persons (families) with limited opportunities to participate in employment promotion measures;

10) conditional cash assistance - a type of targeted social assistance provided in the form of a monthly and (or) lump-sum cash payment, including electronic money to electronic money wallets, to low-income persons (families), subject to their mandatory participation in employment promotion measures and (or), if necessary, in the measures of social adaptation.

Footnote. Article 1 is in the wording of the Law of the Republic of Kazakhstan dated 27.06.2011 No. 444-IV (shall be enforced from 01.01.2012); with amendments introduced by the Law of the Republic of Kazakhstan dated 29.09.2014 No 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 19.05.2015 No. 315-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2015 No. 369-V (shall be enforced from 01.01.2018); dated 24.11.2015 No. 421-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated

06.04.2016 No. 483-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 20.06.2017 No. 76-VI (shall be enforced from 01.07.2017); № 147-VI as of 16.04.2018 (takes effect ten calendar days after its first official publication); № 165-VI as of 02.07.2018 (takes effect ten calendar days after its first official publication); № 203-VI as of 26.12.2018 (takes effect ten calendar days after its first official publication); dated 26.12.2019 No. 287-VI (shall be enforced from 01.01.2020); dated 30.11. 2020 No. 397-VI (shall be enforced upon expiry of six months after the day of its first official publication); No. 67-VII LRK dated 12.10. 2021 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 26.12.2022 No. 168-VII (shall come into effect from 01.01.2023).

Article 2. Right for targeted social aid

1. Citizens of the Republic of Kazakhstan, oralmans, refugees, foreigners and stateless persons who permanently live in the Republic Kazakhstan with the per capita income lower than the poverty line have the right for targeted social aid.

1-1. The size of the poverty line in the Republic of Kazakhstan is determined by the central executive body on the ground of the subsistence minimum living wage per capita in terms of percentage, depending on the economic opportunities of the state.

1-2. Poverty line on oblasts, cities of republican importance, capital quarterly is calculated by local executive bodies.

Mass media publish an information about:

1) Is excluded by the Law of the Republic of Kazakhstan dated 20.06.2017 No. 76-VI (shall be enforced from 01.07.2017);

2) Poverty line - quarterly by local executive bodies;

3) share of the population, who have incomes below the poverty line, in the republic, in oblasts, city of republican importance, capital - annually by the authorized body in the field of state statistics.

2. Targeted social assistance is not assigned to:

1) persons (families) who are not from low-income ones;

2) a family, an able-bodied member of which, with the exception of the persons specified in paragraph 6 of this article, has refused to participate in the measures to promote employment - within six months from the date of refusal to participate in the measures to promote employment;

3) a person (family) in cases of termination of a previously concluded social contract and (or) failure to fulfill the obligations provided for by the social contract through the fault of the recipient - within six months preceding the applying for the targeted social assistance;

4) persons (families) who have submitted deliberately false information and (or) inaccurate documents for appointment of the targeted social assistance - within six months from the date of their submission;

5) persons (families) who, according to the conclusion of the precinct commission, prepared based on the results of a study of their financial situation, do not need the targeted social assistance.

3. Targeted social aid shall be provided in the form of unconditional cash assistance and conditional cash assistance.

4. Unconditional cash assistance is provided to:

1) single and (or) lonely low-income persons with limited opportunities to participate in measures of supporting the employment in connection with:

reaching the retiring age, established in accordance with paragraph 1 of Article 11 of the Law of the Republic of Kazakhstan " On Retirement Insurance in the Republic of Kazakhstan";

disabled persons of first or second group;

the presence of a disease in which the term of temporary incapacity for work can be established for more than two months;

2) low-income families in which there are no able-bodied persons or the only able-bodied member takes care of a child under the age of three years, a disabled child, a disabled person of the first or second category, the elderly who needs a nursing care and assistance.

5. Conditional financial assistance is provided to single and (or) living alone low-income able-bodied persons, as well as low-income families with an able-bodied member (members), including individuals who are payers of a single aggregate payment in accordance with Article 774 of the Code of the Republic of Kazakhstan " On taxes and other obligatory payments to the budget" (Tax Code), subject to his (their) participation in the measures to promote employment and (or), if necessary, social adaptation, with the exception of persons (families) specified in paragraph 4 of this article.

6. The conclusion of a social contract is a required condition for the prescription of conditional cash assistance.

Participation in measures of supporting the employment shall be not a required condition for payment of conditional cash assistance:

1) disabled persons of first and second groups;

2) pupils, students, listener, cadets and full-time graduate students;

3) persons who have been on hospital treatment for more than two months;

4) one of the parents caring for a child under the age of three, persons caring for a disabled child, disabled people of the first and second disability groups, the elderly over eighty years old, who need a nursing care and assistance/

Only one able-bodied family member can be classified as caring for a child under the age of three, a disabled child, disabled people of the first and second disability groups, the elderly over eighty years old, who need a nursing care and assistance;

5) persons who have a permanent job.

7. Excluded by the Law of the Republic of Kazakhstan dated 26.12.2022 No. 168-VII (shall come into effect from 01.01.2023).

Footnote. Article 2 as amended by the Laws of the Republic of Kazakhstan dated 27.07.2007 No. 320 (order of enforcement see Article 2); dated 16.01.2009 No. 121; dated 04.12.2009 No. 217-IV (shall be enforced from 01.01.2010); dated 27.06.2011 No. 444-IV (shall be enforced from 01.01.2012); dated 19.05.2015 No. 315-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2015 No. 369-V (shall be enforced from 01.01.2018); dated 06.04.2016 No. 483-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 20.06.2017 No. 76-VI (shall be enforced from 01.07.2017); № 165-VI as of 02.07.2018 (takes effect ten calendar days after its first official publication); № 243-VI as of 03.04.2019 (takes effect on 01.04.2019); dated 03.04.2019 No. 243-VI (shall be enforced from 01.04.2019); dated 26.12.2019 No. 287-VI (shall be enforced from 01.01.2020); No. 67-VII LRK dated 12.10.2021 (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 26.12.2022 No. 168-VII (shall come into effect from 01.01.2023).

Article 3. Application for prescription of targeted social aid

FootnoteFootnote. Article 3 is in the wording of the Law of the Republic of Kazakhstan dated 28.10.2015 No. 369-V (shall be enforced from 01.01.2018).

1. A person (hereinafter referred to as the applicant), on his own behalf or on behalf of the family, applies for the targeted social assistance to the employment center at the place of residence, and in rural areas - to the akim of the village, settlement, rural district with an application of the established form and an identity document for identification.

Applicants shall have the right to apply for the appointment of targeted social assistance through the e-government web portal.

The collection of the necessary documents according to the list determined by the central executive body will be carried out by the employment center at the place of residence, in rural areas - by the akim of the village, settlement, rural district through the information systems of the state bodies and (or) organizations.

The assignment of the targeted social assistance is carried out on the basis of electronic copies of documents received from the information systems of the state bodies and (or) organizations.

In the absence of electronic copies of documents in the information systems of the state bodies and (or) organizations, the applicant submits documents confirming information that is absent in the relevant information systems of the state bodies and (or) organizations, and if the applicant does not have such an opportunity, the employment center at the place of residence, in rural areas - the akim draws up a written request to the relevant state body and (or) organization.

1-1. Submission of an application for the appointment of targeted social assistance shall not be required when it is assigned through a proactive service in accordance with the Law of the Republic of Kazakhstan "On Public Services".

When assigning targeted social assistance in a proactive format, the day of application is the day of obtaining the consent of the person (family) to survey the financial situation of the person (family).

1-2. To provide targeted social assistance, with the consent of the person (family), the precinct commission shall examine the financial situation of the person (family).

2. Excluded by the Law of the Republic of Kazakhstan dated 16.01.2009 No. 121 (shall be enforced from the date of its first official publication).

3. Applicant shall entail responsibility for credibility of presented information in accordance with the laws of the Republic of Kazakhstan.

4. The right to receive the targeted social assistance is confirmed on a quarterly basis in the manner determined by the central executive body.

Footnote. Article 3 as amended by the Laws of the Republic of Kazakhstan dated 20.12.2004 No. 13 (shall be enforced from 01.01.2005); dated 12.01.2007 No. 224 (shall be enforced from 01.01.2012) dated 22.07.2011 No. 478-IV (shall be enforced from 01.01.2012); dated 22.07.2011 No. 478-IV (shall be enforced upon expiry of ten calendar days after its first official publication); dated 12.01.2012 No. 538-IV (order of performance see Article 2; dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2015 No. 369-V (shall be enforced from 01.01.2018); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); № 243-VI as of 03.04.2019 (takes effect on 01.04.2019); dated 26.12.2019 No. 287-VI (shall be enforced from 01.01.2020); dated 14.07.2022 No. 141 -VII (shall come into effect upon the expiration of ten calendar days after the day of its first official publication); dated 26.12.2022 No. 168-VII (shall come into effect from 01.01.2023).

Article 4. Order of prescription of targeted social aid

1. Prescription of targeted social aid shall be carried out by the authorized body within the sums provided by relevant budget on rendering the targeted social aid.

Targeted social aid shall be prescribed to each family member who has the right to receive it.

For the purposes of this Law, the family includes members of the family living together, who are bound by property and personal non-property rights and obligations arising from marriage (matrimony), kinship, property, adoption (adoption) or another form of adoption of children for upbringing, as well as persons living together, actually cohabiting, but not married, with the exception of persons:

- 1) being fully supported by the state;
- 2) those in urgent military service;
- 3) who are in places of deprivation of liberty, undergoing compulsory treatment.

The fact of cohabitation is not required:

able-bodied family members who work outside the family's place of residence;
children studying in boarding schools, except for those who are fully supported by the state, as well as those studying full-time in organizations of technical and vocational, post-secondary, higher and (or) postgraduate education of the Republic of Kazakhstan, after they reach the age of majority until the time of graduation from educational organizations (but no more than until reaching the age of twenty-three).

Note. For the purposes of this Law, a family includes children living in a family and having registration in another locality at the place of study in secondary educational organizations due to the absence of an educational organization of this level at the place of residence of the family.

2. The employment center or the akim of the settlement, village, rural district registers an application for the assignment of the targeted social assistance and issues the applicant a confirmation of acceptance of the application.

The employment center or the akim of a settlement, village, rural district, after accepting the application, within one working day, submits it to the precinct commissions for preparation of a conclusion.

The akim of the village, settlement, rural district, no later than three working days from the date of receipt of the conclusion of the precinct commission, submits the package of documents to the employment center.

3. Centre of public employment:

1) provides activities of the district (city) or regional commission for employment issues;

2) monitors the implementation of individual plan activities and assesses the effectiveness of the implementation of the social contract;

3) through social work consultants and assistants, assists recipients of targeted social assistance in implementing an individual plan and fulfilling their obligations under a social contract.

4. In the process of accepting an application for assignment of the targeted social assistance, an interview is conducted with the applicant and (or) his family members, during which the following are determined:

- 1) grounds for unconditional or conditional cash assistance;
- 2) the needs for measures of supporting the employment;
- 3) measures of social adaptation that include measures for the social rehabilitation of disabled persons defined in Article 21 of the Law of the Republic of Kazakhstan "On Social Protection of Persons with Disabilities in the Republic of Kazakhstan", special social services provided to persons in difficult life situations, in accordance with the Law of the Republic of Kazakhstan "On Special Social services ", as well as other measures of state support provided in the manner prescribed by the legislation of the Republic of Kazakhstan.

5. If the applicant and (or) his family members need measures to promote employment and (or) social adaptation, the decision on provision of which is beyond the competence of the authorized body, the application with the attachment of information received from the information systems for assignment of the targeted social assistance, in writing from the relevant state bodies and (or) organizations, as well as documents submitted by the applicant due to the lack of information in the relevant information systems of the state bodies and (or) organizations, is sent by the employment center for consideration by the district (city) or regional commission on employment issues.

The tasks of district (city) and regional commissions on employment issues includes:

- coordination of activities of interested bodies and organizations when assigning targeted social aid;

- development of recommendations on the provision of measures supporting the employment and social adaptation;

- consideration of issues of lump-sum payment of conditional cash assistance;

- Monitoring of the implementation of the concluded social contracts.

6. Centre of public employment after admission of the conclusion of divisional commission or documents with the conclusion of divisional commission from akim of a rural settlement, a village, and a rural district to the authorized body as well as, if necessary, the recommendations of the district (city) or regional commission on employment issues, during three business days, shall draw up an individual plan indicating the list of measures supporting the employment and social adaptation of the family (person) and shall conclude a social contract with the applicant.

Forms of a social contract, an individual plan and a standard list of measures supporting the employment and social adaptation of the family (person) shall approved by the central executive body.

7. The employment center, within one working day from the date of conclusion of the social contract, sends an application with the attachment of information received from the information systems for assignment of the targeted social assistance, in

writing from the relevant state bodies and (or) organizations, as well as documents submitted by the applicant due to the lack of information in the relevant information systems of the state bodies and (or) organizations, a draft decision on assignment of the targeted social assistance and a social contract signed by the parties to the authorized body for assignment of the targeted social assistance.

8. The authorized body during three business days from the date of admission of the documents specified in paragraph 6 of this article, shall make decision on prescription of or refusal in prescription of targeted social aid, of which it through the Centre of public employment or akim of a rural settlement, a village, a rural district shall inform the applicant in written form, in case of refusal – with reason.

9. The authorized body has the right to request from the relevant bodies the information necessary for review of documents submitted for prescription of targeted social aid.

10. The social contract with the recipients of the conditional cash assistance is concluded for the period of assignment of the conditional cash assistance.

10-1. In case of changes in the terms of participation in the employment promotion measures and (or) conditions for the provision of social adaptation measures, the social contract is amended by agreement of the parties by way of signing an additional agreement to the social contract.

11. Unconditional cash assistance is assigned for the current quarter from the month of appeal and is paid monthly.

Conditional cash aid is given for the validity period of a social contract from the month of application and is paid monthly or as a lump sum during the period indicated in the social contract.

Sum of a non-recurring payment of conditional cash assistance shall used exclusively for activities related to the fulfillment of obligations under a social contract , the development of a personal subsidiary farm (purchase of livestock, poultry, etc.), the organization of individual entrepreneurial activities (except for the costs of repaying previous loans, acquisition of residential property).

12. The social contract with the recipients of the conditional cash assistance is terminated if the low-income person (family) does not fully fulfill the conditions of the social contract and individual plan of activities, including participation in the measures to promote employment and employment, as well as the submission of false information and (or) unreliable documents that entailed the illegal assignment and (or) payment of the conditional cash assistance.

Termination of the social contract is the basis for termination of the payment of the conditional cash assistance to the person (family).

13. The applicant and the recipient shall have the right to appeal against the actions (inaction) of the akim of the settlement, village, rural district and the decisions of the

authorized body and its officials in the manner prescribed by the laws of the Republic of Kazakhstan.

14. Civil servants of the authorized body and centre of public employment shall carry responsibility for correctness of prescription and organization of payment of targeted social aid in accordance with the laws of the Republic of Kazakhstan.

15. The authorized body and centre of public employment shall inform the public through mass media on the order and conditions of provision of targeted social aid.

Footnote. Article 4 is in the wording of the Law of the Republic of Kazakhstan dated 28.10.2015 No. 369-V (shall be enforced from 01.01.2018); as amended by Law of the Republic of Kazakhstan № 165-VI as of 02.07.2018 (takes effect ten calendar days after its first official publication); № 243-VI as of 03.04.2019 (takes effect on 01.04.2019); dated 03.04.2019 No. 243-VI (shall be enforced from 01.04.2019); dated 26.12.2019 No. 287-VI (shall be enforced from 01.01.2020); dated 29.06.2020 No. 351-VI (shall be enforced from 01.07.2021); No. 67-VII LRK dated 12.10. 2021 (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 4-1. Reimbursement of the cost of the guaranteed social package

Footnote. Article 4-1 excluded by the Law of the Republic of Kazakhstan dated 26.12.2022 No. 168-VII (shall come into effect from 01.01.2023).

Article 4-2. Portal of social services

Footnote. Article 4-1 excluded by the Law of the Republic of Kazakhstan dated 26.12.2022 No. 168-VII (shall come into effect from 01.01.2023).

Article 5. Divisional commission

1. Divisional commissions shall assist the authorized body and the mayors of a rural settlement, a village, a rural district in activity of provision of targeted social aid.

Divisional commissions shall prepare conclusions on financial condition of persons (families) who applied for targeted social aid.

2. Divisional commissions may consist of representatives of the bodies of state administration, public associations, cooperatives of premises (apartments) owners, the public, organizations and the authorized bodies of education, health-care, social protection, officers of law enforcement bodies.

3. Precinct commissions carry out their activities in accordance with the provisions on precinct commissions approved by local executive bodies of regions, cities of republican significance, the capital, in agreement with local representative bodies, as well as criteria for determining the need for the targeted social assistance based on the results of a study of the applicant's financial situation.

The standard regulation on precinct commissions, as well as the criteria for determining the need for the targeted social assistance based on the results of a study of the applicant's financial situation, are approved by the central executive body.

4. Precinct commissions within seven working days from the date of receipt of the application from the employment center or akim of the settlement, village, rural district for assignment of the targeted social assistance, electronic copies of documents, copies of documents submitted by the applicant due to their absence in the information systems of the state bodies and (or) organizations, prepare a conclusion on the basis of the submitted documents and (or) the results of a study of the applicant's financial situation and submit it to the employment center or the akim of the village, settlement, rural district.

5. Divisional commissions have a right to request the information necessary for performance of inspection from the relevant bodies.

Footnote. Article 5 as amended by the Laws of the Republic of Kazakhstan dated 20.12.2004 No. 13 (shall be enforced from 01.01.2005); dated 16.01.2009 No. 121; dated 27.04.2012 No. 15-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 28.10.2015 No. 369-V (shall be enforced from 01.01.2018); № 210-VI as of 28.12.2018 (takes effect ten calendar days after its first official publication); dated 28.12.2018 No. 210-VI (shall be enforced upon expiry of ten calendar days after the day of its first official publication); dated 26.12.2019 No. 287-VI (shall be enforced from 01.01.2020).

Article 5-1. Competence of the State Corporation

State corporation shall:

- 1) ensure timely payment of targeted social assistance;
- 2) form the monthly need for payments and payment schedules for targeted social assistance, and send applications to the relevant authorized state body about the need for funds for the payment of targeted social assistance.

Footnote. The Law is supplemented by Article 5-1 in accordance with Law No. 168 -VII dated 26.12.2022 (shall come into effect from 01.01.2023).

Article 6. Calculation of the per capita income

1. The total income of a family seeking targeted social aid is determined on the basis of an application for targeted social aid and data from the information systems of state bodies and (or) organizations.

Local executive bodies of a district (town of regional significance), taking into account the specifics of the region, have the right to determine livestock, poultry and land (land share) as not generating income.

The rules for calculating the total income shall be approved by the central executive body.

2. Per capita income shall be calculated by dividing the aggregate income received in the quarter, previous to the quarter of application for prescription of social aid, by the number of family members and by three months.

Footnote. Article 6 as amended by the Laws of the Republic of Kazakhstan dated 16.01.2009 No. 121; dated 27.06.2011 No. 444-IV (shall be enforced from 01.01.2012) ; dated 17.03.2015 No. 293-V (shall be enforced upon expiry of ten calendar days after its first official publication); № 243-VI as of 03.04.2019 (takes effect on 01.04.2019); dated 03.04.2019 No. 243-VI (shall be enforced from 01.04.2019); dated 26.12.2019 No. 287-VI (shall be enforced from 01.01.2020).

Article 7. Determination of the amount of targeted social aid

1. The amount of the targeted social assistance per person (family) is calculated by the authorized body in the form of the difference between the average per capita income and the poverty line established in regions, cities of republican significance, the capital, per each family member.

1-1. For the period of assigning targeted social assistance, for each child aged one to six years inclusive, a monthly additional payment shall be paid in the amount of 1.5 monthly calculation index established for the corresponding financial year by the law on the republican budget.

2. The recipient of targeted social aid shall inform the employment center, and in rural areas – the akim of a village, rural settlement, rural district, of the circumstances that may serve a basis for changing the size of targeted social aid or the right to it, within ten working days.

The rules for providing support and access to information systems and databases in the course of granting the targeted social aid, and also the form of reporting documentation in the field of targeted social aid shall be developed and approved by the central executive body.

3. Average per capita income for the quarter preceding the appeal, and the amount of the assigned targeted social assistance are recalculated in the following cases:

changes in the composition of the family - from the date of the change in the composition of the family;

revealing facts or information not taken into account when determining the total family income, with the exception of provision by the applicant of false information and (or) inaccurate documents in order to receive the targeted social assistance - from the month of application.

The overpaid amounts of the targeted social assistance are subject to return on a voluntary basis, and in case of refusal - in court.

Upon further receipt of the targeted social assistance, the overpaid amounts are withheld from subsequent payments.

4. Appointment and payment of targeted social assistance shall be carried out in accordance with this Law in the manner determined by the central executive body.

Rules for the maintenance of information systems and access to the use of information systems and databases in the provision of targeted social aid shall be developed and approved by the central executive body.

Footnote. Article 7 as amended by the Laws of the Republic of Kazakhstan dated 20.12.2004 No. 13 (shall be enforced from 01.01.2005); dated 16.01.2009 No. 121; dated 27.06.2011 No. 444-IV (shall be enforced from 01.01.2012); dated 29.09.2014 No 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 17.11.2015 No. 408-V (shall be enforced from 01.03.2016); № 165-VI as of 02.07.2018 (takes effect ten calendar days after its first official publication); № 210-VI as of 28.12.2018 (takes effect ten calendar days after its first official publication); № 243-VI as of 03.04.2019 (takes effect on 01.04.2019); dated 03.04.2019 No. 243-VI (shall be enforced from 01.04.2019); dated 26.12.2019 No. 287-VI (shall be enforced from 01.01.2020); dated 26.12.2022 No. 168 -VII (shall come into effect from 01.01.2023).

Article 8. Control over the correctness of assignment and payment of the targeted social assistance

Control over the correctness of the assignment and payment of the targeted social assistance is carried out by the central executive body, as well as within the framework of control over the execution of the relevant budget.

Methodological guidance for the appointment and payment of targeted social assistance shall be carried out by the central executive body.

Footnote. Article 8 as amended by the Law of the Republic of Kazakhstan dated 03.04.2019 No. 243-VI (shall be enforced from 01.04.2019); as amended by the Law of the Republic of Kazakhstan dated 12.10.2021 No. 67-VII LRK (shall be enforced upon expiry of ten calendar days after the day of its first official publication).

Article 8-1. Transitional provisions

Individuals (families) who received the targeted social assistance before January 1, 2020:

payment of previously assigned targeted social assistance is carried out until December 31, 2019;

from January 1, 2020, the concluded social contract ceases to be valid, the targeted social assistance is assigned and paid in accordance with the legislation of the Republic of Kazakhstan in effect from January 1, 2020.

Footnote. The Law is supplemented with Article 8-1 in accordance with the Law of the Republic of Kazakhstan dated 26.12.2019 No. 287-VI (shall be enforced from January 1, 2020).

Article 9. *Excluded By the law of the Republic of Kazakhstan from 20.12.2004 N 13 (effective from 01.01.2005).*

Article 10. Order of enforcement of this Law

This Law shall be enforced from 1 January, 2002

The President
of the Republic of Kazakhstan

© 2012. «Institute of legislation and legal information of the Republic of Kazakhstan» of the Ministry of
Justice of the Republic of Kazakhstan