

On veterans

Unofficial translation

Law of the Republic of Kazakhstan dated May 6, 2020 No. 322-VI.

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This Law defines the organizational, economic and legal basis for the provision of social support measures to veterans and other persons who are subject to this Law.

Article 1. Legislation of the Republic of Kazakhstan on veterans

1. The legislation of the Republic of Kazakhstan on veterans is based on the Constitution of the Republic of Kazakhstan and consists of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. If an international treaty ratified by the Republic of Kazakhstan establishes rules other than those contained in this Law, then the rules of the international treaty shall apply.

Article 2. Scope of application of this Law

This Law applies to citizens of the Republic of Kazakhstan, foreigners and stateless persons permanently residing in the Republic of Kazakhstan, recognized as veterans or related to other persons who are covered by this Law.

Article 3. Veterans and other persons subject to this Law

1. Veterans in accordance with this Law are:

- 1) veterans of the Great Patriotic War;
- 2) veterans of military operations on the territory of other states;
- 3) veterans with benefits equated to the veterans of the Great Patriotic War;
- 4) labor veterans.

2. Other persons to whom this Law applies are determined by Article 8 of this Law.

Article 4. Veterans of the Great Patriotic War

The veterans of the Great Patriotic War include:

1) participants in the Great Patriotic War, namely military personnel who served in military units, headquarters and institutions that were part of the active army and navy during the Great Patriotic War, as well as during other military operations to protect the former Union of Soviet Socialist Republics (hereinafter referred to as the USSR), partisans and underground fighters of the Great Patriotic War;

2) individuals with disabilities due to injury, concussions, wounds or disease, received during the Great Patriotic War, namely, military personnel of the army and navy, partisans and underground workers of the Great Patriotic War, as well as workers and employees, who

are disabled due to injury, concussions, injury or disease received during the Great Patriotic War at the front, in the area of hostilities, on the front-line sections of railways, structures of defensive lines, naval bases and airfields.

Footnote. Article 4 with the amendment introduced by the Law of the Republic of Kazakhstan dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 5. Veterans of military operations on the territory of other states

Veterans of combat actions on the territory of other states are:

1) servicemen of the Soviet Army, the Navy, the State Security Committee, the commanders and enlisted personnel of the Ministry of Internal Affairs of the former USSR (including military personnel and advisers) who, in accordance with the decisions of the government bodies of the former USSR, took part in hostilities on the territory of other states;

2) persons liable for military service, called up for training camps and sent to Afghanistan during the period of hostilities;

3) servicemen of automobile battalions heading to Afghanistan to deliver goods to this country during the period of hostilities;

4) military personnel of the flight personnel who flew on combat missions in Afghanistan from the territory of the former USSR;

5) workers and employees who served the Soviet military contingent in Afghanistan, who were wounded, concussed or mutilated or were awarded orders and medals of the former USSR for their participation in supporting hostilities;

6) military personnel of the Republic of Kazakhstan who performed tasks in accordance with interstate treaties and agreements to strengthen the protection of the border of the Commonwealth of Independent States in the Tajik-Afghan section from September 1992 to February 2001;

7) military personnel of the Republic of Kazakhstan who took part as peacekeepers in the international peacekeeping operation in Iraq from August 2003 to October 2008;

8) military personnel, as well as individuals of the commanding and ordinary composition of the internal affairs and state security bodies of the former USSR, who took part in the settlement of the interethnic conflict in Nagorno-Karabakh from 1986 to 1991.

Footnote. Article 5 as amended by the Law of the Republic of Kazakhstan dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 6. Veterans Equated in Benefits to Veterans of the Great Patriotic War

Veterans, equated in benefits to the veterans of the Great Patriotic War, are:

1) persons equated in terms of benefits to the participants of the Great Patriotic War, namely:

servicemen, as well as persons of the commanding officers and rank and file of the internal affairs and state security bodies of the former USSR, who served in cities during the

Great Patriotic War, participation in the defense of which was counted before January 1, 1998 in the length of service for the appointment of a pension on preferential terms, units of the active army established for servicemen;

persons of the civilian personnel of the Soviet Army, the Navy, the troops and bodies of internal affairs and state security of the former USSR, who held regular posts in military units, headquarters, institutions that were part of the active army during the Great Patriotic War, or who were in the corresponding periods in cities, participation in the defense of which was counted up to January 1, 1998 in the length of service for the appointment of a pension on preferential terms established for servicemen of units of the active army;

persons who, during the Great Patriotic War, were part of units, headquarters and institutions that were part of the army and navy, as sons (pupils) of regiments and cabin boys;

persons who took part in hostilities against fascist Germany and its allies during the Second World War on the territory of foreign countries as part of partisan detachments, underground groups and other anti-fascist formations;

employees of special formations of the People's Commissariat of Railways, the People's Commissariat of Communications, the floating personnel of fishing and transport vessels and flight crews of aviation, the People's Commissariat of the Fishing Industry of the former USSR, the sea and river fleets, the flight crews of the Northern Sea Route Authority, who during the Great Patriotic wars were transferred to the position of military personnel and performed tasks in the interests of the active army and navy within the rear borders of operating fronts, operational zones of fleets, as well as crew members of transport fleet ships interned at the beginning of World War II in ports of other states;

citizens who worked during the blockade in the city of Leningrad at enterprises, institutions and organizations of the city and were awarded the medal "For the Defense of Leningrad" or the badge "Resident of the besieged Leningrad";

underage prisoners of concentration camps, ghettos and other places of detention created by the Nazis and their allies during the Second World War;

persons who participated in the liquidation of consequences of the accident at the Chernobyl nuclear power plant in 1986 - 1987 years, other radiation x disasters and accidents at civilian or military facilities, as well as participating directly in the nuclear tests;

2) individuals equal in benefits to individuals with disabilities due to injury, concussions, injury or disease received during the Great Patriotic War, namely:

military personnel who are disabled due to injury, concussions, wounds received during the defense of the former USSR, the performance of other duties of military service in other periods, or due to a disease associated with being at the front, as well as during military service in Afghanistan or other states in which hostilities were conducted;

individuals of the commanding and ordinary composition of the state security bodies of the former USSR and internal affairs bodies, which have a disability due to injury, concussions, wounds received in the performance of official duties, or as a result of a disease

associated with staying at the front or performing official duties in the states in which hostilities were conducted;

workers and employees of the respective categories, who served active-duty military contingents in other countries and who are disabled due to injury, concussions, wounds or illness received during the fighting;

individuals from among the fighters and command personnel of fighter battalions, platoons and detachments for the protection of the people, operating from January 1, 1944 to December 31, 1951 on the territory of the Ukrainian SSR, the Byelorussian SSR, the Lithuanian SSR, the Latvian SSR, the Estonian SSR, which established disability due to injury, concussions or wounds received in the performance of official duties in these battalions, platoons, detachments;

individuals who have a disability as a result of the Chernobyl nuclear power plant disaster and other radiation disasters and accidents at civilian or military facilities, nuclear tests, and their children whose disability is genetically related to radiation exposure of a parent.

Footnote. Article 6 with the amendment introduced by the Law of the Republic of Kazakhstan dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 7. Veterans of Labor

Labor veterans include:

- 1) Heroes of socialist labor, holders of the Order of labor glory of three degrees;
- 2) persons awarded the titles "Қазақстанның Еңбек Ері", "Халық қаһарманы";
- 3) persons awarded orders and medals of the former USSR for selfless labor and impeccable military service in the rear during the Great Patriotic War;
- 4) persons who have worked (served) for at least six months from June 22, 1941 to May 9, 1945 and were not awarded orders and medals of the former USSR for selfless work and impeccable military service in the rear during the Great Patriotic War.
- 5) persons who shall be recipients of pension payments by age or pension payments by seniority and awarded orders or medals of the former USSR or the Republic of Kazakhstan, or awarded honorary titles of the former USSR or the Republic of Kazakhstan, or awarded diplomas of the Republic of Kazakhstan, or awarded departmental awards of the Republic of Kazakhstan.

Persons referred to in the first part of this sub-paragraph shall not be subject to the social support measures provided for in sub-paragraphs 1), 2), 4) and 5) of paragraph 1 and paragraph 2 of Article 12 of this Law.

Footnote. Article 7 as amended by the Law of the RK dated 12.10.2021 № 67-VII LRK (shall enter into force upon the expiry of ten calendar days after the day of its first official publication).

Article 8. Other persons subject to this Law

Other persons subject to this Law include:

1) families of dead servicemen, namely:

families of servicemen, partisans, underground fighters, persons specified in Articles 4 - 6 of this Law, who perished (missing) or died as a result of injury, contusion or injury received while defending the former USSR, performing other duties of military service (official duties), or due to an illness associated with being at the front;

families of persons killed in the Great Patriotic War from among the personnel of self-defense groups of object and emergency teams of local air defense, families of perished workers of hospitals and hospitals in the city of Leningrad;

families of servicemen, commanders and rank-and-file personnel called up for the military service of the Ministry of Defense, internal affairs and state security agencies of the former USSR, who died (died) during the performance of tasks to protect public order in emergency situations associated with antisocial manifestations;

families of servicemen who were killed (missing) or died as a result of injury, concussion, mutilation, illness received during the hostilities in Afghanistan or other states in which hostilities were fought;

families of servicemen who perished (died) during military service in peacetime;

families of persons who died in the aftermath of the disaster at the Chernobyl nuclear power plant and other radiation disasters and accidents at civilian or military facilities;

families of those who died due to radiation sickness or deceased persons with disabilities, as well as citizens whose death is duly related to the impact of the disaster at the Chernobyl nuclear power plant and other radiation disasters and accidents at civilian or military facilities and nuclear tests;

2) spouse of a deceased person with a disability due to injury, concussion, injury or disease received during the Great Patriotic War, or a person equated with benefits to persons with a disability due to injury, concussion, wounds or disease received during the Great Patriotic War, as well as spouse (spouse) of a deceased participant in the Great Patriotic War, partisan, underground worker, citizen awarded the medal "For the Defense of Leningrad" or the sign "Resident of besieged Leningrad," recognized as individuals with disabilities as a result of a general illness, labor injury and other reasons (with the exception of illegal) who did not remarry;

3) persons from among the participants in the liquidation of the consequences of the disaster at the Chernobyl nuclear power plant in 1988 - 1989, evacuated (independently left) from the exclusion and resettlement zones to the Republic of Kazakhstan, including children who were in an intrauterine state on the day of evacuation;

4) workers and employees who were sent to work in Afghanistan in the period from December 1, 1979 to December 1989, and other countries in which hostilities were fought;

5) workers and employees of the State Security Committee of the former USSR, who were temporarily in Afghanistan and were not part of the limited contingent of Soviet troops.

The social support measures provided for in subparagraphs 1) and 2) of part one of Article 13 of this Law shall not apply to the persons specified in subparagraphs 4) and 5) of this Article.

Note. For the purposes of subparagraph 1) of this article, family members who are granted the right to social support are:

children and other dependents of the deceased (missing, dying person), who are therefore paid state social benefits in connection with the loss of the breadwinner;

parents and unmarried widows of warriors who died (dead, missing) in the Great Patriotic War; a spouse (spouse) who has not (entered into) remarriage.

Footnote. Article 8, as amended by the Law of the Republic of Kazakhstan dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 20.04.2023 No. 226-VII (shall be enforced from 01.07.2023).

Article 9. Establishing the status of veterans

The status of veterans is determined in accordance with this Law and is established on the basis of certificates, military cards and other documents confirming participation in the active army during the Great Patriotic War, during military operations to protect the former USSR, during hostilities on the territory of other states, in the elimination of the consequences of the disaster at the Chernobyl nuclear power plant and other radiation accidents and accidents at civilian or military facilities, as well as participation directly in nuclear tests, certificates of injuries, disabilities, forensic medical reports.

Veterans of the Great Patriotic War, on the basis of these documents, are issued by the bodies of the Ministry of Defense of the Republic of Kazakhstan with a certificate of a veteran of the Great Patriotic War. The rest of the veterans are marked in the certificate of the recipient of old-age pension payments (benefits).

Article 10. Measures of social support for veterans of the Great Patriotic War

1. Veterans of the Great Patriotic War are provided with the following measures of social support:

1) payment of a special state allowance in accordance with the legislation of the Republic of Kazakhstan;

2) social assistance in cash or in kind, provided by the local executive body within its competence;

3) a one-time priority provision of housing by local executive bodies, organizations if, in accordance with the housing legislation of the Republic of Kazakhstan, they are recognized as needing a dwelling place and have not previously used the right of priority receipt of a dwelling place;

4) one-time priority receipt of land plots for individual housing construction;

5) the transfer of ownership of the dwellings they occupy in the houses of the communal housing stock in the manner established by the housing legislation of the Republic of

Kazakhstan (in the event of the death of a veteran of the Great Patriotic War who was provided with a dwelling, the right to receive it free of charge passes to members of his family);

6) preferential service in organizations providing outpatient care and extraordinary hospitalization;

7) receipt of qualified medical care in the manner determined by the legislation of the Republic of Kazakhstan;

8) free provision of prostheses (except for dental ones) and prosthetic and orthopedic products;

9) the right to use polyclinics upon retirement, to which veterans of the Great Patriotic War were assigned during the period of work;

10) priority receipt of a guaranteed volume of special social services;

11) the right to extraordinary use of all communication services;

12) preferential taxation in accordance with the tax legislation of the Republic of Kazakhstan.

2. Burial of deceased lonely veterans of the Great Patriotic War is carried out by the services of housing and communal services with the performance of ritual ceremonies.

3. Family members or the person who carried out the burial of a deceased veteran of the Great Patriotic War shall be paid a lump sum payment for burial in accordance with the laws of the Republic of Kazakhstan.

4. Individuals with disabilities due to injury, concussions, wounds or disease received during the Great Patriotic War, in accordance with the individual program of habilitation and rehabilitation of an individual with disabilities, shall be provided with additional measures of social support in accordance with the legislation of the Republic of Kazakhstan.

5. Participants of the Great Patriotic War, awarded with the titles of Hero of the Soviet Union, "Halyk Kharmany", Hero of Socialist Labor, awarded the Order Otan, are granted the right to free burial with military honors and installment of tombstones on graves.

Footnote. Article 10 as amended by the Law of the Republic of Kazakhstan dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 20.04.2023 No. 226-VII (shall be enforced from 01.07.2023).

Article 11. Measures of social support for veterans of hostilities on the territory of other states , as well as veterans, equated in terms of benefits to veterans of the Great Patriotic War

1. Veterans of hostilities on the territory of other states, as well as veterans with benefits equivalent to veterans of the Great Patriotic War, are provided with the following measures of social support:

1) payment of a special state shock allowance in accordance with the legislation of the Republic of Kazakhstan;

2) social assistance in cash or in kind, provided by the local executive body within its competence;

3) provision of housing by local executive bodies in accordance with the housing legislation of the Republic of Kazakhstan;

4) one-time priority receipt of land plots for individual housing construction;

5) priority service in organizations providing outpatient polyclinic care, and extraordinary hospitalization;

6) receiving qualified medical care in the manner determined by the legislation of the Republic of Kazakhstan;

7) the right to use the polyclinics upon retirement, to which the veterans were assigned during the period of work;

8) priority receipt of a guaranteed volume of special social services;

9) preemptive right in case of equality of points when holding a competition for receiving educational grants, as well as for enrollment in students under a state educational order for training personnel with higher education;

10) upon admission to educational organizations implementing educational programs of technical and vocational, post-secondary and higher education, an admission quota is provided in the amount determined by the authorized body in the field of higher education jointly with the authorized body in the field of secondary education;

11) the right to extraordinary use of all communication services;

12) preferential taxation in accordance with the tax legislation of the Republic of Kazakhstan.

2. Burial of deceased lonely veterans of military operations on the territory of other states and veterans, equated in benefits to veterans of the Great Patriotic War, is carried out by the services of housing and communal services with the performance of ritual ceremonies.

3. Family members or a person who has carried out the burial of a deceased combat veteran on the territory of other states and a veteran equated by benefits to veterans of the Great Patriotic War who were recipients of state social benefits or recipients of age pension payments shall be paid a lump sum payment for burial in accordance with the Social Code of the Republic of Kazakhstan.

4. Veterans referred to in subparagraph 2) of Article 6 of this Law shall be provided with additional measures of social support in accordance with the legislation of the Republic of Kazakhstan in accordance with the individual program of habilitation and rehabilitation of a person with a disability.

Footnote. Article 11 with the amendment introduced by the Law of the Republic of Kazakhstan dated 27.06.2022 № 129-VII (shall enter into force upon expiry of ten calendar days after the day of its first official publication); dated 19.04.2023 No. 223-VII (shall be enforced ten calendar days after the date of its first official publication); dated 20.04.2023 No. 226-VII (shall be enforced from 01.07.2023).

Article 12. Measures of social support for labor veterans

1. Labor veterans are provided with the following social support measures:

- 1) payment of a special state allowance in accordance with the legislation of the Republic of Kazakhstan;
- 2) social assistance in cash or in kind, provided by the local executive body within its competence;
- 3) the right to use, upon retirement, the polyclinics to which they were assigned during the period of work;
- 4) the right to extraordinary use of all communication services;
- 5) preferential taxation in accordance with the tax legislation of the Republic of Kazakhstan.

2. Family members or a person who carried out the burial of a deceased labor veteran who was a recipient of state social benefits or a recipient of age pension payments shall be paid a lump sum payment for burial in accordance with the Social Code of the Republic of Kazakhstan.

Footnote. Article 12 as amended by the Law of the Republic of Kazakhstan dated 20.04.2023 No. 226-VII (shall be enforced from 01.07.2023).

Article 13. Measures of social support for other persons to whom this Law applies

Other persons covered by this Law are provided with the following measures of social support:

- 1) payment of a special state allowance in accordance with the legislation of the Republic of Kazakhstan, with the exception of the persons specified in subparagraphs 4) and 5) of part one of Article 8 of this Law;
- 2) social assistance in monetary form or in kind, provided by the local executive body within its competence, with the exception of persons specified in subparagraphs 4) and 5) of part one of Article 8 of this Law;
- 3) the right to use the polyclinics upon retirement to which they were assigned during the period of work.

Footnote. Article 13 as amended by the Law of the Republic of Kazakhstan dated 20.04.2023 No. 226-VII (shall be enforced from 01.07.2023).

Article 14. Additional measures of social support for the families of dead servicemen

1. The families of the killed military personnel listed in subparagraph 1) of Article 8 of this Law are additionally provided with the following measures of social support:

- 1) provision of housing by local executive bodies if, in accordance with the housing legislation of the Republic of Kazakhstan, they are recognized as needing housing;
- 2) preferential services in organizations providing outpatient care, and extraordinary hospitalization;
- 3) receiving qualified medical care in the manner determined by the legislation of the Republic of Kazakhstan;

4) priority receipt of a guaranteed volume of special social services;

5) the right to free travel to the place of burial and back (but not more than three people), as well as to the chosen place of residence within six months from the date of death of the serviceman;

6) free burial of a deceased (deceased) serviceman is carried out at the place of his last service (at the request of the family, the body of a serviceman who died in peacetime while performing military (civil) duty or who died from a general disease can be transported to other places of burial (reburial)) by decision of the Ministry of Defense, the Ministry of Internal Affairs, the National Security Committee and the State Security Service of the Republic of Kazakhstan).

2. The families of the killed (deceased) servicemen in Afghanistan and other states in which hostilities took place, as well as those called up for military service, commanders and rank-and-file personnel of the internal affairs agencies, are paid a one-time allowance in the amount established by the laws of the Republic of Kazakhstan.

3. The spouses of servicemen who died or died as a result of injury, contusion, injury or illness received during the hostilities in Afghanistan, or other persons who support the children of these servicemen, are provided at their place of work with preferential provision of vouchers to rest homes and boarding houses for joint recreation with children, as well as vouchers to children's health institutions for the children of these military personnel.

4. The spouses of generals, admirals and pensioners from among the military, whose families under this Law have the right to social support measures and receive state social benefits in the event of the loss of a breadwinner, retain the lifelong right to the relevant benefits established by the Law of the Republic of Kazakhstan "On Military Service and the status of the military".

Article 15. Financing of social support measures

Financing of social support measures provided for by this Law is carried out at the expense of the state budget and other sources not prohibited by the legislation of the Republic of Kazakhstan.

Article 16. Suspension and termination of the provision of social support measures

1. The provision of social support measures provided for by this Law shall be suspended for the period of serving the criminal punishment imposed by the court in the form of imprisonment by a person falling under this Law.

2. The provision of social support measures provided for by this Law shall be terminated from the date of death of persons falling under this Law.

Article 17. Rights of local representative bodies and organizations

Local representative bodies, heads of organizations, within the limits of their competence, may establish additional measures of social support and travel benefits for treatment (in both directions), as well as the provision of material and other types of assistance to veterans and other persons who are subject to this Law.

Article 18. Procedure for the entry into force of this Law

1. This Law shall enter into force upon the expiration of ten calendar days after the day of its first official publication.

2. To recognize as invalid the Law of the Republic of Kazakhstan of April 28, 1995 "On benefits and social protection of participants, invalids of the Great Patriotic War and persons equated to them" (Bulletin of the Supreme Council of the Republic of Kazakhstan, 1995, No. 6, art. 45; No. 14, article 98; Bulletin of the Parliament of the Republic of Kazakhstan, 1997, No. 7, article 79; No. 12, article 184; 1999, No. 8, article 247; No. 23, article 925; 2004, No. 23, Article 142; 2007, No. 10, Article 69; No. 20, Article 152; 2011, No. 1, Article 3; No. 16, Article 129; 2 012 ., No. 5, Article 41; 2014, No. 16, Article 90; 2018, No. 14, Article 42).

*President of the
Republic of Kazakhstan*

K. Tokaev