

The Rules of placement and public discussion of the drafts of concepts of laws and draft regulations on the website of publically open regulations, approved by the Order of the Minister of Information and Communication of the Republic of Kazakhstan on June 30, 2016 № 22

Chapter 1. General Provisions

1. These Rules of placement and public discussion of the draft concepts of laws and draft regulations on the website of publically open normative legal acts (further - Rules) are developed in accordance with paragraph 4 of Article 17 of the Law of the Republic of Kazakhstan dated on November 16, 2015 "On Access to Information" and the second part of paragraph 8 of article 18 of the Law of the Republic of Kazakhstan dated on April 6, 2016 "On legal acts" and determine the procedure for placement and public discussion of the draft concepts of laws and draft regulations on the website of publically open normative legal acts.

2. In these Rules the following definitions and abbreviations are used:

1) Internet portal of publically open normative legal acts (hereinafter - the portal) - component of Web portal "electronic government", providing placement of draft concepts of laws and regulations;

2) automated workstation of Internet portal of publically open normative legal acts (hereinafter - AWS) - application providing operators with information and communication infrastructure of "electronic government" designed to manage settings and content, that is posted on the website of public regulations;

3) The user of information - the natural or legal person making the request, and (or) use the information;

4) The concept of the draft of law - a document containing the rationale for the need to develop a draft law on the initiative of the Government of the Republic of Kazakhstan, the purpose of its adoption and other provisions determined by the Government of the Republic of Kazakhstan;

5) Information with restricted access - information classified as state secrets, personal, family, medical, banking, secrets security and secrets in the securities market, commercial and other secrets

protected by law, as well as service information marked "For Official Use Only";

6) Normative legal act - an official document written on paper, and it is identical to the electronic form of document, adopted at the republican referendum or by the authorized body, establishing the norms of law, to alter, amend, terminate or suspend their action;

7) The operator of information and communication infrastructure of "electronic government" (hereinafter - Operator) - a legal entity established by the Government of the Republic of Kazakhstan entrusted with the maintenance of the fixed for him information and communication infrastructure of "electronic government";

8) Web portal "electronic government" - an information system, which is a "one-stop" access to the entire consolidated government information, including legal and regulatory framework, and to the government and other services provided in electronic form;

9) mode «on-line» - the exchange of information in real time.

Chapter 2. The order of placement of the draft concepts of laws, draft laws and regulations on the website of publically open normative legal acts

3. The Portal contains draft concepts of laws and draft regulations, together with explanatory notes and comparative tables for them (in the case of changes and (or) amendments to legislative acts) (further - drafts), which do not contain information with restricted access.

4. Placing drafts on the Portal shall be carried out before they are sent for approval to the state authorities concerned.

5. Date of publishing drafts on the Portal shall be determined by state authorities - drafts developers themselves.

In the case of the definition of draft laws to be urgent and a priority in the order established by the legislation of the Republic of Kazakhstan, as well as drafts developed in the framework of the Republic of Kazakhstan President's instructions, the Government of Kazakhstan and the Prime Minister of the Republic of

Kazakhstan with a term of execution of not more than thirty calendar days, the public discussion period for such projects is reduced to five calendar days.

6. Drafts on the Portal shall be available on the Kazakh and Russian languages. Drafts shall be posted by AWS by employee of state authorities - drafts developers, which are defined by state authorities on their own. Access to AWS for employees of state authorities - drafts developers shall be provided by the operator, upon the request of state authorities - drafts developers.

The operator shall provide training of authorized employees of state authorities - drafts developers on working with ARM.

Chapter 3. Procedure for public discussion of draft concepts of laws and draft regulations on Internet portal of publically open normative legal acts

7. Public discussion of drafts on the Portal shall be carried out under the following conditions:

1) comments and (or) offers of information users registered on the Web portal "electronic government" on the drafts placed for public discussion shall be accepted, and only with respect to specific structural elements of the drafts, with brief reasons without approval by electronic signature;

2) at submission of the observations and (or) offers on selected article or any other structural element of the draft is not allowed to use foul language, offensive language, advertising, as well as other information not relevant to the draft concept of law or draft normative legal act.

The period of public discussion of the draft in the Portal may not be less than ten working days from the date of their placement on the Portal.

Comments and (or) offers of information users received after the deadline for public comment on draft set out by state authorities - drafts developers will not be considered.

8. The operator in the framework filling content of the Web portal "electronic government" monitors compliance with conditions for a public discussion of hosted drafts stipulated in paragraph 7 of these Rules.

9. The operator within one working day checks compliance the observations and (or) offers of information users with paragraph 7 of these Rules and makes decision on their publication.

In the case of non-compliance of drafts with paragraph 7 of these Rules operator refuses to publish, indicating rationale.

10. State authorities - drafts developers shall to consider comments and (or)offers users of the information within three working days after the completion of public discussion of hosted drafts and decide on their acceptance or rejection indicating rationale.

At the expiration of the period specified in the first part of this clause of the Rules, and in accordance with the results of consideration of comments and (or) offers of users of the information in state authorities - drafts developers, authorized employees of these state bodies are formed and published on the Portal by ARM preliminary version of the report on completion of public discussion of drafts on the form, according to the annex to these Rules (hereinafter - the report).

Within one working day following the date of publication of the report on the Portal of state authorities - drafts developers at a certain time shall carry out the additional on-line discussion of drafts based on a published report. After the completion of further discussions authorized personnel of state authorities - drafts developers shall prepare the final report and publish on the Portal.

Appendix to
**The Rules of placement and
public discussion of the
drafts of concepts of laws
and draft regulations on the
website of publically open
regulations**

Form

Report

on completion of public discussion of draft

« _____ »

(the name of the concept of law or draft normative
legal act)

Date of the report:

Total of votes of users of information "for" the draft:

Total of votes of user information "against" of the
draft:

Total of comments and (or) offers:

Total of answers:

Total of votes of users of information "for" (the
proposal):

Total of votes of users of information "against"
(suggestions):

Type of normative legal act:

Category:

State authority:

№	Date of creation	Commented structural part of the normative legal act	Text of comments and (or) offers the user of information	Text of the response of the state authority	Number of votes of users of information "for" offer	Number of votes of users of information "against" offer