On counter-intelligence

Unofficial translation

Law of the Republic of Kazakhstan dated December 28, 2016 № 35-VI.

Unofficial translation

Footnote. Throughout the text, the words “informatization objects,” “in informatization objects,” and “informatization objects” shall be replaced respectively with the words “digital objects,” “in digital objects,” and “digital objects” in accordance with the Law of the Republic of Kazakhstan dated 09.01.2026 № 256-VIII (shall come into force upon expiry of six months after the date of its first official publication).

This Act defines the legal basis for counter-intelligence activities and the system of guarantees of legality of their implementation.

Article 1. Basic concepts used in this Law

The following basic concepts are used in this Act:

1) operational receipt of information on connections between subscribers and (or) subscriber devices - secret receipt of information on the date, time, duration and other information on connections between subscribers and (or) subscriber devices;

2) operational audio and/or video control of the person, place - secret documentation of speech and other information, actions of the individual, as well as events, processes and phenomena occurring in a certain place, using video, audio or other technical means;

3) operational removal of information from the devices intended for collection, processing , transfer and storage of information - secret removal of information from computers, hardware and software complexes and other devices intended for collection, processing, transfer and storage of information by technical means and (or) software;

4) official acquisition of information – obtaining information relevant to the fulfillment of counterintelligence objectives through the direct examination of documents, materials, digital resources, and by sending requests to individuals and legal entities that possess or may possess such information;

5) operational monitoring of communication networks and digital objects – covert detection of signs of intelligence and subversive activities in information transmitted through communication networks or processed on digital objects;

6) controlled delivery - covert observation and documentation of the process of acquisition, sale, transfer, movement of items and things used for intelligence and subversive activities;

7) control purchase - an imaginary, compensatory transaction for the purchase of items and things used for intelligence and subversive activities;

8) reconnaissance action - extraction, collection of information to the detriment of the national security of the Republic of Kazakhstan;

9) discovery of reconnaissance and (or) subversive actions - detection of a set of signs, facts and conditions of conducting reconnaissance and subversive activities;

10) intelligence-subversive activity - intelligence and (or) subversive actions carried out by special services of foreign states, other foreign organizations and individuals;

11) signs of intelligence and subversive activities - distinctive features of actions, events, processes and phenomena that indicate the possible conduct of intelligence and (or) subversive activities;

12) facts of intelligence and subversive activities - actions, events, processes and phenomena that testify to the conduct of intelligence and (or) subversive activities;

13) silent employee - an employee, military serviceman, whose belonging to the body carying out counter-intelligence activity is encoded;

14) operational observation - tacit perception of the actions of individuals, events, processes taking place in a public place, including the use of technical means, photography, video surveillance and audio recording;

15) operative introduction - tacit introduction of the employee, the military body carrying out counter-intelligence activity, or the confidential assistant in an environment of object of operative interest;

16) operative penetration - covert penetration in inhabited, office, industrial and other premise, a building, a construction, a storehouse, a vehicle or on a site of district for the purpose of their inspection, and also preparation and carrying out counter-intelligence actions;

17) operational experiment - receipt of counter-intelligence information by tacit study of actions, processes in artificially created, controlled conditions excluding provocation of a crime;

18) individuals - individuals, as well as legal entities established in accordance with the legislation of the Republic of Kazakhstan, acting on behalf of or in the interests of special services of foreign states, other foreign organizations or independently;

19) counter-intelligence information - information on signs, facts of intelligence and subversive activity and conditions facilitating its implementation;

20) counter-intelligence activity - a system of counter-intelligence and organizational measures carried out by special state bodies of the Republic of Kazakhstan to protect the national interests of the Republic of Kazakhstan from intelligence and subversive activities;

21) counter-intelligence support - a system of measures to protect against intelligence and subversive activities;

22) counter-intelligence interview - a public or covert receipt of counter-intelligence information from the interviewee;

23) counter-intelligence - separate production of systematization of counter-intelligence materials, verification and evaluation of counter-intelligence information;

24) counter-intelligence activity - vowel and covert actions aimed at preventing, uncovering and suppressing intelligence and (or) subversive actions;

25) confidential assistants - natural persons who have reached the age of eighteen years, are capable, cooperating or previously cooperated on a confidential basis (including under contract) with the body carrying out counter-intelligence activities;

26) information on the identity of confidential assistants, secret employees - information from which it is possible to establish a surname, a name, a patronymic (if it is specified in the document certifying the identity); a nickname (if it is available); date and a place of birth; a residence address; a place of work (study); data on their participation in counter-intelligence activities; data on members of their families or close relatives;

27) subversive action - impact on public relations to the detriment of the national security of the Republic of Kazakhstan;

28) operational control of mail and other items - secret receipt of counterintelligence information from letters, parcels, parcels and other items;

29) organizational measure - actions to create conditions necessary for conducting counter-intelligence activities, as well as to ensure the use of their results;

30) foreign organizations - organizations having governing bodies on the territory of a foreign country, regardless of giving the organization any status in accordance with the legislation of this foreign country or international law, or supported by a foreign country, including unrecognized by the Republic of Kazakhstan, or carrying out activities prohibited by the legislation of a foreign country and (or) the norms of international law, using the objective inability of this other country

31) operational removal of information being transmitted, having been transmitted via electrical (telecommunication) communication networks, stored in telecommunications equipment, – covert actions to remove signs, signals, voice information, written text, images, video images, sounds and other information transmitted, transmitted via wire, radio, optical and other electromagnetic systems.

Footnote. Article 1 as amended by the Law of the Republic of Kazakhstan dated 02.01.2021 № 399-VI (shall come into effect ten calendar days after the day of its first official publication); dated 05.07.2024 № 115-VIII (shall come into effect six months after the date of its first official publication); dated 09.01.2026 № 256-VIII (shall come into force upon expiry of six months after the date of its first official publication).

Article 2. Legal framework for counter-intelligence

1. The legal basis for counter-intelligence activities is the Constitution of the Republic of Kazakhstan, this Law and other regulatory legal acts of the Republic of Kazakhstan.

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

Article 3. Objectives of counter-intelligence

The objectives of counter-intelligence are:

1) protection against intelligence and subversive activities:

the foundations of the constitutional system, state sovereignty and independence of the Republic of Kazakhstan, unitarity, inviolability of borders and territorial integrity, economic, scientific, technical and defense potential of the Republic of Kazakhstan;

The President of the Republic of Kazakhstan and other protected persons;

Information, constituting state secrets of the Republic of Kazakhstan;

2) prevention, uncovering and suppression of reconnaissance and (or) subversive actions, including those related to:

terrorism and extremism;

creation and activity of criminal groups;

illegal trafficking of weapons, ammunition, explosives, radioactive substances and nuclear materials;

Illicit trafficking of narcotic drugs, psychotropic substances, their analogues and precursors;

corruption;

3) counter-intelligence support of state bodies, state legal entities, subjects of quasi state sector, strategic and other objects of the Republic of Kazakhstan having important state importance;

4) assistance to state bodies in prevention, neutralization of threats to national security and promotion of national interests of the Republic of Kazakhstan.

Tasks of counter-intelligence activity can be supplemented by laws and acts of the President of the Republic of Kazakhstan.

Footnote. Article 3 as amended by the Law of the Republic of Kazakhstan dated 11.06.2026 № 306-VIII (shall enter into force from 01.07.2026); dated 12.06.2026 № 311-VIII (shall enter into force upon expiry of sixty calendar days after the day of its first official publication).

Article 4. Principles of counter-intelligence

Counter-intelligence is based on principles:

1) legality;

2) respect for human and civil rights and freedoms;

3) subordination to strategic development goals of the Republic of Kazakhstan;

4) combination of vowel and tacit methods;

5) secrecy and secrecy;

6) timely and active actions to prevent, uncover and suppress intelligence and (or) subversive actions;

7) priority of counter-intelligence measures in prevention, opening, suppression of intelligence and (or) subversive actions;

8) continuity of counter-intelligence activities regardless of the legal and other measures taken on specific facts of intelligence and subversive activities.

Article 5. Guarantees of respect for human and civil rights and freedoms in the conduct of counter-intelligence

1. Counter-intelligence activities, as well as the use of information obtained in the course of such activities for purposes other than those provided for in this Law, shall not be permitted.

2. In the course of counter-intelligence activities, actions humiliating the honour and dignity of a person and a citizen are not allowed.

3. The actions of the body carrying out counter-intelligence activities may be appealed against to a higher body, prosecutor's office or court.

The complaint does not cease to be challenged until a decision is taken on it by a higher authority, the procurator's office or the court.

4. Documents requested by the procurator or the court for consideration of the complaint must relate to the subject matter of the complaint and exclude the provision of information concerning the organization and tactics of counter-intelligence activities, specific counter-intelligence activities, as well as information on the identity of confidential assistants and secret officers.

Article 6. Powers of the President of the Republic of Kazakhstan in the field of counterintelligence

President of the Republic of Kazakhstan:

1) determines the main directions and priorities of counter-intelligence activities;

2) instructs the authorized bodies to consider the issues of development of counter-intelligence activities and cooperation of bodies carrying out counter-intelligence activities with other state bodies;

3) controls the activities of the bodies carrying out counter-intelligence activities and establishes the forms of control and the procedure for its implementation;

4) hears the reports of the heads of the bodies carrying out counter-intelligence activities in accordance with the procedure and within the terms determined by him;

5) exercise other powers in accordance with the Constitution and laws of the Republic of Kazakhstan.

Article 7. Counterintelligence agencies

1. The bodies carrying out counter-intelligence activities include special state bodies of the Republic of Kazakhstan.

2. Special state bodies of the Republic of Kazakhstan shall carry out counter-intelligence activities in the order established by this Law and within the limits determined by paragraphs 3, 4, 5 of this Article.

The national security bodies of the Republic of Kazakhstan (hereinafter referred to as " national security bodies") shall carry out counter-intelligence activities on the grounds stipulated by subparagraphs 1), 2), 4), 5), 6), 7), 8), 9), 10) paragraph 1 of Article 10 of this Law.

National security bodies shall also carry out counter-intelligence activities on the basis provided for by subparagraph 3) of paragraph 1 of Article 10 of this Law, in cases and in accordance with the procedure established by a joint regulatory legal act of the national security bodies and the State Protection Service of the Republic of Kazakhstan.

4. The State Security Service of the Republic of Kazakhstan (hereinafter referred to as the State Security Service) shall carry out counter-intelligence activities on the grounds stipulated by subparagraphs 3), 9), 10) of paragraph 1 of Article 10 of this Law.

5. The authorized body in the sphere of foreign intelligence of the Republic of Kazakhstan (hereinafter referred to as the authorized body in the sphere of foreign intelligence) shall carry out counter-intelligence activities on the grounds stipulated by subparagraphs 4), 9), 10) of paragraph 1 of Article 10 of this Law.

The authorized body in the sphere of foreign intelligence shall also carry out counter-intelligence activities on the basis provided by subparagraph 8) of paragraph 1 of Article 10 of this Law, in cases and in accordance with the procedure defined by the joint regulatory legal act of the authorized body in the sphere of foreign intelligence and national security bodies.

6. The procedure of interaction between the bodies carrying out counter-intelligence activities is determined by the joint regulatory legal acts.

7. The first heads of the bodies carrying out counter-intelligence activities establish a list of subordinate departments, services, units, categories of employees with the right to carry out counter-intelligence activities, issue normative legal acts on the organization and tactics of counter-intelligence activities and implementation of its tasks.

Article 8. Responsibilities of counter-intelligence agencies

Counter-intelligence agencies are obliged, within the limits of their tasks, to carry out counter-intelligence activities:

1) Identify signs and facts of intelligence and subversive activities and take measures to eliminate the causes and conditions conducive to the implementation of intelligence and subversive activities;

2) inform the President of the Republic of Kazakhstan and state bodies about threats to national security of the Republic of Kazakhstan;

3) take the necessary measures to protect the foundations of the constitutional system, state sovereignty and independence of the Republic of Kazakhstan, unitarity, inviolability of borders and territorial integrity, economic, scientific, technical and defense potential of the Republic of Kazakhstan;

4) ensure the safety of the President of the Republic of Kazakhstan and other protected persons;

5) take measures to protect the information constituting state secrets of the Republic of Kazakhstan;

6) to carry out counter-intelligence support of state bodies, state legal entities, subjects of quasi-state sector, strategic and other objects of the Republic of Kazakhstan having important state importance;

7) take measures to ensure secrecy in the implementation of counterintelligence activities, as well as the protection of forces, media and information of the body carrying out counter-intelligence activities;

8) on the basis of international treaties of the Republic of Kazakhstan to fulfill requests of special services, security bodies, law enforcement agencies of foreign states, international and other organizations;

9) carry out other duties provided for by the laws and acts of the President of the Republic of Kazakhstan.

Footnote. Article 8 as amended by the Law of the Republic of Kazakhstan dated 11.06.2026 № 306-VIII (shall enter into force from 01.07.2026).

Article 9. Rights of counter-intelligence agencies

Counter-intelligence agencies are entitled to do so:

1) determine the organization and tactics of counter-intelligence activities;

2) involve individuals in confidential cooperation;

3) to create confidential objects (the enterprises and the organisations), and also to use the documents encrypting employees, military men, confidential assistants, departmental accessory of divisions, the organisations, premises and vehicles;

4) to enter the territory and premises of organizations, and to the territory of special-regime, regime, strategic and other objects of the Republic of Kazakhstan, having important state importance - with notification of their heads only for conducting counter-intelligence activities, provided by Article 11 of this Law, at any time of the day;

5) to use the property of individuals and legal entities in the course of counter-intelligence activities with their consent;

6) to involve, in coordination with the bodies authorized to carry out operational and investigative activities, the forces and means of these bodies in conducting counter-intelligence activities;

7) use the assistance of officials and specialists possessing the necessary scientific and technical or other special knowledge;

8) to carry out actions in the course of counter-intelligence activities imitating intelligence and subversive activities;

9) to make proposals for elimination of conditions conducive to the implementation of intelligence and subversive activities;

10) use special and other technical means and equipment designed for conducting counter-intelligence activities;

11) Exercise other rights stipulated by laws and acts of the President of the Republic of Kazakhstan.

Article 10. Grounds for counter-intelligence activities

1. The grounds for carrying out counter-intelligence measures are

1) implementation of the measures established by the legislation of the Republic of Kazakhstan to protect the national interests of the Republic of Kazakhstan from intelligence and subversive activities;

2) the availability of counter-intelligence information, including that obtained during pre-trial investigations;

3) the need to ensure the safety of protected persons and facilities;

4) the need to obtain information on actions, events, processes and phenomena that pose a threat to the national security of the Republic of Kazakhstan, as well as to identify the causes and conditions that contribute to the formation of threats to national security;

5) the need for counter-intelligence support of state bodies, state legal entities, subjects of the quasi-governmental sector, strategic and other objects of the Republic of Kazakhstan that are of great importance to the state;

6) the need to identify radio emissions from transmitting radio electronic equipment, the work of which poses a threat to the national security of the Republic of Kazakhstan, as well as actions to use communication networks in intelligence and subversive activities;

7) mandatory background check of persons being registered (re-registered) for admission to information constituting state secrets of the Republic of Kazakhstan, as well as background check of persons entering the civil service for the first time or re-entering the civil service after its termination, also those applying for the position of a judge, employee of the National Bank of the Republic of Kazakhstan and its departments and employee of the authorized body for regulation, control and supervision of the financial market and financial organizations;

8) mandatory special inspection of foreign citizens recruited to work in state bodies of the Republic of Kazakhstan, as well as in state legal entities or entities of the quasi-public sector for positions related to the performance of managerial functions;

9) requests from special services, security bodies, law enforcement agencies of foreign states, international and other organizations in accordance with international treaties of the Republic of Kazakhstan;

10) the need to ensure the protection of forces, media and information of the body carrying out counter-intelligence activities from intelligence and subversive activities.

2. The organizational and legal form, state affiliation of legal entities, as well as citizenship, gender, nationality, place of residence, social, official and property status, belonging to public associations, attitude to religion and political beliefs of individuals are not an obstacle to counterintelligence, unless otherwise provided by the laws of the Republic of Kazakhstan.

Footnote. Article 10 as amended by the Law of the Republic of Kazakhstan dated 03.07.2019 № 262-VI (shall be enforced from 01.01.2020); dated 23.12.2023 № 51-VIII (

enacted ten calendar days after the date of its first official publication); dated 11.06.2026 № 306-VIII (shall enter into force from 01.07.2026.

Article 11. Counterintelligence activities

1. Counter-intelligence measures include:

1) formal receipt of information;

2) counter-intelligence survey;

3) establishing public and private relations with individuals, using their capabilities in counter-intelligence activities;

4) operational implementation;

5) operational surveillance;

6) operational experiment;

7) operational detection, research, fixation of items, things and data;

8) controlled delivery;

9) control purchase;

10) searching for technical intelligence tools and technical channels for information leakage;

11) operational monitoring of communication networks and digital objects;

12) operational control of mail and other items;

13) prompt removal of information being transmitted, having been transmitted via electrical (telecommunication) communication networks and stored in telecommunications facilities within three months from the moment of its receipt, transmission, delivery and (or) processing;

14) operational receipt of information on connections between subscribers and (or) subscriber devices;

15) operational removal of information from the devices designed for collection, processing, transmission and storage of information;

16) operative audio and/or video control of the person or place;

17) operational penetration.

2. The counter-intelligence activities referred to in paragraph 1 of this Article shall be carried out by all counter-intelligence agencies in accordance with their assigned tasks.

3. The procedure for conducting counter-intelligence activities provided for in subparagraphs 1) - 11) of paragraph 1 of this Article shall be determined by the regulatory legal acts of the body carrying out counter-intelligence activities.

4. Counter-intelligence activities specified in subparagraphs 12) - 17) of paragraph 1 of this article shall be carried out with the approval of the prosecutor or in accordance with the procedure agreed with the Prosecutor General of the Republic of Kazakhstan.

The procedure for conducting counter-intelligence activities specified in part one of this paragraph shall be determined by regulatory legal acts of the bodies carrying out

counter-intelligence activities, adopted in coordination with the Prosecutor General of the Republic of Kazakhstan.

5. Counter-intelligence activities related to the use of the communication network in the interests of solving tasks by all bodies carrying out counter-intelligence activities are technically carried out by the national security bodies.

The procedure for conducting these activities is determined by a joint regulatory legal act of the bodies carrying out counter-intelligence activities, adopted in agreement with the Prosecutor General of the Republic of Kazakhstan.

6. The list and procedure of conducting counter-intelligence activities, not specified in paragraph 1 of this article, related to the use of methods and means, information about which constitutes state secrets, shall be established by the regulatory legal acts of the body carrying out counter-intelligence activities.

These measures should not affect the privacy protected by the Law, the secrecy of correspondence, telephone conversations, mail and other messages transmitted by means of communication, including using digital technologies, as well as the right to inviolability of the home. The use of methods and means that pose a threat to human life and health, as well as the environment, shall not be allowed.

7. For technical counterintelligence activities, the functions of telecommunication equipment purchased and installed by telecom operators in accordance with the requirements for networks and means of communication, including the use of digital technologies determined by the legislation of the Republic of Kazakhstan in the field of communications, can be used.

8. The State Security Service and the authorized body in the field of foreign intelligence shall have the right to conduct counter-intelligence activities specified in subparagraphs 13) and 14) of paragraph 1 of this Article, excluding connection to fixed equipment and communication lines of individuals and legal entities providing services and means of communication on the territory of the Republic of Kazakhstan.

9. Counter-intelligence activities at the operational support facilities of the State Security Service and in the area of security measures shall be carried out in coordination with the State Security Service in accordance with the procedure determined by the joint regulatory legal acts of the bodies carrying out counter-intelligence activities.

10. The sequence and content of specific counter-intelligence activities are determined by the conditions of counter-intelligence activities.

11. The order of disposal of property received in the course of counter-intelligence activities and its appeal to the state is determined by the Government of the Republic of Kazakhstan.

Footnote. Article 11 as amended by the Law of the Republic of Kazakhstan dated 02.01.2021 № 399-VI (shall come into effect ten calendar days after the day of its first official publication); dated 05.07.2024 № 115-VIII (shall come into effect six months after

the date of its first official publication); dated 11.06.2026 № 306-VIII (shall enter into force from 01.07.2026).

Article 12. Use of counter-intelligence materials

Counter-intelligence materials are used for:

1) development of the National Security Strategy of the Republic of Kazakhstan and other strategic and programme documents in the field of national security of the Republic of Kazakhstan;

2) decision-making by the President of the Republic of Kazakhstan, Kurultai of the Republic of Kazakhstan, the Government of the Republic of Kazakhstan on issues of ensuring national security of the Republic of Kazakhstan;

3) decision-making by state bodies, state legal entities, and quasi-governmental sector entities in the field of protection of national interests of the Republic of Kazakhstan;

4) development of draft regulatory legal acts and international treaties of the Republic of Kazakhstan;

5) analysis, assessment and forecasting of threats to national security of the Republic of Kazakhstan;

6) prevention, uncovering and suppression of reconnaissance and (or) subversive actions;

7) bringing to administrative or criminal responsibility in the order provided by administrative or criminal procedure legislation of the Republic of Kazakhstan.

Footnote. Article 12 as amended by the Law of the Republic of Kazakhstan dated 11.06.2026 № 306-VIII (shall enter into force from 01.07.2026).

Article 13: Information support and documentation of counterintelligence activities

1. To fulfill the tasks stipulated by this Law, the body carrying out counterintelligence activities shall create, operate, and develop digital objects, ensure their security, and maintain counterintelligence cases.

2. The procedure for the creation, development, operation, and ensuring security of digital objects of the body carrying out counterintelligence activities shall be determined by the legislation of the Republic of Kazakhstan.

3. The order of establishment and termination of counter-intelligence cases is determined by the normative legal act of the first head of the body carrying out counter-intelligence activities in coordination with the Prosecutor General of the Republic of Kazakhstan.

Article 14. Storage and destruction of counter-intelligence materials

1. Counter-intelligence materials may be stored and destroyed only by the body carrying out the counter-intelligence activity, except for information attached to the criminal case.

2. The terms of storage and the procedure for storage and destruction of counter-intelligence materials are established by a normative legal act of the first head of the body carrying out counter-intelligence activities.

Article 15. Interaction and international cooperation in the field of counter-intelligence

1. State bodies, state legal entities, as well as quasi-public sector entities shall, within their competence, assist the bodies carrying out counter-intelligence activities in solving the tasks provided for in Article 3 of this Law.

2. The bodies carrying out counter-intelligence activities within the framework of international cooperation shall cooperate with special services, security bodies, law enforcement bodies of foreign states, international and other organizations on the basis of relevant international treaties of the Republic of Kazakhstan.

3. Information on cooperation in the field of counter-intelligence between the parties to international agreements, as well as information on the scope and content of cooperation is limited in access and may not be transferred to anyone or used without written consent and full consideration of the conditions of each party.

Article 16. Employees, servicemen of the bodies carrying out counter-intelligence activities

1. The legal status and measures of legal and social protection of employees and servicemen of the bodies carrying out counter-intelligence activities are established by the laws of the Republic of Kazakhstan.

2. Illegal interference or obstruction of counter-intelligence activities, as well as failure to comply with the legal requirements of employees and military personnel in conducting counter-intelligence activities are punishable by law.

3. When carrying out counter-intelligence activities by an employee or serviceman of the body carrying out counter-intelligence activities, his administrative detention, as well as personal inspection, inspection of his belongings, used service vehicles are not allowed.

Article 17. Responsibility of employees, servicemen of the bodies carrying out counter-intelligence activities

1. Employees and military personnel who have committed unlawful acts in the course of counter-intelligence activities shall bear the responsibility established by the laws of the Republic of Kazakhstan.

2. Damage caused by the actions of bodies carrying out counter-intelligence activities shall be compensated in accordance with the procedure established by the legislation of the Republic of Kazakhstan.

Article 18. Confidential assistants assisting counter-intelligence agencies

1. Confidential assistants assisting counter-intelligence agencies are protected by the State

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2. The identity of confidential assistants shall not be disclosed to anyone.

3. At occurrence of real threat of encroachment on a life, health or property of confidential assistants, and also members of their families and close relatives, the body which is carrying out counter-intelligence activity, is obliged to take all necessary measures on prevention of illegal actions, an establishment of guilty and attraction them to responsibility, and also, if necessary, safety measures according to the legislation of the Republic of Kazakhstan about the state protection of the persons participating in criminal process.

4. Confidential assistants assist the bodies carrying out counter-intelligence activities on a compensatory or gratuitous basis. The procedure for payment of remuneration to confidential assistants providing assistance on a reimbursable basis is established by the first head of the body carrying out counter-intelligence activities.

5. In case of death of the confidential assistant in connection with his participation in carrying out of counter-intelligence actions to a family of the victim and his dependents the lump sum benefit at a rate is paid:

ten annual sums of money reward of the deceased, who cooperated on a paid basis;

1411 times the amount of the monthly calculation index established by the Law on the Republican Budget and effective as of January 1 of the respective financial year, with the cooperation of the deceased on a gratuitous basis.

6. At reception by the confidential assistant in connection with his participation in carrying out counter-intelligence actions of mutilation or other harm to health to it the lump sum payment in the size defined by the first head of the body which is carrying out counter-intelligence activity which should not exceed:

five annual sums of money reward for cooperating on a paid basis;

706 times the amount of the monthly calculation index established by the Law on the Republican Budget and effective as of January 1 of the respective financial year for those who cooperate on a gratuitous basis.

7. Payment of a lump-sum benefit in cases of death or injury of a confidential assistant or other damage to health in connection with his participation in counter-intelligence activities is made from the funds of the body carrying out counter-intelligence activities, in accordance with the procedure established by a regulatory legal act of the body carrying out counter-intelligence activities.

8. Organization and procedure of work with confidential assistants are established by normative legal acts of the body carrying out counter-intelligence activity.

Footnote. Article 18 as amended by the Law of the RK dated 26.12.2018 № 203-VI (shall be enforced dated 01.01.2019).

Article 19. Departmental control over counter-intelligence activities

1. The organization and conduct of departmental control over counter-intelligence activities is the responsibility of the first head of the body carrying out counter-intelligence activities.

2. The first head of the body carrying out counter-intelligence activities ensures control over it:

organization, tactics, forms and methods of counter-intelligence activities, involved forces and means;

organization and implementation of international cooperation with special services, security bodies, law enforcement agencies of foreign states, international organizations;

ensuring secrecy and secrecy.

Article 20. Prosecutorial oversight of counter-intelligence activities

1. The Prosecutor General of the Republic of Kazakhstan and his authorized prosecutors shall exercise the highest supervision over the observance of legality in the course of counter-intelligence activities.

The list of authorized prosecutors is established by the order of the Prosecutor General of the Republic of Kazakhstan in coordination with the first head of the body carrying out counter-intelligence activities.

2. Relations between the prosecution authorities and the body carrying out counter-intelligence activities in the organization of supervision are regulated by a joint regulatory legal act of the Prosecutor General of the Republic of Kazakhstan and the first head of the body carrying out counter-intelligence activities.

3. The grounds for conducting inspections by the Prosecutor's Office are the instruction of the President of the Republic of Kazakhstan, the appeal of an individual or a legal entity about the violation of his rights, freedoms and legitimate interests by the body carrying out counter-intelligence activities.

4. The subject of supervision does not include information on the identity of confidential assistants and secret employees, as well as the organization and tactics of counter-intelligence activities, international cooperation on cooperation in the field of counter-intelligence with special services, security agencies, law enforcement agencies of foreign states, international and other organizations.

5. The Prosecutor General of the Republic of Kazakhstan or his authorized prosecutors shall authorize counter-intelligence measures specified in subparagraphs 12) to 17) of paragraph 1 of Article 11 of this Law.

Upon receipt of a sanction, the prosecutor shall be provided with the materials that served as the basis for their conduct, which, in terms of form and content, exclude the possibility of deciphering information about the identity of confidential assistants and secret employees, as well as concerning the organization and tactics of counter-intelligence activities.

The results of the counter-intelligence measure are reported to the procurator who authorized it.

6. The authorized procurators for oversight have the right to be received without delay by the heads of the body carrying out counter-intelligence activities.

7. While the authorized public prosecutors are at the facilities of the body carrying out counter-intelligence activities, they are subject to the requirements of the permit and intra-object regimes established by that body.

Footnote. Article 20 with the change introduced by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (shall be enforced upon ten calendar days after the day of its first official publication).

Article 21. Financial and logistical support for counter-intelligence activities

Financing and material and technical support of counter-intelligence activities are carried out in accordance with the procedure stipulated by the legislation of the Republic of Kazakhstan.

Article 22. Procedure for implementation of this Law

This Law shall be enforced upon the expiration of two months from the date of its first official publication.

The President of the
Republic of Kazakhstan *N. Nazarbaev*

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