On volunteer activity

Unofficial translation

The Law of the Republic of Kazakhstan dated 30 December 2016 № 42-IV LRK.

Unofficial translation

The present Law establishes legal bases, purposes and tasks, principles, forms, types and also support measures of volunteer activity.

Chapter 1. GENERAL PROVISIONS

Article 1. The basic definitions used in the present Law

In the present Law the following basic definitions are used:

1) a volunteer is an individual who is carrying out volunteer activity;

2) a group of volunteers is a voluntary unregistered community of individuals formed for joint implementation of volunteer activity to which the norms established by the present Law extend;

3) a volunteer action is the action directed to the decision specific socially directed, socially useful objective which is carried out by the volunteer organization and (or) volunteers and (or) group of volunteers;

4) a volunteer program (project) is the system package of measures directed to the solution of socially directed, socially useful tasks with the indication of the actions and the expected results which are carried out by the volunteer organization and (or) volunteers and (or) group of volunteers;

5) volunteering is a voluntary socially oriented, freely volunteered, socially useful activity performed on a non-repayable basis;

6) the competent authority for volunteering - the central executive body responsible for the administration and inter-sectoral coordination of volunteering activities;

7) the register of accounting of volunteer activity is the register of data containing the information about volunteers, groups of volunteers, the volunteer organizations, coordinators and organizers of volunteer activity, volunteer programs (projects), volunteer actions, the place and time of their carrying out, requirements to their carrying out;

8) organizer of volunteer activity is the central and local executive bodies, local governments, other organizations and also the natural persons attracting volunteers independently or through the volunteer organizations;

9) volunteer organization is the non-profit organization (except for religious associations, consumer cooperatives and also public associations in the form of political parties or labor

unions) created and which is carrying out volunteer activity according to laws of the Republic of Kazakhstan.

10) corporate volunteering - voluntary collective participation of employees of an organisation in various volunteer programmes (projects) and volunteer activities with the support of their organisation.

Footnote. Article 1 as amended by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall be brought into force sixty calendar days after the date of its first official publication).

Article 2. Subject of regulation of the present Law

Subject of regulation of the present Law are the public relations arising in connection with implementation of voluntary socially useful activity by performance of work, rendering services on a grant basis in the forms and types provided by the present Law.

Article 3. Legislation of the Republic of Kazakhstan on volunteer activity

1. The legislation of the Republic of Kazakhstan on volunteer activity is based on the Constitution of the Republic of Kazakhstan, consists of the present Law and other regulations of the Republic of Kazakhstan.

2. If the international treaty ratified by the Republic of Kazakhstan has established other rules, than those which are provided by the present Law then are applied rules of the international treaty.

Article 4. Purposes and tasks, bases of volunteer activity

1. The purposes of volunteer activity are:

1) assistance to natural and legal entities, protection of public health, protection and environmental protection, development of physical culture and sport and also other purposes aimed at providing public benefits;

2) formation of a civic stand, self-organization, feeling of social responsibility, solidarity, mutual aid and mercy in society.

2. Treat problems of volunteer activity:

1) help to society in the solution of social tasks;

2) development and support of the citizens' initiatives directed to the organization of volunteer activity;

3) development and implementation of measures for increase in a role of volunteer activity in interaction with various target groups and categories of the population;

4) organization and carrying out consultation, informing and methodical escort of volunteers;

5) establishing a group of volunteers for volunteer programmes (projects) and volunteering activities;

6) organization of training of volunteer activity.

3. Volunteer activity can not be directed to support of political parties and religious associations.

4. The volunteer activity pursuing terrorism, extremism and separatism in any forms and manifestations is forbidden.

5. In the territory of the Republic of Kazakhstan it is forbidden to create volunteer organizations for type of the paramilitary forces having the militarized structure, a form, special distinctions, anthems, flags, pennants, special conditions of internal discipline and management, weapon, including imitating.

Footnote. Article 4 as amended by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall be enacted upon expiration of sixty calendar days after the date of its first official publication).

Article 5. Principles of volunteering activity

1. Volunteering activity is carried out according to the following principles:

1) gratuitousnesses, voluntariness, equality and legality of activity of volunteers;

2) freedoms in definition of the purposes, forms, types and methods, in the choice of the direction of the volunteer activity established by the present Law;

3) publicity and general availability of information on volunteer activity;

4) solidarity, conscientiousness and cooperation of the persons participating in volunteer activity;

5) safety of life and health;

6) equal and mutually beneficial international cooperation in this sphere.

2. Volunteer activity does not substitute activities of public authorities and local governments for implementation of their powers.

Article 6. Forms and types of volunteer activities

1. Volunteer activities may take the form of:

1) individual volunteer activities;

2) volunteer activities as part of a group of volunteers;

2-1) corporate volunteering;

3) volunteer activities through volunteer organization.

2. The basic kinds of volunteer activities are:

1) participation in the provision of social assistance, assistance to socially vulnerable groups of the population, children in need of special social services;

2) social services for the elderly, persons with disabilities, the organisation of accessible environments for persons with disabilities, assistance in the social adaptation, integration and upbringing of orphans and children without parental care;

3) involved in providing assistance to victims of natural disasters, environmental, technological and other catastrophes, social conflicts, accidents, victims, refugees and internally displaced persons, as well as other categories and groups of persons needing assistance and support;

4) assistance in central and local executive bodies in the prevention and elimination of the consequences of emergency situations;

5) participation in the search for missing people, the remains of the great patriotic war and local wars;

6) participation in environmental protection, an accomplishment of territories;

7) participation in creating opportunities for the preservation of historical and cultural heritage, restoration and preservation of historical-cultural Wednesday habitats;

8) participation in the development of education, science, culture, promoting knowledge, innovation development;

9) participate in the development and popularization of physical culture, sport and active leisure in the organization and conduct of regional, interregional, national public and international athletic and sports events;

10) working to promote healthy lifestyles and preventive work to counter the spread of socially significant diseases;

11) participation in the organization and conduct of regional, interregional, national and international cultural, mass and other entertainment and social activities, including volunteer camps, participation in archaeological excavations, the restoration of the facades of historic buildings, the work of the summer recreation camps for children with disabilities, Congress and exhibition activities, unless otherwise stipulated by the laws of the Republic of Kazakhstan;

12) participation in the strengthening of peace, friendship and harmony among peoples, prevention of social, inter-ethnic, inter-faith, inter-ethnic and religious conflicts;

13) other types of volunteer activities, which do not contradict the legislation of the Republic of Kazakhstan.

3. When involving volunteers, the organiser of volunteer activities or a volunteer organisation when undertaking volunteer activities shall be entitled to conclude a contract under the civil law of the Republic of Kazakhstan.

Footnote. Article 6 as amended by the Law of the Republic of Kazakhstan dated 11.07.2017 № 91-VI (shall be enforced upon expiry of ten calendar days after the day its first official publication); № 129-VII of 27.06.2022 (shall enter into force ten calendar days after the date of its first official publication); № 134-VII of 04.07.2022 (shall be put into force sixty calendar days after the date of its first official publication); dated 20.04.2023 № 226-VII (shall be enforced from 01.07.2023).

Article 6-1. Corporate volunteering

1. Where organisations decide to develop corporate volunteering, they shall draw up internal documents for the implementation of volunteering activities.

2. Internal documents on corporate volunteering shall specify the principles, guidelines and procedures for corporate volunteering activities.

3. The purposes of corporate volunteering shall be established under Article 4 hereof.

Footnote. Chapter 1 as supplemented by Article 6-1 under Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall become effective sixty calendar days after the date of its first official publication).

Chapter 2. GOVERNMENTAL REGULATION IN THE SCOPE OF VOLUNTEER ACTIVITIES

Article 7. Competence of the Government of the Republic of Kazakhstan in the field of volunteer activity

The Government of the Republic of Kazakhstan develops the main directions of state policy in the field of volunteer activity and organizes their implementation.

Footnote. Article 7 - as amended by the Law of the Republic of Kazakhstan dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication).

Article 8. The competence of the central executive bodies of the Republic of Kazakhstan in the scope of volunteerism

1. The central executive bodies of the Republic of Kazakhstan within its competence:

1) implements governmental policy in the scope of volunteerism;

2) develops mechanisms to support and encourage volunteer activities;

3) promotes international cooperation and exchange of experience in the field of volunteerism;

4) develops recommendations in order to attract volunteer organizations and volunteers to participate in the volunteer programs (projects) and conduct volunteer shares;

5) interacts with individuals, legal entities and State authorities in the field of volunteerism;

6) excluded by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall come into effect sixty calendar days after the date of its first official publication);

7) analyses, implements data and synthesis practice of volunteer activities;

8) excluded by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall come into effect sixty calendar days after the date of its first official publication);

9) exercises other powers provided for by this law, other laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

2. Excluded by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall enter into force sixty calendar days after the date of its first official publication).

Footnote. Article 8 as amended by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall be enacted upon expiration of sixty calendar days after its first official publication).

Article 9. The competence of the authorized body in the scope of volunteer activities

The authorized body in the scope of volunteer activities:

1) based on and in pursuance of the main directions of the internal and foreign policy of the state, determined by the President of the Republic of Kazakhstan, and the main directions of the socio-economic policy of the state, its defense capability, security, ensuring public order, developed by the Government of the Republic of Kazakhstan, forms and implements state policy in the field of volunteer activities in accordance with the legislation of the Republic of Kazakhstan;

1-1) coordinates the activities of central and local executive bodies with regard to the organisation of volunteering activities;

2) as excluded by the Law of the Republic of Kazakhstan dated 10.01.2025 № 153-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

3) as excluded by the Law of the Republic of Kazakhstan dated 10.01.2025 № 153-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

4) as excluded by the Law of the Republic of Kazakhstan dated 10.01.2025 № 153-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication);

5) excluded by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall be put into force sixty calendar days after the date of its first official publication);

6) interacts with individuals, legal entities and governmetal authorities in the scope of volunteerism;

7) excluded by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall take effect sixty calendar days after the date of its first official publication);

7-1) maintains a register of volunteer activities;

7-2) publishes a register of volunteer activities on its Internet resource;

7-3) develop and approve regulatory legal acts in the field of volunteer activities in accordance with the legislation of the Republic of Kazakhstan;

8) exercises other powers provided for by this law, other laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. Article 9 as amended by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (the order of enforcement see Art. 2); dated 19.04.2023 № 223-VII (shall be enforced ten calendar days after the date of its first official publication); dated 10.01.2025 № 153-VIII (shall enter into force upon expiry of ten calendar days after the day of its first official publication).

Article 10. The jurisdiction of local executive bodies of oblasts, major cities and the capital, regions, cities of oblast subordinance

1. Local executive bodies of oblasts, major cities and the capital within the limits of their competence:

1) implements governmental policy in the scope of volunteerism;

2) interacts with individuals, legal entities and governmental authorities in the scope of volunteerism;

3) excluded by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall enter into force sixty calendar days after the date of its first official publication);

4) performs an analysis and synthesis of a set of practices in volunteer activities;

5) operates in the interests of local public administration other powers assigned to the local executive bodies of legislation in the Republic of Kazakhstan.

2. Local executive bodies of districts, cities of oblast significance within the limits of their competence:

1) implements governmental policy in the scope of volunteerism;

2) interacts with individuals, legal entities and governmental authorities in the scope of volunteerism;

3) excluded by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall enter into force sixty calendar days after the date of its first official publication);

4) performs an analysis and synthesis of a set of practices in volunteer activities;

5) takes measures to develop a system of volunteer activity;

6) operates in the interests of local public administration other powers assigned to the local executive bodies of legislation of the Republic of Kazakhstan.

Footnote. Article 10 as amended by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall be put into effect sixty calendar days after the date of its first official publication).

Article 11. The powers of local governments in the scope of volunteerism

The powers of local governments in the field of volunteer activities include:

1) participation in the implementation of the governmental policy in the field of volunteerism;

2) support mass implementation of youth volunteer shares;

3) placement in the digital system of volunteer organizations of information on volunteer programs (projects) and volunteer campaigns;

4) other powers as defined by the legislation of the Republic of Kazakhstan.

Footnote. Article 11 as amended by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall be enacted upon expiration of sixty calendar days after 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).

Chapter 3. ORGANIZATION AND SUPPORT OF VOLUNTEER ACTIVITY

Article 12. Volunteer

1. The individual who has reached eighteen-year age can carry out volunteer activity.

2. People who have not reached eighteen years, volunteer activity is carried out provided that it doesn't do harm to their health and moral development and doesn't break training process. The natural persons who haven't reached fourteen years participate in volunteer activity from the written consent of parents (other lawful representatives) or in their maintenance.

2-1. Volunteers under the age of eighteen may not be involved in:

1) contributing to assisting persons affected by natural, environmental, man-made and other disasters, social conflicts and accidents; victims of offences, refugees and displaced persons; and assisting central and local executive authorities in preventing and responding to emergencies;

2) providing aid to persons who have or have had a criminal record or who are or have been prosecuted, excluding persons against whom criminal prosecution has been discontinued under paragraphs 1) and 2) of part one of Article 35 of the Code of Criminal Procedure of the Republic of Kazakhstan;

3) heavy work, work with harmful and/or dangerous conditions.

3. The volunteer has the right on:

1) the free choice of the participation in implementation of volunteer activity taking into account the requirements established by the present Law, other acts of the Republic of Kazakhstan;

2) cessation of volunteering activities.

If the volunteer has entered into a civil law contract, the volunteer's activities shall be discontinued under this contract;

3) receiving reliable information about the purposes, tasks and content of volunteer activity, about the organizer of volunteer activity, about the volunteer organization, her management, the principles of activity and about the organizational device;

4) implementation of the volunteer programs (projects) and holding the volunteer actions and other actions organized, initiated or recommended for implementation of volunteer activity;

5) clothing and reimbursement for travel, accommodation, meals, required personal protective equipment, tools and other expenses when performing work involving heavy work or work in harmful and/or hazardous conditions, if provided for in a written civil law contract concluded with the volunteer;

6) receiving from the organizer of volunteer activity and the volunteer organization of letters of recommendation;

7) entering information regarding volunteer activities carried out by him or her, the place and number of hours of such activities, incentives received, additional training completed, entitlement to support measures and incentives, and other information into digital resources, where such resources are maintained in accordance with the laws of the Republic of Kazakhstan;

8) the admission in the organization of education, health care, social protection, culture, sport and on the territory of nature protection and forest institutions for implementation of volunteer activity in coordination with the management of these organizations;

9) participation in assistance of employment of the population;

10) receipt of a merit badge for patriotism and active citizenship in a competition for educational grants, as well as for enrolment in the state educational order for training personnel with higher education in the case of equal scores under the laws of the Republic of Kazakhstan;

11) consideration of volunteering activities when entering the civil service under the procedure laid down in the laws of the Republic of Kazakhstan.

The candidate's personal abilities and professional background shall also be considered when entering the civil service;

12) involvement in public information and awareness-raising activities.

4. The volunteer is obliged:

1) to honestly perform the tasks received from the coordinator of volunteers, and at the end to notify the coordinator of volunteers on their performance;

2) not to violate the rights and legitimate interests of citizens and the organizations, to carry out the orders of the organizer of volunteer activity made according to his competence;

3) to observe the principles of safe performance of volunteer activity, not to do the activity harm to the third parties and the environment;

4) to observe confidentiality of information to which the volunteer has access in the course of volunteer activity;

5) not to transfer execution of the obligations for implementation of volunteer activity to other persons without the consent of the coordinator of volunteers;

6) to make thrifty use of the material resources and the equipment transferred to him in the course of implementation of volunteer activity and to return them upon termination of work;

7) not to interfere with realization of powers of officials of public authorities and local governments.

5. The volunteer may exercise other rights and obligations stipulated by the laws of the Republic of Kazakhstan, as well as those specified in the civil law contract.

Footnote. Article 12 as amended by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall take effect upon expiration of sixty calendar days 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 13. Coordinator of volunteers

1. The coordinator of volunteers is appointed by the organizer of volunteer activity or the volunteer organization responsible for implementation of the volunteer program (project) or

volunteer action, or is elected the volunteers who are a part of group of volunteers from their number.

2. The coordinator of volunteers instructs volunteers, distributes work between them, defines the place and volume of work of each volunteer, controls performance of work by him .

3. The coordinator of volunteers interacts with public authorities, local governments, other organizers of volunteer activity and with other volunteer organizations and also with groups of volunteers.

4. The coordinator of volunteers provides training of volunteers in safe methods and methods of performance of work and to first-aid treatment by the victim of accidents.

Article 14. Volunteer organization

1. The volunteer organization develops and realizes volunteer programs (projects) and carries out volunteer actions together with the organizer of volunteer activity, other volunteer organizations or independently with involvement of volunteers.

2. The purpose of the volunteer program (project) is the statement of a complex of the actions directed to the solution of the socially important tasks realized with use of volunteers.

3. The main objectives of the volunteer program (project) are:

1) development of volunteer activity;

2) development of system of stimulation of volunteer activity of citizens and volunteer organizations;

3) improvement of system of training of volunteers and coordinators of volunteers;

4) improvement of system of partner interaction between various volunteer organizations and other public associations and non-profit organizations using volunteer work.

4. The volunteer organization appoints the coordinator of volunteers who carries out activity according to article 13 of the present Law.

5. The volunteer organization has the right to attract the organizations which are carrying out educational activity to training of volunteers to hold special seminars, hearings, working meetings, meetings of volunteers.

6. The volunteer organization carries out encouragement of volunteers in the order established by it and also presents candidacies for encouragement and (or) rewarding of the caused most a stir volunteers to the organizer of volunteer activity and also the public authorities which are not organizers of volunteer activity in the order established by the legislation of the Republic of Kazakhstan.

7. The volunteer organisation shall supply the volunteer with protective clothing and reimburse his/her travel expenses from the actual place of residence, accommodation, meals, purchase of required personal protective equipment, tools and other expenses when completing work involving heavy work, work in harmful and/or hazardous conditions, if so prescribed by a civil law contract concluded in writing with the volunteer.

8. The volunteer organization develops and approves the Code of ethics of the volunteer.

9. A volunteer organisation may maintain a record of its volunteers.

Footnote. Article 14 as amended by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall come into force sixty calendar days after the date of its first official publication).

Article 15. Organizer of volunteer activity

1. Organizer of volunteer activity:

1) organizes implementation of volunteer programs (projects) and holding volunteer actions;

2) participates in implementation of state programs of support and stimulation of volunteer activity if it is provided by these programs;

3) provides to the volunteer organization and (or) the volunteer information on the planned and carried out volunteer programs (projects) and volunteer actions, the number of their participants, the place and time of their carrying out, requirements to their carrying out, including by means of placement on the Internet resources;

4) creates to the volunteer conditions for implementation of volunteer activity;

5) provides the letter of recommendation of the volunteer organization and (or) to the volunteer.

Article 16. Accounting register of volunteer activity

1. For streamlining of the organization of volunteer activity there should be an accounting register.

2. Excluded by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall become effective sixty calendar days after the date of its first official publication).

3. Data on volunteer activity are public.

Footnote. Article 16 as amended by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall take effect upon expiration of sixty calendar days after its first official publication).

Article 17. Support and financial help of volunteer activity

1. Measures of support of volunteer activity can be carried out in the form of the charitable help in the following forms:

1) material support;

2) property providing;

3) other forms of support which are not contradicting the legislation of the Republic of Kazakhstan.

2. Financial help for volunteer activity can be carried out at the expense of own or raised funds of natural and (or) legal entities and also at the expense of other sources according to the legislation of the Republic of Kazakhstan.

3. The state shall encourage volunteering activities by awarding volunteers with state awards under the terms and conditions laid down in the Law of the Republic of Kazakhstan “ On State Awards in the Republic of Kazakhstan”.

4. The state shall support volunteer organisations by granting communal property into trust management without the right to subsequent redemption on preferential terms under the Law of the Republic of Kazakhstan “On State Property”.

Footnote. Article 17 as amended by Law of the Republic of Kazakhstan № 134-VII of 04.07.2022 (shall be promulgated upon expiration of sixty calendar days after its first official publication).

Chapter 4. FINAL PROVISIONS

Article 18. Responsibility for violation of the legislation of the Republic of Kazakhstan on volunteer activity

Law violation in the Republic of Kazakhstan about volunteer activity attracts responsibility according to laws of the Republic of Kazakhstan.

Article 19. Order of enactment of this Law

This Law shall enter into force upon expiry of ten calendar days after the date of its first official publication.

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

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