

This is an unofficial translation.

**Order of the Ministry of Internal Affairs of the Republic of Kazakhstan
dated July 28, 2000**

**No. 422 and the Ministry of Foreign Affairs of the Republic of Kazakhstan
dated August 8, 2000 No. 100 About approval of the Instruction on the order of application
of the Regulations for entry and stay of the foreign citizens in the Republic of Kazakhstan,
and also departure from the Republic of Kazakhstan**

Aimed at further perfection of the system of control over entry, stay and departure of the foreign citizens from the Republic of Kazakhstan,

WE ORDER:

1. To approve and to enter into effect the Instruction on the order of application of Regulations for entry and stay of foreign citizens in the Republic of Kazakhstan, and also of their departure from the Republic of Kazakhstan (is enclosed).

2. Director of the Department of consulate service Ministry of Foreign Affairs of the Republic of Kazakhstan, heads of the Department of internal affairs of Astana city, the Municipal Department of internal affairs of Almaty city, The Municipal Department of Internal Affairs–Department of internal affairs of the regions, Department of internal affairs by transportation to arrange study of the Instruction of the specialists, who relate to making up of the documentation and control over the entry, stay and departure from the Republic of Kazakhstan of foreign affairs and to provide performance of its requirements.

3. Head of the Department of the Internal Affairs of Astana city, Municipal Department of the Internal Affairs of Almaty city, Municipal Department of Internal Affairs- Department of Internal Affairs of the oblasts, Department of internal affairs by transport to provide departments of the migration police with all necessary forms of applications, registration cards, other documents (except some restricted forms) and standard sample stamps.

4. To consider the precept of the Ministry of internal affairs of the Republic of Kazakhstan to be invalid dated October 31, 1994 N 286.

5. Control over execution of the present Precept shall be laid upon the Department of migration police of the Ministry of internal affairs of the Republic of Kazakhstan and the Department of consulate service of the Ministry of Internal Affairs of the Republic of Kazakhstan.

6. Present Precept enters into force since the date of its state registration in the Ministry of Justice of Kazakhstan.

Minister of Internal Affairs
of the Republic of Kazakhstan -
Commander of internal regiments
General-Leutenant

K. Suleymenov

Minister of Internal Affairs
of the Republic of Kazakhstan

E. Idrissov

“Approved”
Chairman of the Committee
of National Security
of the Republic of Kazakhstan
General-Major
A. Mussaev
July 27, 2000

Approved by
precept of the Minister of Internal Affairs
of the Republic of Kazakhstan
July 28, 2000 N 422
and the precept of the Minister of Foreign affairs
of the Republic of Kazakhstan
August 8, 2000 N 100

Instruction
Concerning the order of application of the Regulations for entry and stay of the foreign
citizens in the Republic of Kazakhstan, and also their departure from the Republic of
Kazakhstan

1. General provisions

1. Present Instruction is worked out in accordance with Constitution of the Republic of Kazakhstan, Law of the Republic of Kazakhstan “On migration of the population”, Decree of the President of the Republic of Kazakhstan, having the validity of the law, “About the legal status of foreign citizens in the Republic of Kazakhstan”, international agreements, ratified by the Republic of Kazakhstan, Regulations of entry and stay of foreign citizens in the Republic of Kazakhstan, and also their departure from the Republic of Kazakhstan, approved by the enactment of the Government of the Republic of Kazakhstan (hereinafter-Regulations) dated 28.01.2000 N 136.

2. Instruction determines the order as follows:

- 1) drawing up of personal documents of foreign citizens of documents for the right of temporary and permanent residence in the Republic of Kazakhstan;
- 2) traveling and transit travel of foreign citizens through the territory of the Republic of Kazakhstan;
- 3) prolongation and reduction of the period of stay of foreign citizens in the Republic of Kazakhstan;
- 4) bringing of foreign citizens, entities, accepting organizations and entities, who invited the foreign citizens to the Republic of Kazakhstan to account for violation of the Regulations, and deportation of foreign citizens out of the Republic of Kazakhstan;
- 5) acceptance and consideration of applications of the foreign citizens;
- 6) running of personal accounts of foreign citizens.

3. Effect of the present Regulations is extended on the persons without citizenship, in case stated otherwise by the legislative enactments of the Republic of Kazakhstan.

4. Foreign citizens enter and depart from the Republic of Kazakhstan by the valid passports or substitution by their documents, in case there are available any visas of the Republic of Kazakhstan, issued by the authorized state authorities of the Republic of Kazakhstan.

The order of drawing up and issue of visas of the Republic of Kazakhstan shall be regulated by separate regulatory legal enactments of the Republic of Kazakhstan that regulate the issues of visa issuance.

5. Entry and stay of foreign citizens and persons without citizenship, soliciting for receipt of the refugee status in the Republic of Kazakhstan, as well as their departure from the Republic of Kazakhstan shall be regulated by legislation in the area of migration.

6. As foreign citizens in the Republic of Kazakhstan there are recognized the persons who are not the citizens of the Republic of Kazakhstan and do not have proofs of their affiliation with the citizenship of other state.

Persons who are not the citizens of the Republic of Kazakhstan and do not have proofs of their affiliation with citizenship of other state, are recognized as persons without citizenship.

7. Foreign citizens, who arrive at the Republic of Kazakhstan by private affairs, as well as those who arrive with the business purposes, for studies and in the capacity of tourists, cannot be employed on the territory of the Republic of Kazakhstan, to be engaged in other activities which is not connected with the purpose of entry specified in visa, besides cases provided for under legislation of the Republic of Kazakhstan.

Licence-free attraction (import) of foreign work force is forbidden as well as implementation of labor activities by foreign citizens, who temporarily stay in the Republic of Kazakhstan without respective permissions.

8. In case by the international agreement, ratified by the Republic of Kazakhstan, there are specified regulations other than those which are provided for by present Instruction, there are applied the regulations of the international agreement.

2. Entry to the Republic of Kazakhstan and departure from the Republic of Kazakhstan of the foreign citizens

Order of entry to the Republic of Kazakhstan of foreign citizens by invitations of the relatives and friends, organizations, enterprises and departments

9. In order to invite foreign citizens to the Republic of Kazakhstan on business affairs, for study, medical treatment, work, with the business purposes and in the capacity of tourists, non-state organizations submit to the authorities of internal affairs, by place of residence of the citizens and dislocation of the organization, the following documents:

- 1) invitation letter of the established form (appendix **1**) in three copies;
- 2) receipt for state duty payment.

When inviting the foreign citizens to the Republic of Kazakhstan to study, the non-state educational institutions coordinate the invitation letter with the central executive authority in the area of education.

10. In order to invite the foreign citizens for private affairs, physical entities and inviting organizations submit to the authorities of internal affairs by place of their dislocation the following documents:

- 1) petition of a free form;
- 2) application –questionnaire of the standard form (Appendix **2**) in two copies;
- 3) receipt for payment of the state duty.

11. Invited persons and inviting persons and organizations shall be checked by available registers for the subject of observance and providing of observance by them of the requirements of the specified Regulations.

12. Materials in the established order will be agreed with the national security authorities.

Period of their study with the national security authorities should not exceed three days.

13. In case of positive study, the applicants will be presented :

- 1) in case of invitation by private affairs - invitations of the standard form (appendix **3**);
- 2) in case of invitation with other purposes – permissions of the authorities of internal affairs, which are to be drawn up by way of putting the note “ entry is permitted”, verified visa seal and signature of the head or deputy head of the Department of migration police of the Chief department of internal affairs or the Department of internal affairs (hereinafter r- State Department of internal affairs) of the oblast in two copies of the invitation letter. One copy of the invitation letter is to be submitted by the inviting persons of the Department of consualte service of the Ministry of foreign affairs of the Republic of Kazakhstan (hereinafter- Ministry of Internal

Affairs of the Republic of Kazakhstan) to render the visa support services in the diplomatic representation office or the consulate department of the Republic of Kazakhstan abroad.

Invitation and the second copy of the invitation letter are to be sent directly to the invited persons to be presented to the diplomatic representation offices or consulate departments of the Republic of Kazakhstan abroad to draw up visas.

For the entry of the citizens of the participating states of the CIS, where there is maintained the visa-free travel regime, invitations are not required.

14. In case of invitation to the Republic of Kazakhstan of the foreign citizens in view of the illness of the relatives, friends or their death the applicant sends to them the telegram, certified by respective medical institutions. On the basis of these telegrams the diplomatic representative offices or the consulate departments of the Republic of Kazakhstan or consulate departments of the Republic of Kazakhstan abroad will issue the foreign citizens the entry-exit visas for the period of not more than one month.

15. Petitions presented by foreign citizens, who arrived in the Republic of Kazakhstan by service affairs, to study, (probation) for the period of more than 6 months, about the invitation to the Republic of Kazakhstan of the relatives and friends are to be considered by the authorities of internal affairs on the basis of written applications of the accepting organizations. Together with the written address the accepting organizations submit also the applications-questionnaires, filled by the foreign citizens, inviting their relatives and friends from abroad. Invitations in that case to foreign citizens are to be issued by the departments of the migration police through representatives of these organizations.

16. Petitions presented by the citizens of the Republic of Kazakhstan, foreign citizens about invitation of the relatives and friends from abroad are to be considered within seven days starting from the moment of presentation to the authorities of internal affairs of all necessary documents. Within the same periods there are considered the addresses of the accepting organizations.

17. Entry to the Republic of Kazakhstan of the foreign citizens who came here to visit the cemetery of their relatives is to be carried out by entry-exit visas, issued by diplomatic representation offices and consulate departments of the Republic of Kazakhstan abroad when confirming the death registration document, issued by the Civil Registry Office on the territory of the Republic of Kazakhstan.

18. State organizations, enterprises and departments, as well as foreign diplomatic and equal to them representation offices shall apply for invitation of the foreign citizens to arrive to the Republic of Kazakhstan directly to the Department of consular service of the Ministry of Foreign Affairs of the Republic of Kazakhstan and its representation offices on the territory of the Republic of Kazakhstan (hereinafter - ДКК of the Ministry of Foreign Affairs of the Republic of Kazakhstan).

19. Specialists of the diplomatic representation offices and consulate departments of the Republic of Kazakhstan abroad, as well as specialists of the authorities of internal affairs are obliged to clarify to foreign citizens of the Regulations of entry and stay of the foreign citizens in the Republic of Kazakhstan.

Order of entry to the Republic of Kazakhstan of the foreign citizens who came to meet the convicts

20. Foreign citizens who are sent to the penitentiary on the territory of the Republic of Kazakhstan have right to see their relatives and other persons who reside in the Republic of Kazakhstan and abroad.

The convict foreign citizens apply with request to see their relatives to the administration of the penitentiary, who inform of the decision taken by these requests the Committee of criminal

and executive systems of the Ministry of internal affairs of the Republic of Kazakhstan (hereinafter – КҮИЦ of the Ministry of internal affairs of the Republic of Kazakhstan)

21. On the basis of information from the state penitentiary from the place КҮИЦ of the Ministry of internal affairs of the Republic of Kazakhstan takes decision about the place and time of the arranged vis-à-vis and informs the Department of consulate service of the Department of consulate service of the Ministry of foreign affairs of the Republic of Kazakhstan, which gives the instruction to the diplomatic representation offices and consulate departments of the Republic of Kazakhstan abroad concerning the issuance of the entry and exit visas to foreign citizens, who received the permission to for vis-à-vis meetings.

As for the place and date of arranged meeting КҮИЦ of the Ministry of Internal affairs of the Republic of Kazakhstan is to inform respective State Departments of internal affairs, Department of Internal affairs, which carry out control over the regime of meetings, residence and timely departure from the Republic of Kazakhstan of the foreign citizens who are returning home.

22. In case the relatives and acquaintances of the person sent to the penitentiary in the Republic of Kazakhstan, the diplomatic representation office or consulate department of the Republic of Kazakhstan abroad through the ministry of foreign affairs of the Republic of Kazakhstan informs of that the authorities of internal affairs and the national security. After the positive decision is taken the penalizing authorities inform of that the Ministry of Foreign Affairs of the Republic of Kazakhstan, on the basis of which the diplomatic representation offices or the consulate departments of the Republic of Kazakhstan abroad the entry-exit visa shall be issued.

Entry to the Republic of Kazakhstan of the foreign citizens for permanent residence

23. Foreign citizens, who reside abroad and wish to enter the Republic of Kazakhstan for permanent residence, applications by this issue will be presented to the diplomatic representation offices, consulate departments of the Republic of Kazakhstan abroad. These applications together with the filled foreign citizens with questionnaires in two copies and conclusions of the diplomatic representation offices or consulate departments of the Republic of Kazakhstan on the essence of the applicant's petition shall be sent to Department of consulate service of the Ministry of Foreign Affairs of the Republic of Kazakhstan.

Along with the abovementioned documents there may be sent other materials which are related to the petition. They shall be written in Kazakh and Russian languages or provided with due translation.

24. Department of consulate service of the Ministry of foreign affairs of the Republic of Kazakhstan sends the materials to be agreed to the Committee of National Security of the Republic of Kazakhstan (hereinafter – CNS of the Republic of Kazakhstan) and the Agency of the Republic of Kazakhstan for migration and demography. In its conclusion the Agency of the Republic of Kazakhstan for migration and demography enters the proposal for possibility of its labor, housing and other facility construction in the required administrative and territorial area.

25. After the taken decision the Agency of the Republic of Kazakhstan for migration and demography informs of it the Ministry of internal affairs of the Republic of Kazakhstan.

On the basis of this decision the diplomatic representation offices and consulate departments of the Republic of Kazakhstan abroad issue the entry visas for permanent residence.

26. Period of petitions study shall not exceed in aggregate of three months.

27. Issued diplomatic representation offices or consulate departments of the Republic of Kazakhstan abroad the entry visas are the basis for documenting of the arrived foreign citizens of the residence permit of the standard sample and to register in the authorities of internal affairs.

Bases for refusal to foreign citizens in granting the entry visa to the Republic of Kazakhstan

28. In the entry to the Republic of Kazakhstan the foreign citizen may be refused:

- 1) in order to provide state security, protection of the social order or the health of the population of the Republic of Kazakhstan;
- 2) in case he committed the crime against peace and security of the humankind;
- 3) in case he unleashes the interstate, interethnic and religious strife;
- 4) in case he wittingly is opposed to sovereignty and independence of the Republic of Kazakhstan, makes appeals for violation and disintegration of its territory;
- 5) in case he is convicted for the terrorist activities, or has convictions for previously committed severe or especially severe crime;
- 6) in case he when extending the petition for the entry visa provides false data about himself or did not provide all necessary documents;
- 7) in case he previously is deported from the Republic of Kazakhstan;
- 8) in case during the previous stay in the Republic of Kazakhstan there were established the facts of legislation violation by them about the legal status of foreign citizens in the Republic of Kazakhstan, custom, currency or other legislation of the Republic of Kazakhstan;
- 9) in case it is necessary for protection of the rights and legal interests of the citizens of the Republic of Kazakhstan and other persons.

Order of departure from the Republic of Kazakhstan of foreign citizens

29. During the temporary departure from the Republic of Kazakhstan the foreign citizens, permanently residing in the Republic of Kazakhstan, present to the authorities of the internal affairs the application of free form and the application questionnaire (attachment 2) in two copies. During departure for permanent residence, besides this, they submit the notarially authenticated application from the persons residing in the Republic of Kazakhstan, who have under law the right for receipt from the leaving persons of aliments (parents and former spouses, in case there are underage children from mixed marriage) about the unavaialble requirements for recovery of aliment payments. Diputable issues are to be settled in the judicial order.

30. After all necessary documents are accepted the check up of the applicants is to be carried out in the established order, agreement with the authorities of the national security of exit materials.

During the positive study of materials, the foreign citizens shall make up the Kazakhstani visas.

31. Foreign citizen is not allowed to depart from Kazakhstan:

- 1) in case there any grounds for bringing him to criminal liability – prior to completion of the proceedings for the case;
- 2) in case he is convicted for the committed crime – prior to his penalty period is over or release from penalty;
- 3) in case he evades from performance of his obligations, imposed by him by the court, prior to execution of obligations;
- 4) by other grounds specified by legislation of the Republic of Kazakhstan.

32. Departure from the Republic of Kazakhstan of the foreign citizen may be postponed until he performs the property obligations, with whom there are connected the essential interests of the citizens of the Republic of Kazakhstan, other physical and legal entities.

3. Registration of passports of foreign citizens, who temporarily stay in the Republic of Kazakhstan and their registration

33. Registration of passports of the foreign citizens, who temporarily stay in the Republic of Kazakhstan, shall be carried out in accordance with its competence the Ministry of foreign affairs of the Republic of Kazakhstan, its representation offices, authorities of internal affairs.

34. In the Ministry of foreign affairs of the Republic of Kazakhstan and his representation offices the passports shall be registered:

1) the heads of foreign diplomatic representation offices and consulate departments, members of the diplomatic personnel, consulate officials, administrative-technical and servicing personnel of the diplomatic representation offices and consulate departments, the employees of the military attache office and trade representation offices and the members of their families, as well as guests of the heads of the foreign diplomatic representation offices and consulate departments, in case the guests are residing on the territory of the specified representation offices and departments;

2) specialists of the Ministry of foreign affairs of the foreign states, who arrive in the Republic of Kazakhstan on business and having the diplomatic or service passports and members of their families;

3) those who arrived in the Republic of Kazakhstan on business matters the officials of the international organizations, specialists of the representation office of specified organizations in the Republic of Kazakhstan, as well as specialists of the representation offices of the countries joined to the international organizations, the head-quarters of which is situated in the Republic of Kazakhstan, who in accordance with the international agreements make use of diplomatic privileges and immunities, as well as members of their families;

4) heads or other managing staff of foreign organization of investors, respective visas of which shall be issued by the Ministry of Foreign affairs of the Republic of Kazakhstan;

5) persons who arrived by the invitation of the Ministry of Foreign affairs of the Republic of Kazakhstan.

35. In the authorities of internal affairs there are registered the passports of foreign citizens not specified in the item 34 of the present Instruction.

36. Drawing up of registration and its extension is to be carried out by authorities of internal affairs within the day from the moment of documents supply.

37. Passports of the foreign citizens, who arrived in the Republic of Kazakhstan by the line of the accepting organizations for the period not exceeding 30 days, are subject to registration in the municipal, regional authorities (further municipal regions) internal affairs by place of stay within three days starting from the moment of entry to the territory of the Republic of Kazakhstan, except holidays and week ends, and in the cities of Astana and Almaty- directly to the Internal Affairs Department, Municipal Internal Affairs Department.

Passports of the persons, who entered the country for the period more than 30 days, shall be registered in the Municipal Internal Affairs Department – Internal Affairs Department.

38. During registration of the foreign citizens, who arrived for temporary stay, the employees of the migration police should notify the area police inspectors about the period permitted to them to live in this region.

On expiration of three days from the completion of the permitted period of residence specialists of migration police are obliged to check the fact of departure of these persons.

In case it is specified, that they did not leave, the precinct police inspector should be informed of this in order to call the delinquents to the municipal regional authority of internal affairs (except persons fallen ill) and revealing the reasons of violation of the present Regulations.

Having accepted all necessary measures and making up of the departure documents they will be handed together with the enclosed passport to the holder, who is warned about the necessity to leave the territory of the Republic of Kazakhstan within the specified period. The

precinct police inspector is given the task to observe the departure procedures of the foreign citizen –the delinquent from the inhabited area.

39. As the basis for registration of passports of foreign citizens serve visas of the Republic of Kazakhstan.

Registration is to be made up by way of issuance of the loose leaf to the passport where the stamp is put concerning registration (appendix 4). Loose leaf shall be issued only by place of first application of the foreign citizen.

Stamp for registration of the tourist groups, verified by visa seal, shall be put on the reverse side of the group's visas or collective lists. Records to the stamp shall be plain, and in case of any amendments they are subject to negotiation.

Registration is to be verified by signature of the specialist, who made it up. Entry concerning registration is to be carried out in the register of the established form (Appendix 5).

40. Registration of the arrived foreign citizens in the accepting organizations shall be run by the register (appendix 6), which shall be numbered, tied together, sealed и signed by the director of the accepting organization. The entered modifications are subject to negotiation.

41. Organizations which receive the foreign tourists, are obliged in due time, but not later than 24 hours, to inform the authorities of internal affairs of their arrival, routes and supposed place of stay (hotel).

42. Foreign citizens hand to the administration of the accepting organization their passports, which after they are registered in the authorities of internal affairs are to be returned to the holders.

Registration shall be done within dates specified in the written addresses of the accepting organizations, permanent foreign representation offices, but not longer than validity period of visas and passports of foreign citizens.

Pay attention not to allow specification of free dates of registration.

43. Passports of foreign students (school-children) are registered for one academic year. In this case granting of a visa is not required.

44. In order to make up registration of the passport of the foreign citizen the accepting organizations and physical entities submit to the authorities of internal affairs the following documentation:

1) written address of the standard form (appendix 7) (physical entities – application of free format);

2) passport of the foreign citizen;

3) photos (33x43 mm);

4) receipt of a paid state duty.

For persons who arrived for the period of more than one year, besides this there are presented the coupons of statistical registration and entry sheets, where in the right top corner the letter "И" shall be indicated.

45. During registration of the passports of the foreign citizens, specialist of the authorities of internal affairs will make up the registration cards (appendix 8) (cards to be filled in, as a rule, on typing machine, without use of the copying paper. In case they are filled by hand the surname, first name and patronymic should be written in printed letters);

46. In case of departure of the foreign citizens to separate areas (territories) of the Republic of Kazakhstan, that are close to the attention of the foreign citizens, the accepting organizations through the authorities of internal affairs will make up to them required permit-pass. The issue of entry to the closed regions shall be agreed with the authorities of national security.

47. In case of arrival of the foreign citizen to the new place of work, study, the accepting organization will in the written form notify of this the authorities of internal affairs, in this respect they have made the entry to the registration log.

48. The accepting organization also informs the authorities of internal affairs of all foreign citizens, which did not return from abroad within a period after the vacations or the leave came to its end.

49. Foreign citizens having the multiple visa are obliged to register their passports for the period of actual stay in the Republic of Kazakhstan.

50. Period of the permitted stay of the foreign citizens in the Republic of Kazakhstan and validity of registration of their passports terminates for persons :

- 1) who depart from the Republic of Kazakhstan - the last day of the visa validity period;
- 2) who entered in a visa-free order – at the latter date of the registration validity period.

Extension of the validity period of the foreign citizens passport registration shall be carried out by way of putting the stamp in the order, provided for by item **39** of present Instruction.

4. Prolongation of the period of stay to foreign citizens in the Republic of Kazakhstan

51. The period of stay of the foreign citizens in the country shall be extended by way of visa issuance.

52. Decisions concerning extension of the periods of stay of foreign citizens in the Republic of Kazakhstan on the basis of petitions presented by physical and legal entities shall be accepted by place of registration of foreign citizens.

In that case the period of stay will be extended to those foreign citizens who arrived in the Republic of Kazakhstan on private matters for more than three months, in case of study- per year for the whole academic year, in case of medical treatment - for the period of treatment on the basis of medical conclusion issued by the director of the medical institution, in case of work- for the period of validity of the license issued by state departments to persons who applied with petition concerning the permanent residence – for the period required to make up documents.

Foreign citizens who arrived as tourists the period of stay may be extended in special cases (owing to illness, registration of the marriage with the citizens of the Republic of Kazakhstan, natural disasters) for the required period on the basis of confirmation documents.

53. Authorities of the internal affairs there shall be drawn up extension of visa validity period and registration of passports of the foreign citizens:

- 1) who arrived in the Republic of Kazakhstan by line of the accepting organizations, as well as those who entered at the invitation of specialists of the permanent foreign representation offices in the Republic of Kazakhstan – on the basis of written applications of these organizations and representative offices;

- 2) who arrived in the Republic of Kazakhstan on private matters – on the basis of personal justified applications of foreign citizens and applications of the inviting persons.

Besides the mentioned applications and appeals, to the authorities of internal affairs there are provided the passports and documents for payment of the state duty.

5. Issue to the foreign citizens of documentation for the right of permanent residence in the Republic of Kazakhstan

54. Foreign citizens, who obtained permission, as well as residence permit, issued by the internal affairs authorities are recognized as permanently residing in the Republic of Kazakhstan. Foreign citizens staying in Kazakhstan for a temporary period may apply a petition for permanent residence.

55. The documents for the right of permanent residence in the Republic of Kazakhstan are: for the foreign citizen - residence permit in Kazakhstan of the foreign citizen, for the person

without citizenship the certificate of the person without citizenship, which are issued by the authorities of the internal affairs in case there are available the grounds to apply for permanent residence.

56. Applications concerning issuance of the permanent residence permit in the Republic of Kazakhstan are submitted by foreign citizens who stay for a temporary period in Kazakhstan by foreign citizens directly in the authorities of internal affairs by place of stay.

In order to obtain the permanent residence permit the foreign citizen provides to the municipal regional authorities of internal affairs by place of stay, and in the cities of Astana, Almaty and in other regional centres of the Municipal department of internal affairs, Department of internal affairs:

- 1) application – questionnaire (appendix 2);
- 2) written consent of the state of its citizenship;
- 3) curriculum vitae;
- 4) valid passport or the document of the person without citizenship;
- 5) the reference about previous conviction and about the absence of the non-performed obligations, legalized in the Ministry of foreign affairs of the Republic of Kazakhstan and issued by the competent authorities of the state of citizenship or/and former permanent residence (for persons without citizenship, as well as foreign citizens that arrived from the third countries);
- 6) official reference of the standard sample about the medical examination of the foreign citizen and the members of his family;
- 7) reference from the main tenant concerning the availability of the lodging area for the foreign citizen.

57. File with permanent residence arrangements of the foreign citizen, containing the conclusion of the municipal regional authority by check up results by place of stay, shall be sent to the Department for migration police of the Municipal department of internal affairs, Department of internal affairs, which after agreement with the authorities of the national security make a motivated conclusion.

In case of positive decision the foreign citizens will receive the documents for the right of permanent residence in the Republic of Kazakhstan.

58. Applications for issuance of the permanent residence permit in the Republic of Kazakhstan forwarded by foreign citizens, who entered Kazakhstan as per the immigration quota, will be supplied directly to the territorial divisions of the Agency of the Republic of Kazakhstan for migration and demography.

In order to receive the permanent residence permit the foreign citizen, that arrived to the Republic of Kazakhstan in accordance with immigration quota, submits to the divisions of the Agency of the Republic of Kazakhstan for migration and demography by place of stay the following documents:

- 1) valid passport or return certificate;
- 2) application –questionnaire;
- 3) curriculum vitae;
- 4) official reference of the standard sample about the medical examination of the foreign citizen and members of his family.

In relation of the foreign citizens, who arrive in the Republic of Kazakhstan in accordance with immigration quota, regional divisions of the Agency of the Republic of Kazakhstan for migration and demography is to be submitted to the authorities of the internal affairs conclusion concerning the possibility of their labour, housing and other facility construction in the respective administrative territorial area, which serves as a basis for issuance of documents to them for the right of permanent residence.

In case the repatriants (oralmans) file the applications simultaneously with petitions on acceptance of them in the citizenship of the Republic of Kazakhstan, which fall under the effect of the Decree of the President of Kazakhstan

“For the order of issues settlement related to citizenship of the Republic of Kazakhstan”, documents for the right of permanent residence may not be issued.

59. Repatriants (oralmans) are obliged to notify about the change of the place of residence the territorial divisions of the Agency of the Republic of Kazakhstan for migration and demography.

60. When issuing the permanent residence permit in the Republic of Kazakhstan the procedure may be rejected in cases as follows:

1) foreign citizens deliberately enter the country through non-legal ways, as well as foreign citizens, who are pursued for committing the crimes under the legislation of the countries, where they originate from;

2) foreign citizens, released from prison, whose permanent place of residence prior to committed crime was outside Kazakhstan;

3) foreign citizens who committed the crimes against the humankind or who have stained their names by direct or indirect participation in them;

4) foreign citizens who have fallen ill with catching disease, that may cause the epidemics on the territory of the Republic of Kazakhstan in accordance with the conclusion of the health care authorities and other authorised bodies of the Republic of Kazakhstan;

5) foreign citizens, who violated the legislation about the legal status of foreign citizens in the Republic of Kazakhstan on the basis of motivated decision of the authorities of internal affairs and the national security.

In case of any refusal to issue the permanent residence permit in the Republic of Kazakhstan a complaint may be made in the higher authorised institution, to the attorney or at the courts.

61. Residence permit in the Republic of Kazakhstan of the foreign citizen is to be issued by the authorities of internal affairs by place of permanent residence of the foreign citizen on reaching the 16-year old age for the passport validity period, but not more than 5 years. Persons without the citizenship, identity cards of the person without citizenship are issued on reaching of the 16 year old age, and in further on reaching 25 and 45 year age.

62. Applications concerning extension of the validity period of the available or about the issuance of the new type of residence permit should be submitted by the foreign citizens to the authorities of internal affairs by place of residence not later than 60 days prior to expiration of the validity period of the residence permit, and in case it is lost – not later than three days.

Persons who cannot within the specified period to submit the residence permits for prolongation and substitution in connection with the illness, heads of the municipal regional bodies of internal affairs are obliged to inform the Department of internal affairs with the argued reference. All residence permit types and other materials are to be sent after the named persons recover.

63. Foreign citizens, who are permanently residing in Kazakhstan, who within six months from the date of completion of the validity period of all available passports do not present new or prolonged documents, authorities of internal affairs on the basis of the conclusion will issue the identification cards of the persons without citizenship.

Identification card of the person without citizenship, in case its holder presents the valid passport to the authorities of internal affairs the valid passport, shall be replaced with residence permit of the foreign citizen in the Republic of Kazakhstan.

64. Foreign citizens, who are permanently residing in Kazakhstan, are subject to registration by place of permanent and temporary residence in the order, provided for by legislation for citizens of the Republic of Kazakhstan. When the foreign citizen changes his address his file shall be requested from the authority of internal affairs where he was registered.

65. In order to receive or replace the residence permit the foreign citizens submit to the authorities of internal affairs:

1) application of the specified form (appendix 9);

2) valid passport (for foreign citizens);

3) four photos of a format 33x43 mm;

4) receipt of a paid state duty.

66. Documents to draw up the residence permits are to be taken from the foreign citizens:

1) residing in the regional centres – Municipal Department of internal affairs, Department of internal affairs;

2) residing in other areas-municipal regional bodies of internal affairs (police departments).

67. Residence permit in the Republic of Kazakhstan of the international citizen and identification card without citizenship are to be made up in accordance with the regulatory legal enactments of the Ministry of internal affairs of Kazakhstan, which regulate the order of issuance of the identification documents.

68. In case of lost residence permit, the authorities of internal affairs by place of permanent residence of the foreign citizen in Kazakhstan there will be accepted the application about the issuance of the new residence permit. In the application there should be specified the circumstances, time and place of lost residence permit.

During the procedure of registration of the foreign citizens, which substituted the residence permits or receiving the documents instead of lost ones, there will be put the date of registration specified in the primary documents.

69. Residence permits and identification cards of the persons without citizenship are subject to hand over to the authorities of internal affairs by the following persons :

1) who are admitted to the citizenship of the Republic of Kazakhstan when they are given the passport of the Republic of Kazakhstan;

2) in case of death of the holder (authority of the Civil Registry office sends his documents to the authorities of internal affairs, where the deceased was registered);

3) in case of replacement of the old residence permit with the new one.

Residence permit shall be handed over to the authorities of the internal affairs also in case of departure of the holder outside the Republic of Kazakhstan.

6. Traveling of the foreign citizens through the territory of the Republic of Kazakhstan

70. Foreign citizens may freely move throughout the territory of the Republic of Kazakhstan, open for the visits by foreign citizens.

71. Foreign citizens, who are staying for a certain period in the Republic of Kazakhstan, shall notify legal and physical entities receiving them of their trip to other regions of the republic. Host organizations notify of this the authorities of the internal affairs having specified the station of departure, period and address of temporary stay at the station. In case of departure for the period of more than 10 days in the registration loose leaf it is necessary to put the note “departure to... (specify the destination, for instance: Atyrauskaya oblast)”. In case of departure to closed regions (appendix **10**), it is necessary to get approvals from the authorities of the national security, and then to have the due permit made up (appendix **11**).

Registration by place of new temporary stay of the foreign citizen is to be carried out by the register (Appendix **5**).

Permits providing entry of the foreign citizens to specific areas (territories), that are closed to the access by the foreigners, including transportation by personal or service motor cars, shall be issued by the authorities of internal affairs after due approvals by the authorities of national security are obtained:

1) to those who arrived in the Republic of Kazakhstan by the line of Kazakhstani receiving organizations – on the basis of the written applications of these organizations;

2) to those who arrived by line of the permanent foreign representative offices, for private cases, and also to permanently residing in the Republic of Kazakhstan – on the basis of their personal applications.

In there are any grounds there may be made up permissions for multiple trips.

Permissions (permits) for the trips to the closed regions issued to the foreign citizens, who arrived to the Republic of Kazakhstan by the line of receiving organizations and for private cases, shall be issued within 20 days from the moment of receipt of the written applications, having specified the dates of stay in these regions.

In the emergency cases (death of relatives, serious illness – to be confirmed by documentation) permission are to be issued immediately with further informing of the authorities of the national security.

72. Foreign citizens, transported by personal or service motor transport, and also carrying out the international motor car transportations, will move freely by motor roads on the territory, open for access by the foreigners. Transportation of them by motor roads, running through the territory, **which is closed for access of the foreigners**, shall be carried out in case there is available the permit of the authorities of the internal affairs as agreed by the authorities of the national security.

73. Foreign citizens, who are residing permanently in the Republic of Kazakhstan, when moving for the permanent residence to the areas that are close to the access of foreigners should get the permit of the authorities of internal affairs by place of residence. Permission to move to another region shall be agreed with the authorities of the national security. Personal files as a consequence will be sent to the authorities of internal affairs by place of residence for entering to the registration.

7. Order of the transit transportation of the foreign citizens through the territory of the Republic of Kazakhstan

74. Transit transportation of the foreign citizens through the territory of the Republic of Kazakhstan to the destination country by air, railway, motor car and naval transport is allowed in case they have available the documents, valid for entry to the third party and respective permits (tickets) with confirmation in them of the date of departure from the change terminal on the territory of the Republic of Kazakhstan, not later than 72 hours from the moment of arrival to the port, station, air port building, bus station, located on the territory of the Republic of Kazakhstan.

75. Foreign citizens, passing through the territory of the Republic of Kazakhstan by transit to the countries, that have with the state of their citizenship agreement on the visa-free entry, are obliged to have the transit visa of the Republic of Kazakhstan.

76. Foreign citizens, passing through the territory of the Republic of Kazakhstan by transit, are transported to the frontier departure terminal from the Republic of Kazakhstan by the specified route.

In case the transit trip is used for tourist purposes by personal car or within the structure of the group by bus, the foreign citizens are obliged to move by the specified routes.

77. Foreign citizens who wish to alter the transportation route and the frontier terminal of departure from the Republic of Kazakhstan, are obliged to obtain decisions for that permission of the authorities of internal affairs.

In case the supposed route passes through the regions closed for access by the foreigners the issue should be agreed with the authorities of the national security.

In case the foreign citizen applies by this issue he is to submit to the Municipal Department of internal affairs, Department of internal affairs the passport with the Kazakhstani transit visa and the written application having specified the reasons, that caused necessity to alter the

transportation route and the Check in Post of departure, and also the route of the supposed communication and the Check in Post of departure.

78. Foreign citizens, passing through the territory of the Republic of Kazakhstan by transit by the motor transportation means, including those that carry out international motor car cargo transportation, will be transported only by roads, open for international motor car communication.

79. Foreign citizens, who are transported by trains, that run through the territory of the Republic of Kazakhstan, have right to get off the train at the stations during the stand period of the trains. They are not allowed to go far outside the station and leave the railway platform area.

80. Foreign citizens, passing by transit and making the forced stop on the territory of the Republic of Kazakhstan for the period of more than 72 hours, are obliged within the next day from the moment of stop to have the permission made up in the authority of internal affairs to stay in the Republic of Kazakhstan. Drawing up of the forced stop of the foreign citizens on the territory of the Republic of Kazakhstan may be carried out in the following cases:

1) in the circumstances of the natural disasters, at the result of which the way of the trains, motor transportation means, vessels or aircraft is blocked;

2) for the repair of the motor transportation means, damaged at the result of failure of some of its parts or road accident;

3) in case of disease, when by the conclusion of the doctor further transportation of the ill person seems to be dangerous for his health. In the case members of the family or accompanying persons who are transported together can stay by the side of the ill person;

4) in case of any delays during change from one transport type to another at the central terminal.

The forced stop provides the foreign citizens with the right to stay only in the city line or other inhabited station, where it is available, for the period until the failure that caused the forced stop is eliminated.

81. Registration of the foreign citizens, who made the forced stop, is to be carried out by the authorities if internal affairs on transportation.

In order to register the forced stop the foreign citizen should submit to the authorities of internal affairs the following documents:

1) personal written advice concerning drawing up of a permission for the stop;

2) passport with a visa;

3) reference of the respective Kazakhstani organization or the institution, which confirms the reasons and duration of the delay on the communication route.

82. Validity period of registration is to be determined by the time which is necessary for elimination of the failure that caused the forced stop.

Registration of the passports of the foreign citizens, who are on the treatment at the hospitals, is to be done after they are discharged from a hospital. Members of their families or persons accompanying them have registration of their passports done within the whole day starting from the moment of forced stop for the period specified in the reference of the medical institution, necessary for treatment of the ill foreign citizen.

83. Departure from the Republic of Kazakhstan of the foreign citizens who made the forced stop on the territory of the republic for the time period not more than 72 hours is allowed without any prolongation of the transit visa by the authorities of internal affairs.

8. Bringing of the foreign citizens, officials, receiving organizations and other citizens of the Republic of Kazakhstan to liability for infringement of the Regulations of entry and stay of the foreign citizens in the Republic of Kazakhstan

84. Violation of the Regulations for entry and stay of the foreign citizens in the Republic of Kazakhstan causes the liability provided under legislation.

85. For the foreign citizen, the official of the receiving organization or the citizen of the Republic of Kazakhstan, who allowed violation of the Regulations for entry and stay of the foreign citizens in the Republic of Kazakhstan, the officer of the authorities of the internal affairs makes up the protocol about the administrative delinquent (Appendix **12**) with the detailed statement of the character and circumstances of violation. In case any passport data are included, that identifies the delinquent, there are specified the following data about registration: number, authority of internal affairs, registration validity period.

In those cases when the foreign citizen does not speak or speaks poorly the Kazakh or Russian languages, during the protocol drawn up procedure interpreter's assistance is obligatory.

86. Foreign citizens violating the established Regulations and in cases when they have no grounds to continue their stay, may happen to be reduced their period of stay in the Republic of Kazakhstan.

Decision concerning reduction of the period of stay in the Republic of Kazakhstan is to be taken by the heads of the divisions of migration police of the Ministry of internal affairs, state department of internal affairs, department of internal affairs or their deputies by written petitions of the receiving organizations, by the line of which there were invited or came on their own initiative the foreign citizens to the Republic of Kazakhstan.

87. Written petitions concerning reduction of the period of stay in the Republic of Kazakhstan of the foreign citizens and validity of registration of their passports administration of the receiving organizations shall submit to State department of internal affairs, Department of internal affairs not later than 48 hours after the issuance of the precept concerning the dismissal from the office or expulsion from the educational institution of foreign citizens.

88. Decisions concerning reduction of the period of stay in the Republic of Kazakhstan of the foreign citizens may be taken on the basis of representations and reports of the employees of the authorities of internal affairs, national security, and also on the basis of prescriptions of the authorities of the Public Prosecutor's office.

The basis for reduction of the period of stay in the Republic of Kazakhstan of the foreign citizens who are there by the line of the permanent foreign representative offices, also may be the written petitions of these representative offices or Kazakhstani organizations where such representative offices are accredited.

89. Decisions concerning reduction of the period of stay of foreign citizens in the Republic of Kazakhstan in all cases will be drawn up by written instructions of the directors of the divisions of migration police of the Ministry of internal affairs, State department of internal affairs, department of internal affairs and their deputies, directors of municipal regional authorities of internal affairs.

90. Reduction of the period of stay in the Republic of Kazakhstan of the foreign citizens will be carried out for the period specified in the petitions of the Kazakhstani organizations. That period for persons arrived to the Republic of Kazakhstan for private affairs or by the line of permanent foreign representative offices in the Republic of Kazakhstan shall be determined by the bodies of internal affairs taking into account the time necessary for acquisition of the return tickets and to travel up to Check up Post.

91. Foreign citizens having the entry –exit visas, valid for departure from the Republic of Kazakhstan, drawing up of the reduction of the period of stay in the Republic of Kazakhstan shall be effected by way of stamping (appendix **13**).

92. The moment the passports are delivered to the foreign citizens it is declared (to the arrived by the line of the receiving organizations – through representatives of these organizations), that the period of their stay in the Republic of Kazakhstan has been reduced and they are obliged within the specified period to depart from the Republic of Kazakhstan, and in case they do not leave the country the authorities would have them deported from Kazakhstan.

93. Foreign citizen may be deported outside the Republic of Kazakhstan:

1) in case his actions run counter to interests of providing of the state security or protection of the public order;

2) in case it is considered necessary for the health and morals of the population, protection of the rights and legal interests of the citizens of the Republic of Kazakhstan;

3) in case if he violated the legislation about the legal status of the foreign citizens in the Republic of Kazakhstan, customs, currency or other legislation of the Republic of Kazakhstan.

94. Written petitions on deportation of the foreign citizens, who arrived in the Republic of Kazakhstan by the line of the receiving organizations, shall be submitted by these organizations directly to the Ministry of Internal Affairs, State department of internal affairs, department of internal affairs, authorities of the national security immediately in case there are available the grounds, provided for under legislation of the Republic of Kazakhstan.

In case there are any grounds, provided for under legislation of the Republic of Kazakhstan, materials for deportation of such foreign citizens may be drawn up by the authorities of the internal affairs or the authorities of national security on their own initiative. In these cases as well as in case of deportation from the Republic of Kazakhstan of the foreign citizens permanently residing, and who are in the Republic of Kazakhstan on private affairs or by line of permanent foreign representation offices in the Republic of Kazakhstan, materials for materials for deportation shall be drawn up and considered on the basis of representations and reports of these authorities.

95. Decisions concerning the deportation of foreign citizens, who are dealing with the intelligence activities, collection, distribution of materials of the bias, slanderous information, which violate the currency and customs legislation, or allowing other actions, which contradict the interests of providing of the state security, in cases when there are no grounds for bringing to criminal liability, shall be taken by the Committee of National Security of the Republic of Kazakhstan as agreed with the General Public Prosecutor's office having notified of these decisions the Ministry of internal affairs, Ministry of foreign affairs of the Republic of Kazakhstan.

96. When determining the period of departure of the deported foreign citizens there should be taken into account as follows:

1) periods of effect of the foreign exit and transit visas;

2) it is necessary that the deported should settle accounts with the enterprise, educational institution or the department;

3) time for realization or transfer of the property which cannot be exported from the Republic of Kazakhstan.

97. Members of the families of the deported who are the citizens of the Republic of Kazakhstan, who wish to depart from the Republic of Kazakhstan together with the deported foreigners, it is clarified that the issue concerning its departure Republic of Kazakhstan they may resolve in the order established by legislation. Consideration of such issues cannot influence the dates of deportation of the foreign citizens.

98. On the visas, issued to the foreign citizens deported from the Republic of Kazakhstan who are staying in Kazakhstan temporarily, there shall be written "Deportation".

99. Foreign citizens, in relation of which there taken the decisions concerning the deportation, who evade from departure from Republic of Kazakhstan within a date, specified by the authorities of internal affairs, or evading from them, by the sanction of the prosecutor are subject to detention for the period, necessary for forced deportation (under convoy). Содержание of the persons who are subject to deportation shall be carried out in the probationary ward,

reception wards for administrative detained or distribution wards (no matter the documents are available or not).

100. Detention and deportation of foreign citizens in the forced manner (under convoy) is to be carried out in accordance with the enactment of the Ministry of internal affairs, State department of internal affairs, department of internal affairs, regional department of internal

affairs, sanctioned prosecutor of the republic, oblast, region (in the cities of Astana, Almaty – prosecutors of the cities) by place of stay of the deported from the Republic of Kazakhstan, or by decision of the court. Besides this, on the persons, subject to deportation and hand over through the state border, it is necessary to submit ty following documents:

1) conclusion concerning the deportation from the Republic of Kazakhstan in two copies (appendix **14**);

2) list of persons, deported for violation of the specified Regulations, verified by visa seal (in two copies);

3) identification document;

4) for persons who have no identification documents –reference, confirming the person’s identity or the return certificate, received from the embassy of the foreign states through the Ministry of foreign affairs of the Republic of Kazakhstan.

At the same time conclusion on deportation, which substitutes the exit visa, serves as the basis for exit of the foreign citizens outside the Republic of Kazakhstan.

101. Expenses related to deportation shall be incurred by deported foreign citizens, or receiving organizations or private persons, and in exceptional cases authorities of internal affairs.

102. With the permission of the prosecutor, who sanctioned the enactment for deportation, there are satisfied the requests of the foreign embassies and consulates about organization of the meeting of their representatives with the detained foreign citizens, who are subject to deportation from the Republic under convoy. Messages about such meetings permitted are sent to Ministry of internal affairs, state department for internal affairs, department of internal affairs from the Ministry of foreign affairs of the Republic of Kazakhstan. Meetings shall be arranged with participation of the prosecutor, officer of Ministry of internal affairs, state department for internal affairs, department of internal affairs and the officer of the Ministry of foreign affairs of the Republic of Kazakhstan, and for the cases, related to the competence of the authorities of the national security – with participation of their representative, and duly compiled records of the conversation.

Issue concerning the liability for violation of the present Regulations of the foreign citizens, who make use of the privileges and immunities in accordance with the legislation of the Republic of Kazakhstan and the international agreements of the Republic of Kazakhstan, and also about reduction of the period of their stay on the territory of the Republic of Kazakhstan, is allowed by diplomatic channels.

9. Consideration of applications of foreign citizens in case of lost passports and exit documents

103. In case of the lost personal passport or any substitution document the foreign citizen should immediately apply for the municipal regional authority of internal affairs with application where he sets forth in every detail, when, where and under what circumstances the passport was lost. On the basis of the application of the foreign citizen the municipal regional authority of internal affairs will issue a reference to him (appendix **15**) of the standard form.

On the basis of the issued reference the foreign citizen receives in the representative office of the state of his citizenship the new passport or the document (certificate) for return, in which the body of internal affairs will draw up the exit visa.

Persons, who arrived at the invitations of the receiving organizations, apply to the authorities of internal affairs through these organizations.

10. Personal registration of the citizens in the authorities of internal affairs

104. Authorities of internal affairs run the personal registry of the registered foreign citizens, on the basis of which the control is maintained over observance of the regulations of legislation of the Republic of Kazakhstan concerning the legal status of the foreign citizens.

105. Personal registration of the foreign citizens of the subdivisions of the migration police of the Ministry of internal affairs, state department of internal affairs, departments of internal affairs of the oblasts and municipal regional authorities of internal affairs is to be carried out in the alphabetic–reference order and by special card indices, created of the registration cards (appendix **8** and **16**).

106. Registration of the foreign citizens in the Ministry of internal affairs of the Republic of Kazakhstan is to be filed as per:

1) alphabetic-reference card index–for the permanently residing and previously residing foreign citizens, and also the refugees and the repatriants (oralmans);

2) special card index, created of the registration cards–for the foreign citizens, issued to the foreign state, convicted and contained in the penitentiary of the Republic of Kazakhstan (appendix **16**).

107. Registration of the foreign citizens in the Department of the internal affairs of Astana city, state department of internal affairs of Almaty city, ГYBД, YBД, oblasts is to be files as per:

1) alphabet –reference card indices- for the foreign citizens, refugees and repatriants (oralmans), who permanently reside and reside on the territory of the oblast, city,as well as foreign citizens, who arrived from abroad or other places of republic for the permanent residence by the private, service affairs, for study, jobsite practice, skills enhancement courses, work in accordance with the intergovernmental agreements, and also for holidays, treatment, in case their passports are registered in the authorities of internal affairs;

2) special card index – for the actually residing foreign citizens for citizenship. This card index is created of the registration cards: for the foreign citizens - by citizenship, for persons without citizenship – by the former citizenship, which are arranged in the alphabet order separately for each category of the citizens;

3) special card index–for the foreign citizens, issued to the foreign state, convicted and sent to the penitentiary for penalty period, and also the foreign sitizens, brought in to administrative liability, which is created of registration cards (appendix **16**), arranged by the alphabet of surnames or citizenship.

108. In the divisions of the migration police of the municipal regional authorities of internal affairs (police departments) the file of foreign citizens is kept, actually residing on the serviced territory.

Control over the periods of stay shall be carried out by the registration cards (appendix **8**) and special registers (appendix **5**).

Persons residing in the Republic of Kazakhstan on a permanent basis, and also arrived for the period of more than 1 year, shall be registered by the card index. Persons who temporarily came for the period of about 1 year shall be registered by register of registration.

Precinct police inspectors in order to control the periods of stay of the foreign citizens use the mentioned registration type, and also they keep the list registration of the foreign citizens, who permanently reside on the services area and arrived for the period of more than one year.

Every month in the department of internal affairs there are provided the following data:

- 1) about the number of the foreign citizens registered in the municipal regional authority;
- 2) about the number of the temporarily staying foreign citizens, actually residing on the territory of the region(city);
- 3) about the number of permanently residing foreign citizens;

4) about the number of foreign citizens brought in to criminal and administrative liability.

109. In the alphabet–reference type card index the registration cards are arranged strictly in alphabetic order. For persons who have similar surnames, the cards are arranged by name in alphabetic order, for those who have got similar surnames and names, the cards are arranged by alphabet of patronymics, for those having similar surnames, names and patronymic – the cards are arranged by birth dates (from the eldest up to the younger), and in case if the birth dates coincide, the cards are arranged in addition by citizenship, place of birth – the country where the person was born.

For persons who have several surnames, also for persons who changed the surname, the registration cards are to be prepared for each surname. All columns to be filled in on each card and all surnames are to be indicated, and for those who changed the surname-there are indicated the old and new surnames.

For example, in the case of a person whose surname is Shults, he is also Schmidt, he is also Geyman, it is required to draw up three cards:

First card – Schults, he is also Schmidt, he is also Geyman;

Second card - Schmidt, he is also Schults, he is also Geyman;

Third card - Geyman, he is also Schults, he is also Schmidt.

Surname, first name, patronymic of the foreign citizen are to be entered to the registration card in such manner as they are indicated in the national passports and indicating the same alphabet letters (Latin). Pay attention to the order of records: 1 –surname, 2 – first name, 3 – patronymic (father’s name, second name).

The registration cards of the foreign citizens also have photos attached.

110. Department of internal affairs of Astana city, Municipal department of internal affairs of Almaty city, Municipal department of internal affairs – department of internal affairs of oblasts for persons, registered in the Ministry of internal affairs of the Republic of Kazakhstan there are prepared the registration cards in two copies, one of which within 72 hours starting from the moment of its drawing up shall be sent to the Ministry of internal affairs, the second one – is to be filed to the card index of the Municipal department of internal affairs, department of internal affairs. In case any additional data are supplied or the data undergo some changes, that should be also indicated in registration, in the cards of the alphabet and special cards of the department of internal affairs required entries are to be made.

-At the same time for the persons, registered in the Ministry of internal affairs of the Republic of Kazakhstan, there are notifications sent concerning the changes in registration of the foreign citizens (appendix 17). The notifications shall be sent to the Ministry of internal affairs of Kazakhstan in the same order by which the registration cards are sent.

Notifications are to be sent:

1) in case the place of permanent residence is changed within the area of the Republic of Kazakhstan (notifications to the Ministry of internal affairs are to be sent from Department of internal affairs, to the territory of which foreign citizens arrived);

2) in case of extradition of foreign citizens to the foreign state, bringing to criminal liability and conviction;

3) in case of change of the surname, name, patronymic and date of birth of the foreign citizen;

4) in case the quest of the foreign citizens is declared, quest results notifications ;

5) withdrawal from registration.

111. Withdrawal of the foreign citizens from registration of the authorities of internal affairs shall be carried out on the basis of documentation, which confirm their withdrawal from the territory of the authority of internal affairs. Such documents are as follows:

1) report presented by the precinct police inspector concerning departure abroad for permanent residence of the person, who has drawn up exit documents;

2) notifications sent by organizations about the foreign citizens, who left home for their leave or vacations and so far did not return;

3) notification about registration of the foreign citizens in other authorities of internal affairs;

4) decrees of the President of the Republic of Kazakhstan for admission of the foreign citizens to citizenship of the Republic of Kazakhstan, conclusions of the authorities of internal affairs on recognition of the foreign citizens as citizens of the Republic of Kazakhstan;

5) certification from the Civil Registry office about the death of the foreign citizens.

On the registration cards of the foreign citizens who are residing in the Republic of Kazakhstan on a permanent basis, in case of any withdrawal from registration there should be recorded the reasons for withdrawal from registration, and the documents, which were used as a basis for making the entry, should be filed to the personal dossiers.

112. For each foreign citizen, convicted for imprisonment, Department of internal affairs, Municipal Department of internal affairs, where the convict was registered, are obliged after the verdict is enforced to send to the prison administration a special notification (appendix **18**). In case if the foreign citizen is convicted on the area under the competence of other departments of internal affairs, these authorities are obliged to inform of his conviction and enforcement of the verdict in the department of internal affairs, where the convict is registered.

When the foreign citizen is released from custody jail administration is obliged to send the mentioned notification to the department of internal affairs, to the territory of which the released is transported, having specified in it the date of release and the number of the issued reference.

In case of repeat offender persons sent to the penitentiary the jail administration is obliged to inform about them the department of internal affairs having sent the notification indicating the date, the prosecution brought and the term of repeat imprisonment of the person specified in the notification.

For foreign citizens who died in prison, notification together with the copy of the death certificate are to be sent to the department of internal affairs, where the convict was registered. In such case there is sent the notification about persons who departed abroad.

Check up of citizenship of the imprisoned persons is to be carried out by the Migration Police Department of the department of internal affairs by place of imprisonment of the convict in the established order.

About the imprisoned persons, who declare about their affiliation with the foreign citizenship, in case in the personal files of the convicts there are no confirmation documentation available, jail administration is obliged to inform the Department of internal affairs by place of permanent residence of the convict to check his citizenship. Such check up should be carried out prior to release.

113. By the rules of migration police divisions of the of the department of internal affairs there are kept personal dossiers for each foreign citizen, residing on a permanent basis in Republic of Kazakhstan, by place of their registration.

Classified documents, filed to dossiers, as well as packages with personal documents are obligatory to be included to the list of documents, available in the dossier. In that case on the cover of the dossier there is an indication "Top secret" and respective entry is to be made to the personal dossier registration book.

Personal and group dossiers for foreign citizens should be registered in the dossier registration book (appendix **19**).

The ordinal number by the book is at the same time the ordinal number of the dossier, which is to be indicated on the dossier cover and on the registration cards.

Personal dossiers for foreign citizens are retained in the premises that provide due storage of the papers.

Each time the dossiers are sent to other authorities an entry shall be made to the dossier register book and on registration cards.

114. For foreign citizens, who arrived in the Republic of Kazakhstan for temporary stay personal dossiers shall not be compiled. All correspondence, related to such persons, is to be filed to the group files, compiled for certain categories of citizens. Group dossiers may be compiled by the following signs:

1) by ministries, departments, which receive the foreign citizens in the Republic of Kazakhstan;

2) by states, where such foreign citizens arrive from;

3) by purposes of entry to the Republic of Kazakhstan;

4) by administrative regions, where the foreign citizens arrive.

Group dossiers are registered and retained in the same order as the personal dossiers.

115. In the municipal regional authorities of internal affairs (police departments) personal dossiers of foreign citizens shall not be compiled. All materials and documentation related the stated persons, shall be sent to the Department of internal affairs in order to be filed to the personal dossiers.

In order to maintain correspondence with the department of internal affairs, by the matters related to foreign citizens, in the municipal regional authority of internal affairs (police departments) a specific dossier is to be compiled which has a number attached as per the files nomenclature.

116. Archive personal dossiers for foreign citizens are to be retained within the period as follows:

1) for those who departed abroad for permanent residence and for the diseased – 10 years;

2) for those who was withdrawn from citizenship of the Republic of Kazakhstan or who has withdrawn from citizenship – permanently;

3) for those who was deported from the Republic of Kazakhstan - 10 years;

4) for those admitted to citizenship of the Republic of Kazakhstan - permanently;

5) for those, whose citizenship has been checked by the authorities of internal affairs – permanently.

Registration cards for those persons (except those who are deported from the Republic of Kazakhstan) are retained permanently. Registration cards for foreign citizens, deported from the Republic of Kazakhstan are retained within 10 years.

Registration cards for the persons brought in to administrative liability are retained during one year from the moment of bringing of the foreign citizen to administrative liability, and the imprisoned persons-one year from the moment of release from prison.

Group dossiers are to be retained within two years after departure from the Republic of Kazakhstan of the persons who the dossiers were compiled for.

Registration cards for foreign citizens, in relation to whom the materials were run by the group dossiers, are to be retained within two years.

Registration cards for foreign citizens, who married to citizens of the Republic of Kazakhstan, and also for all foreign citizens, who died on the territory of the Republic of Kazakhstan, are subject to permanent storage.

117. Destruction of the personal dossiers compiled for foreign citizens is done as per the final acceptances, drawn up by special commission, approved by the head of the municipal department of internal affairs, department of internal affairs or their deputies.

This commission also includes the representative of the authorities of national security.

Protocols on destructed personal dossiers are subject to permanent storage. On the registration cards and the dossiers register books it is necessary to indicate the date of dossier destruction and the place where the protocols of destruction are stored.

118. Dossiers containing any foreign documentation, data on education, professional experience, military service, papers about registration of the civil status, protocols and documents which confirm sending or transfer of the values, belonging to persons, who the dossiers were

compiled for will be destructed only in exceptional cases by certain protocols after they are studied in the respective authority of national security.

119. Dossiers which represent the historical value are to be sent for storage to certain state archives having enclosed to them references on present status of the persons, who the files were compiled for.

120. Application forms–questionnaires, registration cards and other documents, provided for under the present Instruction, except forms of the residence permit and invitations, are to be prepared by the Municipal department of internal affairs, department of internal affairs.

11. Basic trends of control of the authorities of internal affairs over observance by the foreign citizens of the Regulations of entry and stay of foreign citizens in the Republic of Kazakhstan

121. Control over observance of the requirements of the Regulations for entry and stay of the foreign citizens in the Republic of Kazakhstan by foreign citizens, persons without citizenship, and also by the officials and citizens of the Republic of Kazakhstan is carried out by the authorities of internal affairs in cooperation with the authorities of national security and with the enterprises, departments and private entities, who receive and service the foreign citizens.

Organization of this work in the municipal regional authorities is laid upon the heads of these authorities, in the Department internal affairs, department of internal affairs respectively for one of the deputies head of the department.

122. Ministry of internal affairs, department of internal affairs, municipal department of internal affairs when cooperating with divisions of the authorities of national security carry out control over providing by the administration of the enterprises, organizations, educational institutions of the terms of stay of the foreign citizens in the Republic of Kazakhstan and organizes its activities by the following basic trends:

1) clarification to administration of the current legislation requirements on the legal status of the foreign citizens in the Republic of Kazakhstan and the liability for their violations;

2) rendering of the methodical and practical assistance to the employees of the personnel departments, departments (groups) of external links of the enterprises, organizations, dean's offices for the work with the foreign citizens of the educational institutions, superintendants of the student townships and hostels on the issues of registration of the foreign citizens, control over the period of their stay in the Republic of Kazakhstan, observance of other conditions of stay in the Republic of Kazakhstan;

3) check up of providing by the enterprises, organizations and educational institutions of the conditions for acceptance of the foreign citizens prior to their arrival in the Republic of Kazakhstan with the purpose of organization of the due public order at the places of works and residence of the foreign citizens;

4) providing with mutual information including the authorities of the national security, about the foreign citizens, who allowed different delinquents;

5) check up of the enterprises, organizations and educational authorities, receiving and servicing foreign citizens, on the issues of their timely registration.

Check up will be performed not rarely than once in a quarter by the plan in the established order.

Results are to be reported to the head of authority of internal affairs and messages about them will be sent to the heads of respective department authorities and organizations to eliminate the reasons and conditions, which lead to violations.

123. Municipal department of the internal affairs, department of internal affairs, and the municipal regional authorities of the internal affairs are obliged to organize control to ensure that all foreign citizens staying on the territory of the Republic of Kazakhstan where they are

rendering service there carried out obligations, arisen in relation to the legislation of the Republic of Kazakhstan of their legal status, had available permits for stay in this terminal and the passport, registered in the established order in the authorities of the internal affairs or the Ministry of Internal Affairs of Republic of Kazakhstan and its departments, and the foreign citizens, who are residing on a permanent basis in the Republic of Kazakhstan- valid residence permits. There is also organized the control over observance of the order of movement of the foreign citizens, their timely departure abroad or prolongation of their stay in the Republic of Kazakhstan. On the whole this works form the component part of providing of the public order in the places where foreign citizens stayed.

124. Attending of the flats of the foreign citizens with the purpose of check up by place of their residence is to be carried out in the presence of another officer of the authorities of internal affairs, or with participation of the the representatives of the flat owners cooperative (KCK), of the local administration or other public representative with observed requirements of the legislation of the Republic of Kazakhstan.

Personality of the diplomatic agents and their private residences, furniture items and other suchlike property are enjoying the inviolability and immunity against search, requisition, arrest and executive actions.

125. Reception of foreign citizens is to be carried out in the specifically designed and equipped premises of the migration police divisions.

126. To organize due control the authorities of internal affairs are obliged to get information about the quantity and places of stay of the foreign citizens.

In the municipal regional authorities the following data should be sent:

1) from the department of internal affairs of foreign citizens:

- which are authorized for permanent residence in the Republic of Kazakhstan;
- those who arrived in the Republic of Kazakhstan on private affairs;
- arrived in the Republic of Kazakhstan for the work;

2) from the educational institutions, organizations, enterprises:

- about the foreign citizens, who arrived in the Republic of Kazakhstan on business, for studies, for practical experience, skills enhancement courses, probation, for treatment and recreation.

127. From the authorities of the civil registry office within three days in the department of internal affairs there are sent the notifications about registration of the protocols of civil status of the foreign citizens. Having received a notification concerning dissolution of marriage between the foreign citizens and the citizens of the Republic of Kazakhstan, in case this marriage was considered as the ground for the decision by which the foreign citizen may stay for permanent residence in the Republic of Kazakhstan, Department of internal affairs considers the issue on possibility of any further stay of the foreign citizen in the Republic of Kazakhstan.

128. Supervision over performance of the legislation of the Republic of Kazakhstan, present Instruction, and also in relation to observance of the rights and legal interests of the foreign citizens and legal entities in the in the Republic of Kazakhstan is performed by the Public Prosecutor's office.

12. Basic responsibilities of the divisions of the municipal regional authorities of the internal affairs for performance of control

129. Employees of the operative services and investigatory divisions:

1) when conducting the operative-search and investigation measures, inquest and performance of other service obligations, meeting with the foreign citizens, begin their official actions at first checking his/her passport and entry documents in order to find out, whether this foreign citizen has the permission for stay in the in the Republic of Kazakhstan, this settlement,

region or for transportation by the specified route. Particularly, there should be checked as follows:

- availability of the passport and its validity period;
- visa validity period, certificates (telegrams) about the invitation or residence permit in the Republic of Kazakhstan;
- availability of the loose-leaf about registration in the passport, permit entries of the authorities of internal affairs for stay in the given settlement area or by the transportation route. In case the foreign citizen is accompanied by representatives of the receiving Kazakhstan organizations, enterprises or the citizen, who invited him/her from abroad on private affairs such check up shall be carried out with the help and assistance of the specified persons.

In case there are no documents available which identify foreigners in the established order there will be performed the check up of his/ her identity.

2) when the foreign citizen commits the crime, or suffers from the crime committed in relation to him, or disorderly conduct certain measures should be taken in accordance with legislation of the Republic of Kazakhstan. In case the crime is committed by a person who uses the privileges and immunities, or vice versa the foreign person suffers from the crime committed in relation to him by another person, the data of the identification document of the foreigner should be written down (protocol of the incident to be drawn up), at the same time the specified person will not be detained;

3) in case any applications or messages are received that inform of the disappeared foreign citizens it is important to take immediate measures in the established order to urgently consider the incoming messages and to start investigation.

In the order of special control steps reports regarding the search of the missing foreign citizens are submitted to the managing board of the authorities of internal affairs and the Ministry of foreign affairs of the Republic of Kazakhstan is notified as required;

4) in order to provide due guarding of the public order, of the personal and property security of the foreign citizens they take part in the quarterly and current check up procedures, for performance of the requirements of the legislative enactments regulating the legal status of the foreign citizens in the Republic of Kazakhstan and specified regulations, by enterprises and organizations which accept and service the foreign citizens, paying major attention to issues of delicts prevention in relation of foreign citizens and from their side;

5) informs the migration police divisions of the municipal regional authorities of internal affairs or the department of internal affairs about all identified violations concerning the Regulations for entry and stay of the foreign citizens in the Republic of Kazakhstan and effective measures applied to them in order to take into account the infringers;

6) in case of detention or arrest of the foreign citizens officers of the operative services and investigatory divisions should be guided by the requirements of the Instruction about the order of notification of the foreign diplomatic representative offices of the foreign states on the territory of the Republic of Kazakhstan about the detention and arrests of the citizens of the represented state.

In accordance with the regulations of the Criminal Code and Code of Practice of the Republic of Kazakhstan, extradition detention of the foreign citizens, searched to be brought to the criminal liability, is to be applied by resolution of the prosecutor.

Performed extradition of the foreign citizens in order to carry out the criminal pursuit for the crimes committed on the territory of their country, is to be carried out exceptionally on the basis of the instruction of the Public Prosecutor of the Republic of Kazakhstan or the authorized prosecutor (attorney).

130. Officers of the migration police departments:

1) keep registry of the foreign citizens, residing on the territory of the region, city, as well as violating the Regulations for entry and stay of the foreign citizens in the Republic of Kazakhstan ;

2) clarify the current legislation about the legal status of the foreign citizens in the Republic of Kazakhstan to the officials of the enterprises, departments and organizations, employees of the

railway, naval, river, aviation and motor transportation cashier offices, driver structure of the motor car facilities, and also administration of the hotels, campings, sanatoriums, resort places, tourist bases, and also by Kazakhstani citizens, who invited to the Republic of Kazakhstan the guests from abroad;

3) carry out quarterly check ups of the performance by the officials of the departments, enterprises and organizations, receiving and servicing the foreign citizens, requirements of the legislation about the legal status of the foreign citizens in the Republic of Kazakhstan;

4) organize and with the assistance of the representatives of the receiving organizations, conduct check ups of the hostels of the student townships, hotels, campings, sanatoriums, resort places, tourist bases on the issue of lodging, registration and control over the stay of the foreign citizens;

5) conduct jointly with the precinct police inspectors check up of the foreign citizens residing on a permanent basis, as well as foreign citizens, who arrived without permission of the authorities of the internal affairs, who reside without registration;

6) draw up registration of the passports of the foreign citizens who arrived in the Republic Kazakhstan;

7) within the period not more than 48 hours inform the precinct police inspectors of the lists of persons, who received the invitation to visit the Republic Kazakhstan, for organization of the further control over observance by them of the Regulations for entry and stay of foreign citizens in the Republic of Kazakhstan and timely exit from the the Republic Kazakhstan;

8) within its competence, as determined by legislation of the the Republic Kazakhstan, and interacting with the criminal police service participate in performance of administrative practice, quest and detention of the foreign citizens, who evaded the registry of the authorities of internal affairs, and were not declared for intenational quest for committed crimes;

9) summarize the work results for performance of control over the stay of the foreign citizens in the country, submit the information materials in the administrative authorities, Ministry of Internal affairs, department of internal affairs, and also to the receiving organizations;

10) by enquiries of the state authorities submit the data on affiliation with the citizenship for the inquired persons;

11) carry out within its competence control over the performance of the requirements of the present Instruction by the specialists of other services of the authorities of internal affairs.

131. Precinct police inspectors:

1) keep the list registration of the foreign citizens, residing on a permanent basis on the serviced territory, as soon as possible, but not rarely than once in a quarter, jointly with representatives of the society, check up whether they really reside by the specified address.

Results of the check up procedure shall be reported to the board of the municipal regional authority in tne form of report where inspectors specify the check up date, the performer of the check up procedure, surname, first name, patronymic and residence address of the foreign citizen in question, number and validity period of his residence permit. In case the number of the residing foreign citizens is significant it is allowed to indicate the check up results on the control cards;

2) with the purpose of prevention and identification of the delicts they establish business contacts with the administration and the personnel departments located at the area of the enterprises, departments and organizations, where work foreign citizens residing on apermanent basis;

3) check by plan of the internal affairs authority the personnel departments of the institutions and enterprises with the purpose of revealing of the foreign citizens taken to office, who have no permits to stay in the given area and the permission of the Ministry of labor and welfare of the population of the Republic Kazakhstan;

4) jointly with the employees of migration police periodically carry out on the serviced territory check up of observance of the order of registration of the foreign citizens by the officials of the hotels, campings, resort areas, sanatoriums and other places of stay of foreign citizens;

5) in the housing sector on the serviced area perform the works for identification of the foreign citizens, who reside without registration, as well as citizens who invited foreign citizens for private affairs and who did not provide their due registration, who provided the foreign citizens the housing, transportation means or rendered them other services in violation of the specified Regulations. In case such persons administrative protocols are to be drawn up and reports about them are submitted to directors of the municipal regional authority of internal affairs;

6) participate as soon as possible in check up of the student hostels, where reside the foreign citizens, which are conducted by the employees of the migration police jointly with the employees of the dean's offices for the work with the foreign citizens, superintendants of the student townships and hostels;

7) carry out administrative practice and accept participation in the quest of the foreign citizens who evaded from registry of internal affairs authorities.

132. Employees of the road police:

1) keep registration of the transportation means, that belong to foreign representative offices in the Republic of Kazakhstan, foreign citizens and persons without citizenship, for which there are issued the numbers of special series (appendix **20**);

2) check permission for the right to transport cargoes, way bills, transportation consignment note for the cargo at the drivers of the international cargo motor transportations;

3) to the foreign citizens, who have no privileges and immunity from the administrative jurisdiction, who violated the Road traffic regulations (hereinafter – Traffic regulations), take measures of administrative liability on general grounds.

133. Special attention specialists of road police should pay to the work with the entities who has the diplomatic immunity and priveleges.

In case of stop of the transportation means of the specialists of the diplomatic and equal to them representative offices for infringements of the Traffic regulations, road police inspector is obliged to show due correctness, restraint and to observe the regulations of relationship provided for under the regulatory legal enactments of the Department of Internal affairs.

Road police inspector comes to contact with the foreign citizens and specialists of the diplomatic and equal representative offices only within his own service responsibilities (suppression of the cases of infringement of the Traffic regulations, clarification of the movement terms, about places of night lodging places, gas filling, maintenance of the motor car).

In case there are committed the infringements of the Traffic regulations by the driver of the car with the state number signs of the series “CMD” and “D”, the transportation means will not be stopped by specialists of the road police. In that case a report shall be drawn up with indication of the car model, state number sign, place, time and damage type. Ministry of Foreign Affairs of the Republic of Kazakhstan shall be informed of this fact.

In case the car was stopped for committing *flagrant* (driving a car in drunk condition, wrong driving manner causing road accident situation, exceed of the speed limit, crossing of the intersection with the traffic lights banning signal on, infringement of the railway crossing regulations, and also infringement of traffic regulations, that leads to road accidents (hereinafter – Road accident) *infringement* of the traffic regulations by transportation means, driven by foreign citizens, specialists of the diplomatic and equal representative offices of the foreign states and the international organizations, accredited in the Republic of Kazakhstan, employees of the road police are to be checked for the availability of :

1) passports, registered in accordance with the established Regulations, for specialists and equal representative offices-diplomatic or service passports, or diplomatic, service or consulate cards, issued by the Ministry of foreign affairs of the Republic of Kazakhstan;

2) documents giving the right to drive a car – international or national driving licence which complies with the requirements of the Convention for the road traffic of the year 1968, and also their notarially authenticated translation in Kazakh or Russian languages;

3) certificate for registration of a transportation vehicle, or the international certificate for car registration in the exit country.

When the transportation vehicle is stopped for committing the flagrant infringement of the Traffic regulations and when the driver presents the diplomatic passport, the diplomatic or the consulate cards of the Ministry of foreign affairs of the Republic of Kazakhstan, or UNO passports and its specialized institutions, driving licence shall not be withdrawn, and the transportation means immediately will be set free. In that case a report shall be drawn up having specified the car model, state number sign, place, time and type of the damage. Ministry of the Foreign Affairs of the Republic of Kazakhstan shall be informed of the fact.

In case when the officer of the diplomatic or equal representative office, that allowed the flagrant infringement of the Traffic regulations, did not perform the requirement of the road police employee about the stop of the transportation means, road police officer is obliged to report the data about the place and time of committed infringement, state number sign, model, colour of the motor car and the nature of infringement by way of presentation of the report to the head of the division of the road police and further on in the established order to the Ministry of Foreign Affairs of the Republic of Kazakhstan.

In case the road accident occurred through the fault of the officer of the diplomatic and equal representative office, the officer of the internal affairs takes measures for rendering help to the injured, detention of the infringers that caused the road accident and citizens, finding out the witnesses, keeping the accident situation unchanged, tracks and evidence. Informs the duty team of the road police division or the nearest authority of internal affairs of the road accident.

If the possibility occurs the representative of the diplomatic and equal representative office or the Ministry of Foreign Affairs of the Republic of Kazakhstan may be invited to the place of road accident.

Motor cars, which are driven by the officers of the diplomatic and equal representative offices, shall not be detained without their consent even when their drivers come to be guilty in the accidents. In case the driver or someone of the passengers is unwilling to be present during the procedure of the compiling facts of the road accident, the officer of the internal affairs authorities records all necessary information about the infringer and let him go.

The entry is to be made to the protocol about the reason of absence of the driver and the witnesses.

Protocol about the Road accident occurred through the fault of the officers of the diplomatic and equal representative offices, are to be sent to the board of the Road Police Department of the Municipal Department of internal affairs, Department of internal affairs, copy of which after the investigation is conducted is to be sent to the Ministry of Foreign Affairs of the Republic of Kazakhstan.

134. Officers of the internal affairs authorities on transportation:

1) carry out control over the observance by the foreign citizens, who go by railway, air, or naval transport, regulations of stay and transportation through the territory of the Republic of Kazakhstan;

2) suppress the self-willed exits of the foreign citizens, who go by transit through the territory of the Republic of Kazakhstan, during the stop of the trains, vessels outside the stations (ports, moorages) and foreign citizens–air passengers outside places allotted to them places in the airports;

3) immediately report to the duty line authority of internal affairs about all cases, when the foreign citizen missed the train or the aircraft, and also about the delicts committed in the trains, vessels, at the stations and at the airport buildings of the delicts by the foreign citizens or in his relation. In case any similar information is received duty officers report about the accident to the head of the department and informs the authorities of the national security and the departments concerned;

4) in case there will be the foreign citizen who allowed the delict or who is in the close area:

- checks his passport, visa, certificate (telegram) about the invitation or the residence permit in the Republic of Kazakhstan;

- specifies the lawfulness of the stay of the foreign citizen in the Republic of Kazakhstan and in this station, availability of registration, visas, permission if the internal affairs authority to be transported by the chosen route);

- the infringer is to be delivered to the line authority of internal affairs;

5) clarifies to the employees of the railway terminals, stations, naval and river ports and airports of the requirement of the Law of the Republic of Kazakhstan “About the legal status of the foreign citizens in the Republic of Kazakhstan” and Regulations of the entry and stay of the foreign citizens in the Republic of Kazakhstan, and also the order of check of the documents of the foreign citizens after the landing or during the transportation route.

135. Patrol-post duty detail of the police are obliged:

1) to be aware of the addresses and peculiarities of the lay-out of the residing places of the foreign citizens on the territory of the post, the patrolling route (training centres, hostels, enterprises and organizations, hotels, campings, tourist bases), and also the place of their possible appearing: restaurants, bars, concert halls, stadiums, beaches), to pay special attention to providing the public order at the specified objects;

2) when identifying the foreign citizen, who allowed the delict, participating in the conflict situation or occurred in the region, closed for the access by the foreign citizens:

- to check the passport, residence permit, or other identification document of the foreign citizens;

- to check availability and the periods of registration, lawfulness of stay of the international citizen in the Republic of Kazakhstan and in the given inhabited station;

- to deliver the infringer to the municipal regional authority of internal affairs (police department) ;

3) when there will be foreign citizens identified, who do not have identification documents, and lawfulness of their stay in the Republic of Kazakhstan, to deliver them to the municipal regional authority of internal affairs (police department) to identify the identity;

4) in case there are identified the foreign citizens in drunk condition, of middle and hard alcoholic intoxication in the street or in other public places, to deliver them to medical sober-up stations, and if necessary to render medical assistance – to the curing institutions of the health care institutions. Persons who are using the privileges and immunities shall not be sent to medical sober –up stations.

136. Persons on duty of the internal affairs authority:

1) immediately report to the directors of the internal affairs authorities and organize performance of the taken decisions about all cases connected with treatment of foreign citizens or the delict in relation of them or on the part of the foreign citizens

2) by the information concerning the foreign citizens which is delivered by the patrol-post duty detail of the police and the citizens in the immediate cases they take independent decisions and then report about it to the directors of the internal affairs authorities. When there occur the conflict situations with the foreign citizens it is necessary to call representatives of Kazakhstani organizations which receive the foreign visitors ;

3) in case if the foreign citizen is delivered to the authority of internal affairs who has no identification document with him or the document which confirms the lawfulness of his stay in the Republic of Kazakhstan, including in the given station, to take measures for obligatory identification of the identity of the foreign citizen and check up of the documents.

With these purposes it is necessary to use the help of the representatives of the receiving organizations or persons, who invited the foreign citizen from abroad for private affairs;

4) in case it is impossible to identify the foreign citizen, the latter will be placed to the distributor ward;

5) about each detention, arrest and case of sudden death of the foreign citizens the persons on duty immediately report to the head of the municipal regional authority and inform about the fact by telefax to the Public prosecutor's office of the Republic of Kazakhstan, to the Ministry of foreign affairs, Ministry of internal affairs and the Committee of national security of the Republic of Kazakhstan. Besides this, it is reported in the written form about detention or arrest of the foreign citizen to the prosecutor, who carries out supervision over performance of the laws by the authority, which has performed detention or arrest.

With these purposes it is necessary to use the help of the representatives of the receiving organizations or entities, who invited the foreign citizen from abroad for private affairs;

4) in case it is impossible to identify the foreign citizen, the latter is to be taken to the distributor –ward;

5) about each detention, arrest and case of sudden death of the foreign citizen the persons on duty will immediately report to the head of the municipal regional authority and immediately inform about it by telefax the Public Prosecutor's office of the Republic of Kazakhstan, the Ministry of Internal affairs, Ministry of Foreign Affairs and the Committee of National security of the Republic of Kazakhstan. Moreover, the Prosecutor who carries out supervision over the performance of the laws will also be informed of the detention or arrest of the foreign citizen in the written form by the authority which performed such detention or arrest.

137. In the duty premises of the internal affairs authorities there should be available all necessary documents related to foreign citizens (appendix 21).

13. Search of foreign citizens

138. Foreign citizens who are residing on a permanent basis in the Republic of Kazakhstan or those arrived for a temporary period to the Republic of Kazakhstan are subject to search by forces of internal affairs authorities. They are:

1) those declared for the international search for committing the crimes;

2) those departed from the place of permanent residence, but who are not registered by the new place of residence in the Republic of Kazakhstan;

3) those who departed for a temporary period and not returned to the place of permanent residence;

4) those who did not arrive to the specified place of residence after release from the penitentiary – not later than 5 days from the moment of arrival of the message about release;

5) those who evaded from registry of the internal affairs authorities under other circumstances, declared for the search by conclusions of the migration police divisions of the municipal department of internal affairs, department of internal affairs, and also the migration police staff of the municipal regional authorities of internal affairs.

139. Search of the specified citizens is to be carried out by criminal police divisions of the internal affairs authorities.

The primary search measures aimed at identification of the location of the foreign persons who are searched for without starting of the investigatory case shall be carried out by migration police divisions of the municipal regional authorities of internal affairs, which are participating in the search and at the further stages.

Search of foreign citizens belonging to other categories will be carried out by the authorities of the national security. The foreign citizens who are suspected and prosecuted and evaded from investigation, inquesting authorities and the courts, as well as those who got lost, shall be searched for in the order established for search procedure of the respective category of Kazakhstani citizens.

140. When determining the location of the lost foreign citizen under search, the officers of the migration police divisions:

- 1) make the infringer write an explanation about the reasons of his evading from registration in the internal affairs authorities;
- 2) take measures in accordance with section **8 of present Instruction.**
- 3) send his personal dossier to Municipal department of internal affairs, Department of internal affairs by new place of residence.

Department of Migration Police
of the Ministry of Internal affairs
of the Republic of Kazakhstan

Department of Consulate Service
of the Ministry of Foreign Affairs
of the Republic of Kazakhstan

Приложение 1 к Инструкции

Образец письма-приглашения

Исх. N 999

Дата: “17” апреля 2000г.

Управление миграционной полиции ГУВД г.Алматы
Департамент консульской службы МИД Республики Казахстан г.Астана

АО “Шелкопрядство”, зарегистрированное в Министерстве юстиции Республики Казахстан (N ____ от “ ____ ” _____ г.) подтверждает приглашение принять:

1. Фамилия, имя: Guan Jing (Гуан Джин)
2. Пол: муж
3. Дата и место рождения: 15.11.1961., г. Шанхай(КНР)
4. Гражданство (подданство): КНР
5. Паспорт N PS 1234567
дата выдачи паспорта: 12.12.1998 г.
срок действия паспорта: 12.12.2007 г.
6. Место работы: менеджер компании “Dragon”
7. Место жительства: КНР, г. Шанхай
8. Место получения визы: Посольство РК в КНР
9. Период пребывания: с 12.01.2000г. по 12.02.2000г.
10. Кратность визы: однократная
11. Цель визита: деловая (проведение переговоров)
12. Пункты посещения: гг. Алматы, Астана, Шымкент

Президент (подпись и печать) Б. Казыбеков

Исп. (лицо, ответственное за прием иностранца):
Светлана Семченко тел: (3272) 321123

Примечание:

- 1) письмо-приглашение оформляется на титульном (фирменном) бланке приглашающей организации, где указан адрес, телефон, факс;
- 2) в графе 1 русская транскрипция фамилии и имени обязательна;
- 3) в графе 10 (одно, двух, трех, много) кратность визы означает кратность посещения РК за указанный период пребывания;
- 4) в графе 11 цель визита заполняется подробно с обоснованием срока пребывания в РК и особенно, кратности запрашиваемой визы. При приглашении на работу дополнительно направляется копия лицензии (разрешения) на работу, выданной Министерством труда и социальной защиты населения Республики Казахстан.

Приложение 2 к Инструкции

Образец заявления-анкеты

УВД _____
от _____

(указывается гражданство, фамилия, имя, отчество)
проживающего (щей) _____

тел. _____ дом. _____ служ. _____

Заявление-Анкета

Прошу разрешить мне _____
(содержание ходатайства, цель выезда (въезда)

_____ (при выезде указать страну и город, продолжительность поездки,
на какой срок намерены въехать приглашаемые лица)

Сведения о детях до 16 лет, с которыми Вы ходатайствуете о выезде,
или о лицах, приглашаемых в Республику Казахстан:

_____ Фамилия, имя | Степень родства | Год и место | Адрес места жительства
| гражданство | рождения | приглашаемых

Сведения о близких родственниках, проживающих в Республике Казахстан
и за границей:

_____ Фамилия, имя | Степень родства | Год и место | Адрес места жительства
| гражданство | рождения |

Приложение 2 к Инструкции

Обратная сторона образца заявления-анкеты

Место работы и занимаемая должность в настоящее время:

_____ Месяц и год | Наименование предприятия, | Адрес
поступления | учреждения, фирмы и | предприятия
| занимаемая должность |

Сведения, указанные в анкете, сверены с трудовой книжкой

М.П. “ ___ ” _____ 20__ г.

(подпись, ф.и.о. должностного)

лица предприятия)

Анкетные данные с национальным паспортом, выданным _____
(наименование

учреждения, выдавшего нацпаспорт)
“ _____ ” _____ 20 ____ г. сроком по “ _____ ” _____ 20 ____ г.
Вид на жительство сер. _____ N _____ выданный _____

(указать кем выдан)
“ _____ ” _____ 20 ____ г. сроком по “ _____ ” _____ 20 ____ г.
Сверил заявление и принял _____
(должность, звание и ф.и.о. сотрудника,

принявшего документы)

“ _____ ” _____ 20 ____ г. Подпись _____

Приложение 3 к Инструкции

Образец приглашения по частным делам

КАЗАКСТАН РЕСПУБЛИКАСЫНА УАКЫТША КЕЛУГЕ ШАКЫРУ _____
ПРИГЛАШЕНИЕ НА ВРЕМЕННЫЙ ВЪЕЗД В РЕСПУБЛИКУ КАЗАХСТАН | N |
INVITATION FOR TEMPORARY VISIT TO THE REPUBLIC OF KAZAKSTAN | _____ |
Шақурушы адам/Приглашающий/Inviting person:
Аты-жоні, тегі/Фамилия, имя, отчество/Name:

Туган жылы/Дата рождения/Date of birth: _____
Азаматтыгы/Гражданство/Nationaliti: _____
Мекен-жайы/Адрес/Address: _____

Шақырылушы адам/Приглашаемый (е)/Invited person (s):
Тегі, Аты/Фамилия, имя/Name: _____

Туган жылы/Дата рождения/Date of birth: _____
Туыстык жагы/Степень родства/Degree of relation: _____
Азаматтыгы/Гражданство/Nationaliti: _____
Мекен-жайы/Адрес/Address: _____

Сапардын максаты/Цель поездки/Purpose of visite: _____
Сапардын мерзімі/Срок поездки/Period of visite: _____

Шақыру фактісін куат-|Лаузымды адамның колы: |Шақырган адамның
таган мекеме: |Подпись должностного лица: |жеке колы:
Орган подтверждающий |Signature of the official: |Подпись приглаша-
факт приглашения: | |ющего:
The invation is | |Signature of the
endersed by: | |inviting person:

_____ | _____ | _____
_____ М.П. | ” ____ ” _____ 20 г. | _____

(Подлежит возврату в орган, оформивший приглашение)

_____ |
Контрольный талон к приглашению | N |
_____ |

Начальнику _____
сообщается, что _____
(гражданство, фамилия, имя приглашенных)

_____ |
разрешен въезд из _____ в Республику Казахстан на _____ дней
Цель въезда _____
Проживание по адресу: _____
Необходимо обеспечить контроль за въездом, соблюдением установленных
правил пребывания и своевременным выездом из Республики Казахстан.

М.П. Начальник _____
(наименование органа, оформившего приглашение)

Приложение 3 к Инструкции

Обратная сторона образца приглашения по частным делам

ШАКЫРЫЛУ ШАРТТАРЫ: Шакырушы жак туган-туасканынын, танысынын Казакстан Республикасында болган мерзімінде: туруын, тамактаунын, медициналык жордем корсетілуіне байланысты шыгынын, колетін адамнын виза жоне тіркеу органдарында 72 сагат ішінде тіркелінуін, Казакстан Республикасынан дер кезінде кету жоніндегі міндеттемерлерді оз мойныны алады. Казакстан Республикасында болуы кезінде шакырылган адамга енбек етуге, коммерциялык кызметпен айналысуга, Казакстан Республикасынын оку орындарына тусуге тыйым салынады. Шакыру берілген куннен бастап бір жылга жарамды.

УСЛОВИЯ ПРИГЛАШЕНИЯ: Приглашающая сторона берет на себя обязательства по пребыванию родственника, знакомого в Республике Казахстан: проживание, питание, медицинские расходы, регистрация въезжающего в органах ВПР в течение 72 часов, своевременность выезда из Республики Казахстан. Во время пребывания в Республике Казахстан приглашаемому запрещается заниматься трудовой и коммерческой деятельностью, поступать в учебные заведения Республики Казахстан. Приглашение действительно 1 год со дня выдачи.

TERMS OF INVITATION: The inviting party undertakes all responsibilities for the sojourn of their relatives, friends in the Republic of Kazakhstan: accomadation, meals, medical expenses, registration of the visitor (s) at the Departament of the Visas and Registration within 72 hours, and the departure from the Republic of Kazakhstan in due time. During his visite

to the Republic of Kazakhstan the visitor is not allowed to undertake any employment or business activities or enter any educational establishment in the Republic of Kazakhstan. The invitation is valid 1 year from the date of issue.

Отметки органа внутренних дел

Ознакомлен участковый инспектор _____
“ ____ ” _____ 20 __ г.

Сведения о прибытии _____
Сведения об убытии _____

Начальник ГО-РОВД _____
“ ____ ” _____ 20 __ г.

Приложение 4 к Инструкции

Образец вкладыша к паспорту

+-----+
| Вкладыш |
| о регистрации к паспорту |
||
| +-----+ |
| | Штамп о регистрации | |
| | | |
| +-----+ |
||
||
+-----+

Размер вкладыша: 120 x 80 мм.

Образец штампа о регистрации иностранного гражданина

+-----+
| Регистрация N ____ до “ ____ ” _____ 20 __ г. |
| _____ |
| орган, оформивший регистрацию |
| _____ |
| (фамилия по паспорту) |
| “ ____ ” _____ 20 __ г. _____ М.П. |
| подпись |
+-----+

Размер штампа: 25x70 мм.

Образец заполнения

Вкладыш о регистрации к паспорту N А 2374658

+-----+
| Регистрация N012 до 17 апреля 2000 г. |
| УМП ГУВД г.Алматы |
| Nahosti Morta Zavi Shakram |
| (фамилия по паспорту) М.П. |
| 17 января 2000г. Садыков |
+-----+

Приложение 5 к Инструкции

Форма журнала учета регистрации паспортов иностранных граждан в органах внутренних дел

N | Фамилия | Дата | N паспорта, | N визы | КПП и дата
п/п | Имя | рождения | гражданство | срок ее | пересечения
| Отчество | | действия | границы

Дата | На какой срок | Цель | Проживает | Примечание
регистрации | оформлена | пребывания | по адресу |
| регистрация | | | |

Приложение 6 к Инструкции

Форма журнала учета иностранных граждан в принимающих организациях

N пп |Дата |Фами |Дата |Из какой |Категория|Проживает|Цель|Дата|Приме-
(он |при- |лия, |рожде|страны |и N визы,|по адресу|при-|убы-|чание
же |бытия|имя, |ния, |прибыл |срок ее | |езда|тия |
реги | |от- |граж-| |действия,| |в | |
стра | |чест-|дан- |Дата пе- |маршрут | |РК | |
цион | |во |ство,|ресече- |следова- | | | |
ный) | | |N |ния гра- |ния по | | | |
		пас-	ници,наи-	визе			
		порта	менование				
		КПП					

Приложение 7 к Инструкции

Образец письменного обращения принимающей организации о регистрации иностранного гражданина (Бланк организации)

Начальнику управления
миграционной полиции

УВД _____ области

(наименование организации)
просит зарегистрировать с _____ по _____
паспорта иностранных граждан:
1. _____
(фамилия, имя, гражданство, паспорт)
2. _____
3. _____
4. _____
прибывающих с целью _____

(обмен опытом, стажировка, туризм, учеба и т.п.)
Проживание по адресу: _____

Печать организации
Руководитель организации _____
(фамилия, инициалы, подпись)

Приложение 8 к Инструкции

Образец учетной карточки на иностранного гражданина

Фамилия, | |
имя, отчество | | место для
Он (она) же | Пол | М | Ж | фотокарточки

Дата рождения	Гражданство	Национальность	Срок действия
N паспорта	Кем выдан,	Дата выдачи,	
продлен, заме-	продления,		
нен	замены		
-----	-----	-----	-----
-----	-----	-----	-----
КПП	Виза		
Дата въезда | въезда | телеграмма

Цель въезда | постоянн. | част. | учеба | слу- | межпра- | туризм | другие
| жит. | поездка | | жебн. | вит. | |

Удв, оформив- | Номер реги- | Дата реги- | Срок | Основание
шее регистра- | страции, серия | страции, | дей- | (номер и
цию, выдавшее | и N вида на | выдачи, | ствия | дата)
вид на жи- | жительство | продления | |
тельство, | | |
продлившее | | |

_____ фотокарточки заявителя
(наименование органа)
от _____
(фамилия, имя, отчество)

Заявление

Прошу о выдаче, продлении (ненужное зачеркнуть) вида на жительство для _____
(указать какого)

Сообщаю о себе следующие сведения:

1. Гражданство _____

2. Дата рождения _____

3. Место рождения _____

4. В браке состою, не состою (ненужное зачеркнуть)

5. Имя и год рождения детей до 16-летнего возраста, их гражданство _____

6. Образование, какими языками владеете _____

7. Когда прибыли на постоянное жительство в Республику Казахстан (дата и место пересечения границы РК, N визы и кем выдана) _____

(заполняется при первичном документировании)

8. Профессия, место работы, род занятий в Республике Казахстан _____

9. Место жительства в Республике Казахстан _____

10. Прилагаю следующие документы:

1) паспорт N _____, выданный _____

(когда, кем и где)

_____ сроком до _____ 20 __ г.

2) вид на жительство для _____ серия _____

N _____ от _____ 20 __ г., выданный _____

(кем и где)

сроком до _____

3) фотокарточки _____

(подпись и фамилия заявителя)

“ _____ ” _____ 20 __ г.

Заявление и документы принял _____

(должность и подпись сотрудника)

“ _____ ” _____ 20 __ г.

Разные отметки: _____

Сведения о близких родственниках, проживающих в Республике Казахстан и за границей:

Фамилия, имя | Степень родства | Год и место | Адрес места
| гражданство | рождения | жительства

Приложение 10 к Инструкции

**Перечень
городов и районов Республики Казахстан, временно закрытых
для посещения иностранными гражданами и лицами без гражданства
(утвержден постановлением Кабинета Министров Республики Казахстан от
03.08.1992 года N 646 - 25)**

Актюбинская область

Территория, ограниченная линией: г. Эмба-5, ст.Мугоджарская, п. Жиланда, п. Акшолок, г. Карасу, п. Жаркамыс, п. Кумжарган.

Жамбылская область

Территория к северу от железной дороги на участке ст. Отар - Берлик и от р.Чу.

*См.: **Постановление** Правительства Республики Казахстан от 31 января 2001 года N 153 "Об утверждении Перечня территорий Республики Казахстан, временно закрытых для посещения иностранными гражданами и лицами без гражданства".*

Бывшая Жезказганская область

Города Приозерск и Балхаш-9.

Кзыл-Ординская область

Города Ленинск и территория в границах Государственного испытательного космодрома "Байконур".

Павлодарская область

Майский район.

Бывшая Семипалатинская область

Северо-западная территория области, ограниченная с востока рекой Иртыш и автомобильной трассой: п.Кайнар, п. Вестамах, п. Саражал, п. Знаменка, п. Алгабас, за исключением названных пунктов и р.Иртыш, а также жд.станция Жингиз-Тобе, п.Солнечный, п. Георгиевка-4 Жарминского района.

Бывшая Торгайская область

Город Державинск.

Западно-Казахстанская область

Урдинский и Джангалинский районы

Приложение 11 к Инструкции

Республика Казахстан **Пропуск**

(герб) Разрешается гражданину (ке) _____

Министерство внутренних дел (фамилия, имя, отчество и дата
рождения) _____

(область) Въезд и проживание _____

(указывается точное

_____)
(наименование органа название города, селения и в состав
внутренних дел) _____

какой области этот пункт входит)

“ _____ ” _____ 20 ____ г. Цель поездки _____

Вместе следуют дети не старше 16 лет

_____)
|| (указывается имя, возраст каждого

_____)

ребенка)

М.О. Действителен при предъявлении документа

_____)
(серия, номер документа, кем, когда

выдан)

Срок действия пропуска _____

Начальник _____

Правила

1. Пропуск дает право на въезд в тот населенный пункт, который в нем указан.

2. Лицо, прибывшее к месту, указанному в пропуске, обязано в трехдневный срок с момента прибытия сдать свой пропуск и паспорт ответственному за прописку (регистрацию) лицу (управляющему домом, коменданту общежития, администрации гостиницы, санатория, дома отдыха или специально на то уполномоченному) для представления в орган внутренних дел на прописку.

3. В случае утраты пропуска об этом должно быть немедленно заявлено в ближайший орган внутренних дел по месту пребывания.

4. Лицо, получившее пропуск, по по каким-либо причинам не выехавшее в указанный в нем населенный пункт, обязано сдать его в орган внутренних дел.

5. Нарушение правил въезда в пограничную зону или пограничную полосу, а также правил проживания или прописки в них влечет за собой ответственность по закону.

С правилами ознакомлен (а) _____

(подпись)

Приложение 12 к Инструкции

Протокол N _____

о нарушении Правил въезда и пребывания иностранных

граждан в Республике Казахстан “ _____ ” _____ 20 ____ г.

_____)
(должность, наименование органа полиции)

_____ (фамилия, инициалы составителя протокола)

_____ (подробно указать: где, когда кем допущено нарушение

и в чем его существо)

_____ Факт нарушения удостоверяют свидетели:

1. _____ прож. _____

2. _____ прож. _____

_____ Подпись составителя

_____ С протоколом ознакомлен

Сведения о нарушителе

1. Фамилия, имя, отчество _____

2. Год рождения _____ гражданство _____

3. Документ, удостоверяющий личность _____

4. Место жительства, адрес _____

5. Место работы, службы или учебы _____

6. Подвергался ли административным взысканиям и за что _____

Объяснения нарушителя

Я, _____

_____ Данные сведения и объяснения с моих слов записаны правильно.

_____ Подпись нарушителя

_____ Подпись должностного лица

_____ Решение начальника органа полиции по ходатайству, если оно заявлено

_____ Подпись

Постановление N _____

**о наложении административного взыскания за
нарушение указанных в протоколе Правил**

_____ (указать вид и меру взыскания согласно ст. КАП)

_____ (наименование органа, подпись лица, вынесшего решение)

“ _____ ” _____ 20 __ г.

Приложение 13 к Инструкции

**Образец
вкладыша к паспорту иностранного гражданина о сокращении**

срока пребывания в Республике Казахстан

+-----+
| Срок регистрации N 0000 сокращен |
| до “_____” _____ 20__ г. |
| УМП УВД Алматинской области |
| _____ М.П. |
| подпись фамилия |
| “_____” _____ 20__ г. |
| |
+-----+

Размер вкладыша: 25 x 70 мм.

Приложение 14 к Инструкции

“Утверждаю”

Начальник _____

(подпись) (фамилия)

“_____” _____ 20__ г.

Заключение

о выдворении из Республики Казахстан

“_____” _____ 20__ г. _____

Я, _____

(должность, фамилия работника, составившего заключение)

рассмотрев материалы, поступившие на _____

УСТАНОВИЛ

что, _____ прибыл в Республику Казахстан

(фамилия выдворяемого)

“_____” _____ 20__ г. и в настоящее время проживает по адресу:

Проживая в Республике Казахстан, _____

(фамилия выдворяемого)

(указать причины, послужившие основанием к возбуждению

ходатайства о выдворении)

Руководствуясь **статьями 201, 201-1** Кодекса Казахской ССР об административных правонарушениях

ПОЛАГАЛ БЫ:

Возбудить ходатайство о выдворении (выдворить) _____

из Республики Казахстан

(фамилия, имя, отчество выдворяемого)

должность, фамилия, составившего заключение и подпись

“СОГЛАСЕН”

Начальник УМП УВД _____

(подпись) (фамилия)

Приложение 15 к Инструкции

Образец справки, выдаваемой иностранным гражданам по поводу утраты ими паспортов или заменяющих их документов

СПРАВКА

Выдана гражданину _____

(гражданство, фамилия, имя, отчество)

в том, что он (она) “ ____ ” _____ 20 ____ г. обращался в

(наименование горрайоргана внутренних дел, отделения полиции)

гор. _____ с заявлением по поводу утраты им

(наименование документа)

Начальник горрайоргана
внутренних дел (отделения полиции)

(подпись)

М.П.

(печать для справок)

“ ____ ” _____ 20 ____ г.

Приложение 16 к Инструкции

Учетная карточка на иностранного гражданина (лицо без гражданства), привлеченного к административной ответственности или выдворенного из Республики Казахстан

1. Фамилия, имя, отчество | 1: |

2. Пол 3. Дата рождения | 2: | Муж. Жен | 3: |

4. Номер паспорта | 4: |

5. Гражданство | 5: |

6. Цель выезда | 6: |

7. Где зарегистрирован | 7: |
иностраннй гражданин | |

8. Место работы,учебы | 8: |

9. Характер нарушения | 9: |

10. Кем выявлено наруш-е |10: |

11. Дата нарушения |11: |

12. Принято решение |12: |

13. УВД где принято |13: |
решение | |

14. Дата принятия |14: |
решения | |

15. Дата заполнения |15: |
карточки | |

В N 2, 6, 10 нужные значения обвести цветным карандашом
Реквизит N 8 - “Место работы, учебы” (указывается сокращенное
наименование министерства, ведомства и конкретное учебное заведение,
организации)
Реквизит N 9 - “Характер нарушения” (в соответствии с Указом Президента
Республики Казахстан, иеющим силу Закона “О правовом положении иностранных
граждан в Республике Казахстан” и другими законодательными актами.
Реквизит N 12 - “Принятое решение”:
1) предупреждение; 2) сокращен срок пребывания;
3) штраф (сумма в тенге); 4) выдворение;
5) возбуждено уголовного дела; 6) выдворение под конвоем.

Размер карточки 205 x 145 мм.

Приложение 17 к Инструкции

Извещение об утрате видов на жительство и изменений в учетах иностранных граждан и лиц без гражданства

(гражданство, бывшее гражданство)

1. Фамилия _____

2. Имя, отчество _____

3. Год и место рождения _____

4. N регистрации, каким органом зарегистрирован _____

5. _____

Начальник Управления миграционной
полиции УВД _____

В картотеке УВД отметка произведена _____
“ ____ ” _____ 20 ____ г. _____

Примечание: изменения заполняются на пишущей машинке или чернилами.
При заполнении извещения от руки фамилия, имя, отчество пишутся
печатными буквами. Переносить текст сообщения на оборотную сторону
извещения не разрешается.

Приложение 18 к Инструкции

Угловой штамп Начальнику _____
органов внутренних дел _____

Извещение на осужденного иностранного гражданина (лицо без гражданства)

1. Фамилия _____

2. Имя, отчество _____

3. Год и место рождения _____

4. Гражданство (бывшее гражданство) _____

5. Состоит на учете в УВД _____

Настоящее извещение подлежит приобщению к личному делу осужденного.
После отбытия осужденным срока наказания или досрочного освобождения
извещение подлежит немедленному направлению в УВД, куда освобожденный
будет обязан явиться для оформления документов на жительство в Республике
казахстан.

В случае смерти осужденного извещение вместе с копией свидетельства
о смерти подлежит направлению в УВД, где осужденный состоял на учете.

Начальник УМП УВД _____
(звание, подпись, фамилия)

Угловой штамп Начальнику УМП УВД
места лишения свободы _____

Сообщение об осужденном иностранном гражданине (лицо без гражданства)

1. Фамилия _____

2. Имя, отчество _____

“ ____ ” _____ 20 ____ г. из мест лишения свободы освобождается
по отбытии срока наказания (досрочно) и согласно справке об осво-

бождении N _____ обязан явиться в УВД _____
_____ для оформления вида на жительство в РК

1. Фамилия _____
2. Имя, отчество _____
отбывая наказание “ _____ ” _____ 19 __ г. умер
Смерть зарегистрирована в _____
в ЗАГСе, копия свидетельства о смерти прилагается.

Приложение: копия свидетельства о смерти.

Начальник спецотдела _____

(звание, подпись, фамилия)

Приложение 19 к Инструкции

Форма книги учета личных дел на иностранных граждан и лиц без гражданства, а также других дел

N |Фамилия, имя и от- | Дата | Основание | Отметка о |Примечание
п|чество лица на ко- |заведе-| к заведению | пересылке |
|торое заведено |ния | дела | или унич- |
|дело |дела | | тожении дела|

Приложение 20 к Инструкции

Серии номерных знаков на транспортные средства, принадлежащие иностранным представительствам в Республике Казахстан, иностранным гражданам и лицам без гражданства

“СМД” - на служебные и личные транспортные средства глав иностранных дипломатических представительств;

“D” - на транспортные средства иностранных дипломатических представительств, других международных организаций, приравненных к рангу посольства, а также на личные транспортные средства сотрудников дипломатического ранга этих представительств, организаций и членов семей их сотрудников;

“Т” - на транспортные средства административно-технического и обслуживаемого персонала дипломатических представительств международных организаций, приравненных к рангу посольств, и членов семей их сотрудников;

“М” - на транспортные средства, принадлежащие открытым на территории Республики Казахстан в установленном порядке представительствам иностранных фирм, банков, авиакомпаний и других организаций, а также сотрудникам этих представительств и членам их семей;

“К” - на транспортные средства представительств зарубежных средств массовой информации, сотрудникам этих представительств и членам их семей;

“Н” - на транспортные средства предприятий с иностранным участием не менее 10 %, иностранных граждан, прибывших в Республику Казахстан по служебным, личным делам,

на учебу, иностранных граждан, постоянно проживающих в Республике Казахстан по виду на жительство, или лиц без гражданства;

“Р” - на транспортные средства, снимаемые с учета в связи с окончательным вывозом за границу или убытие за пределы территории обслуживания регистрационным пунктом, срок их действия на территории Республики Казахстан 30 суток.

Государственные номерные знаки серии СМД и D с транспортных средств, принадлежащих дипломатическим представительствам иностранных государств, представительствам международных организаций (приравненных к рангу дипломатических представительств), сотрудникам дипломатического корпуса иностранных государств и международных организаций, аккредитованных в Республике Казахстан, не снимаются.

Приложение 21 к Инструкции

Перечень

необходимых документов, касающихся иностранных граждан, которые должны иметься в дежурных частях органов внутренних дел

- 1) соответствующие выписки из правил;
- 2) выписка из настоящей Инструкции о порядке обращения работников органов внутренних дел с иностранными гражданами;
- 3) памятка дежурному по органу внутренних дел о его действиях при задержании иностранных граждан или обращении их в полицию;
- 4) список казахстанских граждан, знающих иностранные языки, адреса их проживания и номера телефонов для возможного использования этих лиц в качестве переводчиков;
- 5) образцы документов, по которым иностранные граждане въезжают в Республику Казахстан, проживают и передвигаются по территории Республики Казахстан (визы, дипломатические, консульские и служебные карточки МИД Республики Казахстан, штампы регистрации, разрешительные записи на пребывание в данной местности);
- 6) список участков автодорог, зон республики, закрытых для международного автомобильного сообщения.