

# *Parliamentarism*



*Fisher Izabella*



**Art 3/3** The right to act on behalf of the people and the state shall belong to the President as well as *to the Parliament of the Republic* within the limits of the constitutional powers

**Art 49/1** Parliament of the Republic of Kazakhstan is **the highest representative body** of the Republic performing legislative functions

# Incompatibility of MPs

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**Art 52/3** A deputy of Parliament **may not be** the deputy of another representative body, hold other paid offices **except teaching, research and creative activities**, engage in any entrepreneurial activities or join a governing body or supervisory board of a commercial organization



# Remuneration of MPs



Art 66/ 9-1) in agreement with the President of the Republic, approve a unified system of financing and remuneration of labor for all bodies, maintained at the expense **of the state budget**;

for combining positions, a surcharge of up to **50%** of the salary of the employee was established

*Resolution of the Government of the Republic of Kazakhstan dated December 31, 2015 No. 1193*

*“On the system of labor remuneration of civil servants, employees of organizations maintained at the expense of the state budget, employees of state-owned enterprises “*

# Immunity of MP

**Art 31/1** Undue influence of any form on the deputy or his close relatives in order to prevent him from exercising his parliamentary duties is punishable under the laws of the Republic of Kazakhstan

Constitutional Law of the Republic of Kazakhstan N 2529 dated October 16, 1995.



**Art 52/4** A deputy of the Parliament **may not be detained**, subjected to custody, house arrest, bringing to court, legal imposition of administrative penalties, may not be brought to criminal responsibility without the consent of a relevant Chamber, **except for being caught in the act or having committed a serious or particularly serious crime**

# Legislation

*Laws of the Republic shall come into effect after they are signed by the President of the Republic*

- Constitutional laws shall be adopted on the issues stipulated by the Constitution by the **majority of no less than 2/3** of votes from the total number of the deputies of each Chamber.
- Legislative acts of the Parliament and its Chambers shall be adopted by the **majority of votes from the total number of the deputies** of the Chambers unless otherwise stipulated by the Constitution.

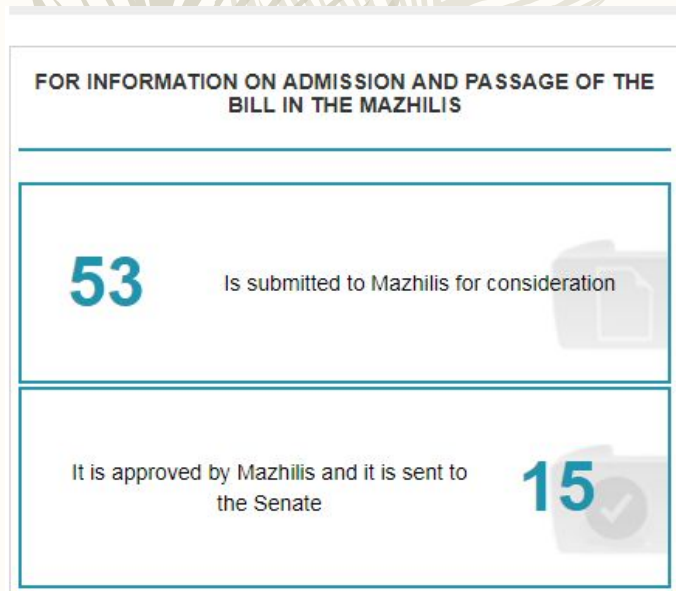
# Deliberation

## *Art 7. Quorum at Sessions of Parliament of the Republic*

Joint and separate sessions of Chambers are competent at presence **not less than two thirds** of the total number of deputies of each of Chambers.

The Constitutional Law of the Republic of Kazakhstan from October 16th, 1995 № 2529

On the Parliament of the Republic of Kazakhstan and the Status of Its Deputies



A draft of law considered and approved by the **majority of votes** from the total number of the deputies of the **Majilis** shall be transmitted to the **Senate** where it shall be considered for no **more than sixty days**. A draft of law approved by the **majority of votes** of the total number of deputies of the **Senate** shall become the law and shall be submitted to the **President** to be signed **within ten days**. A draft of law rejected as a whole by the majority of votes from the total number of the Senate's deputies shall be returned to the Majilis. If the Majilis approves the draft of law again by the majority of two-thirds of votes from the total number of its deputies, it shall be transferred to the Senate for a second discussion and voting. A twice -rejected draft may not be submitted again during the same session



# Parliamentary scrutiny of government

- Interpolation procedure
- The Majilis of the Parliament in accordance with the work plan on issues of its competence can spend the **Government hour**
- The Mazhilis shall have the right to pass a vote **of no-confidence to the Government** by majority vote from total number of deputies of the Mazhilis pursuant to the initiative of **no less than 1/5** from total number of deputies of the Mazhilis



# Parliamentarism under RK Constitution

**Art 3/3** The right to act on behalf of the people and the state shall belong to the President as well as *to the Parliament of the Republic* within the limits of the constitutional powers

**Art 33/1** Citizens of the Republic of Kazakhstan shall have the right to participate in the government of the state's affairs directly and *through their representatives*, to address personally as well as to direct individual and collective appeals to public and local self-administrative bodies

**Art 53/6** Hear annual messages of the Constitutional Council on the state of the constitutional legality in the Republic

## Exclusive jurisdiction of the Senate

**Election and discharge** from office the **Chairperson of the Supreme Court** and **judges of the Supreme Court** of the Republic

**Election** for a term of five years and dismissal of the **Commissioner for Human Rights** in the Republic of Kazakhstan;

**Approval of the appointment** of the Chairperson of the National Bank, Procurator General and the Chairperson of the Committee of National Security by the President of the Republic of Kazakhstan;

**Deprivation of inviolability** of the Procurator General, the Chairperson and judges of the Supreme Court of the Republic

## Exclusive jurisdiction of the Mazhilis

**Accepting of drafts** of the constitutional laws and laws submitted by the Parliament for consideration and consideration of these drafts

Giving **consent** to the President on the **appointment of the Prime-Minister** of the Republic by majority vote from the total number of deputies

**Announcing** of the **regular elections** of the president of the Republic

The Mazhilis shall have the right to pass a vote of **no-confidence to the Government** by majority vote from total number of deputies of the Mazhilis pursuant to the initiative of **no less than 1/5** from total number of deputies of the Mazhilis

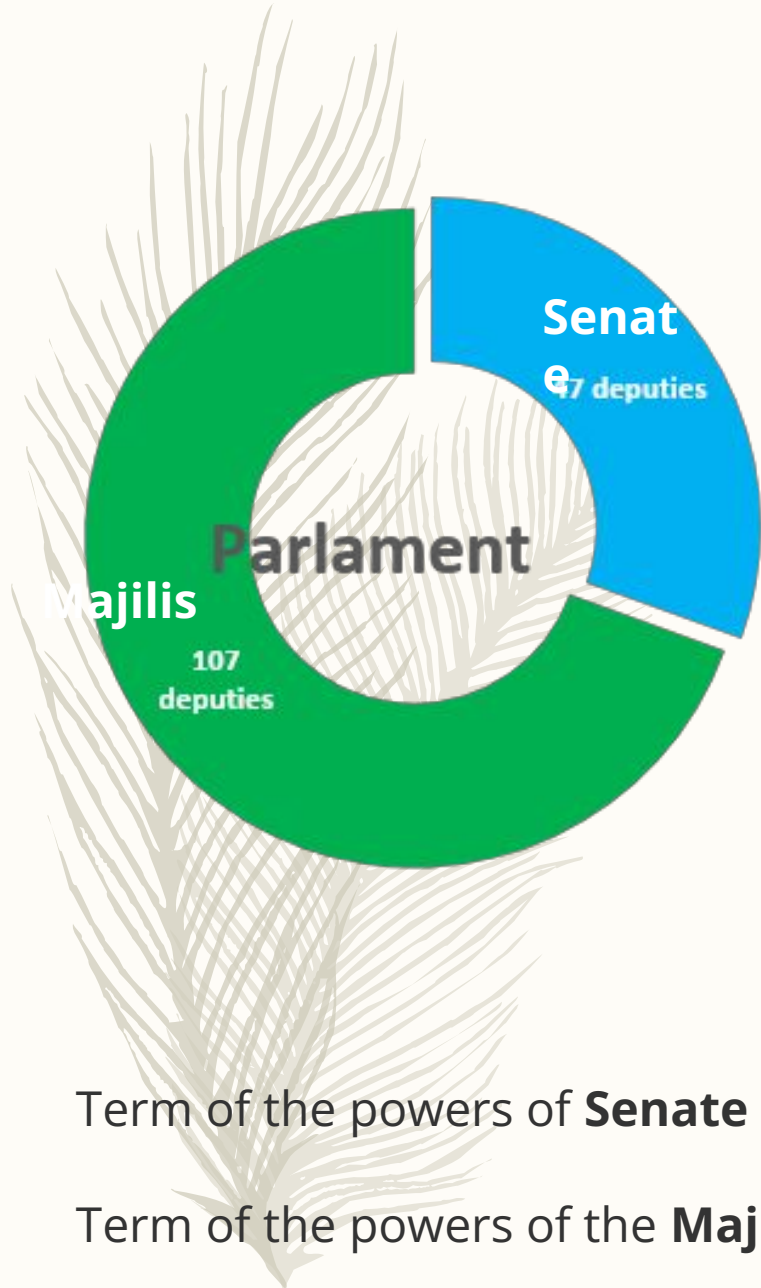
# Elections

98 deputies of Majilis shall be carried out on the basis of the **universal, equal and direct right under secret ballot**. 9 deputies of Majilis shall be elected **by Assembly of the people of Kazakhstan**

The deputies of the Senate shall be carried out on the basis of **indirect electoral right under secret ballot**. Half of the elected deputies of the Senate shall be **re-elected every three years**

Term of the powers of **Senate** deputies shall be six years

Term of the powers of the **Majilis** deputies shall be five years



An **indirect election** is an election in which voters do not choose between candidates for an office, but elect people who then choose

## Article 7. Indirect Electoral Law

1. Electors - citizens of the Republic, who are **deputies of maslikhats**, participate in the elections of deputies to the Senate of Parliament.
2. Electors participate in elections of deputies of the Senate on an equal basis and each of them has one vote in elections of deputies of the Senate.



## Article 86

1. Local representative bodies — **maslikhats** — shall express the will of the population of respective administrative-territorial units and with regard to the common public interests shall determine the measures needed for its realization, and control their implementation.

2. Maslikhats shall be elected by the population on the basis of universal, equal suffrage under secret ballot for a five-year term.



## THE ASSEMBLY OF PEOPLE OF KAZAKHSTAN



The idea of establishing the Assembly was first announced by Nursultan Nazarbayev in **1992** at the Forum of the People of Kazakhstan, which was dedicated to the first anniversary of the country's independence.

**On March 1, 1995** - the President issued a decree on the establishment of the Assembly of the People of Kazakhstan granting it the status of the presidential consultative body.

**In May 2007-** the Assembly received constitutional status and **the right to elect nine deputies to the Majilis of Parliament**, which greatly enhanced its socio-political role.

**On October 20, 2008-** the President signed the Law "On the Assembly of the People of Kazakhstan" that has no analogues in the world.





## The Assembly's activities are focused on the following tasks:

- promoting the preservation of interethnic and interfaith harmony, stability in the society in the republic;
- development of proposals for the implementation of state policy that promotes the development of friendly relations between representatives of nationalities living in Kazakhstan, promoting their spiritual and cultural revival and development based on the principle of equality;



- the formation of a political culture of citizens, based on civilized and democratic norms;
- ensuring that the diverse national interests are taken into account in the national policy pursued by the state;
- search for compromises to resolve social contradictions arising in society.



Thank You