



On Electronic Document and Electronic Digital Signature

Unofficial translation

The Law of the Republic of Kazakhstan dated 7 January, 2003 No.370.

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This Law is directed to regulation of relations, arising upon creation and use of electronic documents, certified by electronic digital signatures, providing establishment, change or termination of legal relations, as well as rights and obligations of participants of legal relations, arising in the scope of circulation of electronic documents, including commission of civil transactions.

Chapter 1. General provisions

Article 1. Basic concepts used in this Law

The following basic concepts are used in this Act:

1) Authorized body in the field of informatization - the central executive body that performs management and inter-sectoral coordination in the field of informatization and e-government;

2) Special certification center - an authorized subdivision of the state body of the Republic of Kazakhstan, certifying the compliance of the public key of the electronic digital signature with the private key of the electronic digital signature, carrying out activities related to the use of information constituting state secrets;

3) the authorized body in the sphere of archiving and documentation support of management - the central executive body, carrying out management in the sphere of archiving and documentation support of management;

4) certification centre - legal entity certifying the compliance of the public key of the electronic digital signature with the private key of the electronic digital signature, as well as confirming the authenticity of the registration certificate;

5) accreditation of the certification centre - official recognition by the authorized body in the field of informatization of the certification centre's competence in providing services;

5-1) certification centre of state bodies of the Republic of Kazakhstan - certification centre servicing state bodies, officials of state bodies in information systems and other state information resources of state bodies of the Republic of Kazakhstan;

5-2) Root Certification Centre of the Republic of Kazakhstan - a certification centre that confirms the ownership and validity of the electronic digital signature keys of the certification centres;

5-3) trusted third party of the Republic of Kazakhstan - an information system which, within the framework of cross-border cooperation, confirms the authenticity of foreign electronic digital signature and electronic digital signature issued on the territory of the Republic of Kazakhstan;

5-4) National Certification Centre of the Republic of Kazakhstan - a certification centre providing means of electronic digital signature and registration certificates to individuals or legal entities for the formation of electronic documents in state and non-state information systems;

6) Signatory - an individual or legal entity legally possessing the private key of an electronic digital signature and having the right to use it in an electronic document;

7) electronic copy of the document - a document that fully reproduces the type and information (data) of the original document in electronic digital form;

8) *excluded by the Law of the Republic of Kazakhstan dated 28.12.2017 No. 128-VI (shall be enforced upon expiration of ten calendar days after the day of its first official publication);*

9) registration certificate - a document on paper or an electronic document issued by the certification center to confirm the compliance of the electronic digital signature with the requirements established by this Law;

10) owner of the registration certificate - a natural person or a legal entity in the name of which the registration certificate was issued, legally holding the private key corresponding to the public key specified in the registration certificate;

11) Electronic archive - a set of archival electronic documents;

12) electronic document - a document in which the information is presented in electronic digital form and certified by means of electronic digital signature;

13) electronic document flow - exchange of electronic documents between state authorities, individuals and legal entities;

14) Electronic document management system - a system of electronic documents exchange, relations between the participants of which are regulated by this Law and other regulatory legal acts of the Republic of Kazakhstan;

15) member of the electronic document management system - a natural or legal person, state body or official participating in the processes of collection, processing, storage, transfer, search and distribution of electronic documents;

16) Electronic digital signature - a set of electronic digital symbols created by means of electronic digital signature and confirming reliability of an electronic document, its belonging and invariability of its content;

17) means of electronic digital signature - a set of software and hardware tools used for creation and verification of electronic digital signature authenticity;

18) public key of electronic digital signature - sequence of electronic digital symbols available to any person and intended for confirmation of authenticity of electronic digital signature in electronic document;

19) Private key of electronic digital signature - sequence of electronic digital symbols intended for creation of electronic digital signature with use of electronic digital signature means.

Footnote. Article 1 of the Law of the Republic of Kazakhstan dated 24.11.2015 No. 419-V (shall be enforced dated 01.01.2016); as amended by the laws of the Republic of Kazakhstan dated 28.12.2017 No. 128-VI (shall be enforced upon the expiration of ten calendar days after the date of its first official publication); as of 16.05.2018 № 155-VI (shall be enforced upon the expiration of ten calendar days after the date of its first official publication).

Article 2. The legislation of the Republic of Kazakhstan on electronic document and electronic digital signature

1. The legislation of the Republic of Kazakhstan on electronic document and electronic digital signature shall be based on the Constitution of this Law and other regulatory legal acts of the Republic of Kazakhstan.

2. If by the international treaty, ratified by the Republic of Kazakhstan, made other rules than those that contained in this Law, the rules of the international treaty shall be applied.

Article 3. Use of foreign registration certificate and exchange of electronic documents with participation of foreign individuals and legal entities

1. Upon regulation of legal relations, arising between the certifying center and owner of foreign registration certificate shall be applied the right of the state, in which the registration certificate was issued, unless otherwise established by agreement of parties.

2. Upon exchange of electronic documents with participation of foreign individuals and legal entities shall be applied the legislation of the Republic of Kazakhstan, unless otherwise established by agreement of parties.

Article 4. The competence of the Government of the Republic of Kazakhstan

The Government of the Republic of Kazakhstan shall:

1) *Is excluded by the Law of the Republic of Kazakhstan dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication);*

2) *excluded by the Law of the Republic of Kazakhstan dated 16.05.2018 № 155-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication);*

3) determine the powers of the authorized body;

4) approve the rules of conducting of accreditation of certifying centers;

4-1) *Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);*

4-2) *Is excluded by the Law of the Republic of Kazakhstan dated 29.09.2014 No. 239-V (shall be enforced upon expiry of ten calendar days after its first official publication);*

5) exercise other powers, provided by the Constitution, this Law, other Laws of the Republic of Kazakhstan and acts of the President of the Republic of Kazakhstan.

Footnote. Article 4 is in the wording of the Law of the Republic of Kazakhstan dated 15.07.2010 No. 337-IV (the order of enforcement see Article 2); as amended by the Laws of the Republic of Kazakhstan dated 10.07.2012 No. 34-V (shall be enforced from the date of its official publication); dated 03.07.2013 No. 124-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 29.09.2014 № 239-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 16.05.2018 № 155-

VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 5: Competence of the competent authorities

1. Authorized body in the field of informatization:
 - 1) implements the state policy in the sphere of electronic document and electronic digital signature;
 - 2) develops normative legal acts of the Republic of Kazakhstan in the sphere of electronic document and electronic digital signature;
 - 3) provides practical and methodical assistance to state bodies and organizations on issues of electronic document and electronic digital signature;
 - 4) carries out the state control in sphere of the electronic document and the electronic digital signature for observance of the legislation of the Republic of Kazakhstan about the electronic document and the electronic digital signature;
 - 5) Approves the standard position of the certification centre;
 - 6) approves the rules of issue, storage, revocation of registration certificates and confirmation of belonging and validity of the public key of the electronic digital signature by the certification centre, except for the root certification centre of the Republic of Kazakhstan, certification centre of state authorities, national certification centre of the Republic of Kazakhstan and trusted third party of the Republic of Kazakhstan;
 - 7) Approves the rules of registration, re-registration and cancellation of object identifiers in the Kazakhstan segment of object identifiers;
 - 8) Approves checklists, risk assessment criteria, half-yearly schedules of inspections in accordance with the Entrepreneurial Code of the Republic of Kazakhstan;

9) Approves the rules of registration and termination of interaction of certification centers, trusted third parties of foreign states with a trusted third party of the Republic of Kazakhstan;

10) Approves the rules for verifying the authenticity of electronic digital signatures;

11) develops rules for accreditation of certification centers;

12) approves the rules for issuance, storage, revocation of registration certificates and confirmation of belonging and validity of the public key of the electronic digital signature by the root certification centre of the Republic of Kazakhstan, certification centre of state authorities and national certification centre of the Republic of Kazakhstan;

13) approves the rules of confirming the authenticity of the electronic digital signature by a trusted third party of the Republic of Kazakhstan;

13-1) coordinates the activities of the Root Certification Centre of the Republic of Kazakhstan, the Certification Centre of the State Authorities of the Republic of Kazakhstan, the National Certification Centre of the Republic of Kazakhstan and a trusted third party of the Republic of Kazakhstan;

13-2) issues an order in case of violation of the requirements of the legislation of the Republic of Kazakhstan on electronic document and electronic digital signature;

14) exercise other powers stipulated by this Law, other laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

2. The authorized body in the sphere of archiving and documentation support of management:

1) shall implement the state policy in the sphere of electronic document management and electronic archives;

2) provides intersectoral organizational and methodical management of the issues of electronic document management and electronic archives;

3) develops and approves normative legal acts of the Republic of Kazakhstan in the field of electronic document management and electronic archives;

4) carries out the state control over observance of the legislation of the Republic of Kazakhstan about the electronic document and the electronic digital signature in a part of electronic document circulation and electronic archives in acquisition sources of the National archive of the Republic of Kazakhstan, the central state archives;

5) Approves checklists, risk assessment criteria, half-yearly schedules of inspections in accordance with the Entrepreneurial Code of the Republic of Kazakhstan;

6) carry out other powers stipulated by this Law, other laws of the Republic of Kazakhstan, acts of the President of the Republic of Kazakhstan and the Government of the Republic of Kazakhstan.

Footnote. Article 5 of the Law of the Republic of Kazakhstan of 24.11.2015 No. 419-V (shall be enforced dated 01.01.2016); as amended by the laws of the Republic of Kazakhstan of 28.12.2017 No. 128-VI (shall be enforced upon the expiration of ten calendar days after the date of its first official publication); dated 16.05.2018 № 155-VI (shall be enforced upon the expiration of ten calendar days after the date of its first official publication).

Article 5-1. State control in the sphere of electronic document and electronic digital signature

1. State control in the sphere of electronic document and electronic digital signature is carried out in the form of verification and other forms.

2. The inspection is carried out in accordance with the Entrepreneurial Code of the Republic of Kazakhstan. Other forms of state control shall be carried out in accordance with this Law.

Footnote. Chapter 1 is supplemented by article 5-1 in accordance with the Law of the Republic of Kazakhstan dated 17.07.2009 № 188-IV (the order of introduction into effect see article 2); with changes introduced by the laws of the Republic of Kazakhstan dated 06.01.2011 № 378-IV (shall be enforced upon the expiration of ten calendar days after its first official publication); dated 29.10.2015 № 376-V (shall be enforced dated 01.01.2016).

Article 5-2. Competence of local executive bodies of the region, the city of republican importance and the capital

1. Local executive bodies of the region, cities of national importance and the capital:

1) implement the state policy in the sphere of electronic document management and electronic archives on the territory of the region, the city of republican importance and the capital;

2) carry out methodical management of issues of electronic document management and electronic archives in the region, the city of national importance and the capital;

3) carry out the state control over observance of the legislation of the Republic of Kazakhstan about the electronic document and the electronic digital signature in a part of electronic document circulation and electronic archives in territory of area, city of republican value and capital, except for sources of acquisition of the National archive of the Republic of Kazakhstan and the central state archives;

4) carry out in the interests of local state administration other powers assigned to local executive bodies by the legislation of the Republic of Kazakhstan.

Footnote. Chapter 1 has been supplemented by Article 5-2 of the Law of the Republic of Kazakhstan dated 16.05.2018 № 155-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Chapter 2. Electronic document

Article 6. Principles of electronic document management system

Electronic document management system shall be carried out in the state and non-state information systems on the basis of the following principles:

1) functioning of various systems of electronic document management system;

2) the use of electronic documents in any field of activity where information and communication technologies are used to create, process, store and transfer data;

3) transfer of electronic documents with the use of any information systems.

Footnote. Article 6 as amended by the Law of the Republic of Kazakhstan dated 24.11.2015 № 419-V (shall be enforced dated 01.01.2016).

Article 7. Requirements to the electronic document management system

1 An electronic document complying with the requirements of this Law and certified by the electronic digital signature of the person authorized to sign it shall be equivalent to a signed document on paper.

2. An electronic document shall be deemed to have been sent from the moment of its transmission through the telecommunication networks.

3. Incoming electronic document shall be considered as received after its fixation in the information system of addressee.

4. Notification on reception shall contain the data on the fact and time of reception of electronic document and its sender. In the case of its non-reception to the author shall be considered that the document is not received by addressee.

4-1. In the cases, established by the legislation of the Republic of Kazakhstan, the electronic copy of document shall be presented for rendering of the state service.

5. Procedure of electronic document management system shall be determined by the Government of the Republic of Kazakhstan.

6. The procedure for collection, processing, storage, transfer, search, distribution, use, protection, registration and destruction of electronic documents and other data containing information constituting state secrets with the use of secure information systems classified as state secrets, as well as the procedure for creation, accreditation and termination of a special certification centre shall be determined by the National Security Committee of the Republic of Kazakhstan.

Footnote. Article 7 is in the wording of the Republic of Kazakhstan dated 04.06.2009 No. 162-IV (the order of enforcement see Article 2); as amended by the Law of the Republic of Kazakhstan dated 10.07.2012 No. 36-V (shall be enforced upon expiry of ten calendar days after its first official publication); dated 24.11.2015 № 419-V (shall be enforced dated 01.01.2016).

Article 8. Storage of electronic documents

Electronic documents shall be stored in the state and (or) non-state information systems in the manner established by the legislation of the Republic of Kazakhstan.

Article 9. Rights and obligations of participant of the system of electronic document management system

1. Participant of the system of electronic document management system shall have a right to:

1) apply to the certifying center for approval of belonging and validity of public key of electronic digital signature, registered by this certifying center;

2) serve by several certifying centers.

2. Participant of the system of electronic document management system shall be obliged to observe the established rules of electronic document management system.

Footnote. Article 9 as amended by the Law of the Republic of Kazakhstan dated 20 December, 2004 No. 13 (shall be enforced from 1 January 2005).

Chapter 3. Electronic digital signature

Article 10. Use of electronic digital signature

1. Electronic digital signature is equivalent to the autograph signature of signed person and entail the same legal consequences upon execution of the following conditions:

1) certified the authenticity of electronic digital signature using the public key, having the registration certificate;

2) a person signed the electronic document, lawfully in possession of private key of electronic digital signature;

3) electronic digital signature is used in accordance with details, specified in the registration certificate;

4) the electronic digital signature is created and the registration certificate is issued by the accredited certifying center of the Republic of Kazakhstan or foreign certifying center registered in the trusted third party of the Republic of Kazakhstan.

2. The private keys of the electronic digital signature shall be the property of the persons legally holding them.

A person may have the private keys of the electronic digital signature for various information systems. Private keys of electronic digital signature may not be transferred to other persons.

3. The owner of the registration certificate of the electronic digital signature of the legal entity - the head of the legal entity or his deputy - has the right to transfer the authority to the

employee of the legal entity or his appointed person to use the electronic digital signature on behalf of the legal entity.

Footnote. Article 10 as amended by the Law of the Republic of Kazakhstan dated 15.07.2010 No. 337-IV (the order of enforcement see Article 2); dated 24.11.2015 № 419-V (shall be enforced dated 01.01.2016).

Article 11. Means of electronic digital signature

Means of electronic digital signature shall be subject to confirmation of conformity in cases and order established by the legislation of the Republic of Kazakhstan in the field of technical regulation.

Footnote. Article 11 of the Law of the Republic of Kazakhstan dated 29.10.2015 No. 376-V (shall be enforced dated 01.01.2016).

Article 12. Electronic digital signature in the system of electronic document management system

1. Electronic digital signature may be used by the civil servants of the state bodies upon certification of electronic documents, issued by them within their competence.

2. In the non-state systems of electronic document management system the electronic digital signature shall be used in the manner established by the civil legislation of the Republic of Kazakhstan.

Footnote. Article 12 as amended by the Law of the Republic of Kazakhstan dated 15.07.2010 No. 337-IV (the order of enforcement see Article 2).

Article 13. Recognition of foreign electronic digital signature

A foreign electronic digital signature holding a foreign registration certificate is recognized as an electronic digital signature on the territory of the Republic of Kazakhstan in the following cases

- 1) in accordance with international treaties ratified by the Republic of Kazakhstan;

2) after registration of foreign certification centers in the trusted third party of the Republic of Kazakhstan;

3) after the registration of trusted third parties of foreign states in the trusted third party of the Republic of Kazakhstan.

Footnote. Article 13 of the Law of the Republic of Kazakhstan dated 24.11.2015 № 419-V (shall be enforced dated 01.01.2016).

Chapter 4. Registration certificate

Article 14. Issuance of registration certificate

The registration certificate shall be issued to a person who has reached the age of sixteen in accordance with the procedure established by the authorized body in the field of informatization.

Footnote. Article 14 as amended by the Law of the Republic of Kazakhstan dated 24.11.2015 No. 419-V (shall be enforced dated 01.01.2016).

Article 14-1. Refusal to issue a registration certificate

The certification centre refuses to issue a registration certificate in cases:

- 1) incompleteness of the submitted documents;
- 2) submission of false information;
- 3) in accordance with the decision of the court which has come into force;
- 4) a person's failure to reach the age of sixteen years.

Footnote. Chapter 4 has been supplemented by Article 14-1 of the Law of the Republic of Kazakhstan dated 24.11.2015 No. 419-V (shall be enforced dated 01.01.2016).

Article 15. The content of registration certificate

1. Registration certificate shall contain the following details:

1) number of registration certificate and the term of its validity;

2) data, allowing to identify the owner of electronic digital signature;

3) public key of electronic digital signature;

4) data on the means of electronic digital signature, used for creation of relevant private key of electronic digital signature;

5) information on the scopes of application and restrictions of application of electronic digital signature;

6) requisites of relevant certifying center.

2. Certifying center in coordination with participant of the system of electronic document management system shall include additional information, necessary for the electronic document management system to the registration certificate.

Footnote. Article 15 as amended by the Law of the Republic of Kazakhstan dated 27.04.2012 No. 15-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 16. Procedure and term of storage of registration certificates in the certifying centers

1. Copies of registration certificates shall be stored in the relevant certifying centers in the manner established by the authorized body.

2. The term of storage of revoked registration certificates in the certifying centers shall consist not less than five years.

3. Upon expire of the term, specified in paragraph 2 of this Article, revoked registration certificates shall be received to the archiving in the manner established by the legislation of the Republic of Kazakhstan.

Article 17. Rights and obligations of the owner of registration certificate

1. The owner of registration certificate shall have a right to require the revocation of registration certificate from the certifying center in the cases, if it involves the violation of the regime of access to the private key of electronic digital signature, relevant to the public key, specified in the registration certificate.

2. The owner of registration certificate shall be obliged to:

1) provide reliable information to the certifying center;

2) use the private key, relevant to the public key, specified in the registration certificate;

3) *Is excluded by the Law of the Republic of Kazakhstan dated 27.04.2012 No. 15-V (shall be enforced upon expiry of ten calendar days after its first official publication);*

4) take measures for protection of private key of electronic digital signature, belonging to it, from the illegal access and use, as well as storage of public keys in the manner established by the legislation of the Republic of Kazakhstan.

Footnote. Article 17 as amended by the Laws of the Republic of Kazakhstan dated 15.07.2010 No. 337-IV (the order of enforcement see Article 2); dated 27.04.2012 No. 15-V (shall be enforced upon expiry of ten calendar days after its first official publication).

Article 18. Revocation of registration certificate

1. Certifying center, issued the registration certificate shall revoke it in the following cases
:

1. The certification centre that has issued the registration certificate shall revoke it on the basis of the relevant notification in

1-1) establishment of the fact of provision of unreliable information upon receipt of the registration certificate;

2) the death of the owner of registration certificate;

2-1) changes in the surname, name or patronymic (if it is specified in the identity document) of the owner of the registration certificate;

2-2) change of name, reorganization, liquidation of the legal entity owning the registration certificate;

3) *Is excluded by the Law of the republic of Kazakhstan dated 21.07.2011 No. 468-IV (shall be enforced upon expiry of ten calendar days after its first official publication);*

4) provided agreement between the certifying center and the owner of registration certificate;

5) by the court decision, entered into legal force.

2. Certifying center shall revoke the registration certificate in the manner and terms, which are established by the legislation of the Republic of Kazakhstan.

3. Upon cancellation of registration certificate, the certifying center shall be obliged to notify the owner of registration certificate and make amendments to the register of registration certificates within the term not less than one day from the date of reception of relevant information.

Footnote. Article 18 as amended by the Law of the Republic of Kazakhstan dated 21.07.2011 No. 468-IV (shall be enforced upon expiry of ten calendar days after its first

official publication); dated 24.11.2015 № 419-V (shall be enforced dated 01.01.2016); dated 28.12.2017 № 128-VI (shall be enforced upon the expiration of ten calendar days after the date of its first official publication).

Article 19. Recognition of foreign registration certificates

A foreign registration certificate is recognized on an equal footing with the registration certificate issued by the certification centre operating in the territory of the Republic of Kazakhstan in the following cases

- 1) in accordance with international treaties ratified by the Republic of Kazakhstan;
- 2) after registration of foreign certification centers in the trusted third party of the Republic of Kazakhstan;
- 3) after the registration of trusted third parties of foreign states in the trusted third party of the Republic of Kazakhstan.

Footnote. Article 19 of the Law of the Republic of Kazakhstan dated 24.11.2015 No. 419-V (shall be enforced dated 01.01.2016).

Chapter 5. Certifying center

Article 20. An activity of certifying center

1. Certifying center shall be a legal entity, created in accordance with the legislation of the Republic of Kazakhstan.

2. Certifying center may serve several systems of electronic document management system.

Footnote. Article 20 is in the wording of the Law of the Republic of Kazakhstan dated 15.07.2011 No. 461-IV (shall be enforced from 30.01.2012).

Article 20-1. The state monopoly in the scope of electronic document and electronic digital signature

A footnote. Article 20-1 is excluded by the Law of the Republic of Kazakhstan dated 28.12.2017 No. 128-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 20-2. Accreditation of certification centres

1) Accreditation of certification centres is a mandatory condition for certification centres (except for the root certification centre of the Republic of Kazakhstan) to carry out their activities on the territory of the Republic of Kazakhstan. Accreditation shall be carried out by the authorized body in the field of informatization in respect of certification centers that are legal entities of the Republic of Kazakhstan.

2) Accreditation of the certification centre is free of charge for a period of three years, unless a shorter period is specified in the application of the certification centre.

Footnote. Chapter 5 is supplemented by Article 20-2 in accordance with the Law of the Republic of Kazakhstan dated 24.11.2015 № 419-V (shall be enforced dated 01.01.2016); with changes introduced by the Law of the Republic of Kazakhstan dated 28.12.2017 № 128-VI (shall be enforced upon the expiration of ten calendar days after the day of its first official publication).

Article 21. Functions of certifying center

1. Certifying center shall:

1) create the keys of electronic digital signatures by application of participants of the system of electronic document management system with adoption of measures for protection of private keys of electronic digital signature from illegal access;

2) issue, register, revoke, store the registration certificates, maintain register of registration certificates, issued in the established procedure;

2-1) approves the rules of application of the registration certificate for each type of registration certificate;

3) carry out accounting of effective and revoked registration certificates;

4) approved belonging and validity of public key of electronic digital signature, registered by the certifying center in the manner established by the legislation of the Republic of Kazakhstan;

5) *(Is excluded)*

2. Certifying center shall be obliged to take all necessary measures for prevention of loss, modification and forgery of public keys of electronic digital signature, being in the storage.

3. Certifying center shall bear responsibility in accordance with the Laws of the Republic of Kazakhstan for non-performance of obligation, provided by paragraph 2 of this Article.

4. The functions of the certification centre of the state bodies of the Republic of Kazakhstan, the national certification centre of the Republic of Kazakhstan and the root certification centre of the Republic of Kazakhstan shall be provided by the operator of the information and communication infrastructure of the "electronic government" defined in accordance with the Law of the Republic of Kazakhstan "On informatization"

Footnote. Article 21 as amended by the Law of the Republic of Kazakhstan dated 20 December, 2004 No. 13 (shall be enforced from 1 January, 2005); dated 24.11.2015 No. 419-V (shall be enforced dated 01.01.2016); dated 28.12.2017 No. 128-VI (shall be enforced upon the expiration of ten calendar days after its first official publication).

Article 22. Termination of activity of certifying center

1. An activity of certifying center shall be terminated in the manner established by the legislation of the Republic of Kazakhstan.

2. In the case of termination of activity, the certifying center shall be obliged inform on that all participants of served them systems of electronic document management systems and authorized body thirty days before the termination of its activity.

3. Upon termination of activity of certified center, the registration certificates and relevant keys of electronic digital signature, issued them, details on the owners of registration certificates shall be transferred to other certifying centers by coordination with the owner of registration certificate.

4. Upon expire of the term, specified in paragraph 2 of this Article, the registration certificates and relevant keys of electronic digital signatures, not transferred to other certifying centers shall terminate its activity and subject to storage in accordance with the legislation of the Republic of Kazakhstan.

Article 23. Protection of details on the owners of registration certificates, private and public keys of electronic digital signatures

1. Certifying center shall ensure protection of details on the owners of registration certificates and disclose them in the cases, provided by the legislation of the Republic of Kazakhstan.

2. Details on the owners of registration certificates, being confidential in accordance with agreement of parties shall not be included in the public register of registration certificates.

Chapter 6. Final provisions

Article 24. Responsibility for violation of the legislation of the Republic of Kazakhstan on electronic document and electronic digital signature

Persons who guilty in violation of the legislation of the Republic of Kazakhstan on electronic document and electronic digital signature shall bear responsibility provided by the Laws of the Republic of Kazakhstan.

Refusal to accept electronic documents in cases stipulated by the laws of the Republic of Kazakhstan is not allowed.

Footnote. Article 24 as amended by the Law of the Republic of Kazakhstan dated 24.11.2015 No. 419-V (shall be enforced dated 01.01.2016).

Article 25. Consideration of disputes

The disputes arising upon the use of electronic document and electronic digital signature shall subject to consideration in the judicial procedure in accordance with the legislation of the Republic of Kazakhstan.

Article 26. The order of enforcement of this Law

This Law shall be enforced from 1 July, 2003.

T h e
of the Republic of Kazakhstan

P r e s i d e n t

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