

## **Section VI the Constitutional Council**

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### **Article 71**

1. The Constitutional Council of the Republic of Kazakhstan shall consist of seven members whose powers shall last for six years. The ex-Presidents of the Republic shall have the right to be life-long members of the Constitutional Council
2. The Chairperson of the Constitutional Council shall be appointed by the President of the Republic, and in case the votes are equally divided, his vote shall be decisive.
3. Two members of the Constitutional Council shall be appointed by the President of the Republic, two - by the Chairperson of Senate, and two - by the Chairperson of the Majilis. Half of the members of the Constitutional Council shall be renewed every three years.
4. The Chairperson and members of the Constitutional Council shall not be deputies, hold paid offices except teaching, scientific or other creative activities, engage in entrepreneurial activity, and enter a governing body or a supervisory board of a commercial organization.
5. The Chairperson and members of the Constitutional Council during their term in office may not be arrested, subject to detention, measures of administrative punishment imposed by a court of law, arraigned on a criminal charge without the consent of Parliament, except in cases of being apprehended on the scene of a crime or committing grave crimes.
6. Organization and activity of the Constitutional Council shall be regulated by Constitutional Law.

### **Article 72**

1. The Constitutional Council by appeal of the President of the Republic of Kazakhstan, the chairperson of the Senate, the Chairperson of Majilis, not less than one-fifth of the total number of deputies of Parliament, the Prime Minister shall:
  - 1) decide on the correctness of conducting the elections of the President of the Republic, deputies of Parliament, and conducting an all-nation referendum in case of dispute;
  - 2) consider the laws adopted by Parliament with respect to their compliance with the Constitution of the Republic. before they are signed by the President;
  - 3) consider the international treaties of the Republic with respect to their compliance with the constitution, before they are ratified;
  - 4) officially interpret the standards of the Constitution;
  - 5) conclude in cases stipulated by paragraphs 1 and 2 of Article 47 of the Constitution.
2. The Constitutional Council shall consider the appeals of courts of law in cases stipulated by Article 78 of the Constitution.

### **Article 73**

1. The inauguration of the President, registration of the elected deputies of Parliament or results of all-nation referendum shall be suspended in cases of appeal to the Constitutional Council on issues mentioned in subparagraph 1) of paragraph 1 of Article 72 of the Constitution.
2. The term of signing or ratifying of the corresponding acts shall be suspended in case of appeal to the (constitutional Council on issues mentioned in subparagraphs 2) and 3) of paragraph 1 of Article 72 of the Constitution.
3. The Constitutional Council shall pass a resolution within one month from the day of appeal. This period of time, at the demand of the President or the Republic, may be shortened by 10 days if the issue is urgent.
4. The President of the Republic may object, in whole or in part to the resolutions of the Constitutional Council. These objections shall be overruled by two-thirds of the votes of the total number of the members of the Constitutional Council. If the objections of the President are not overruled, the resolution of the Constitutional Council shall be considered not adopted.

### **Article 74**

1. Laws and international treaties recognized not to be in compliance with the Constitution of the Republic of Kazakhstan, may not be signed or, accordingly, ratified and brought into effect.
2. Laws and other regulatory legal acts, recognized as infringing on the rights and freedoms of an individual and citizen secured by the Constitution, shall be canceled and shall not be in effect.

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3. Resolutions of the Constitutional Council shall come into effect from the day they are adopted, shall be binding on the entire territory of the Republic, Final and not subject to appeal.

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