

Section IX Concluding and transitional provisions

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Article 90

1. The Constitution of the Republic of Kazakhstan adopted at an all-nation referendum shall come into effect from the day of official publication of the results of the referendum with the simultaneous termination of the functioning of the previously adopted Constitution of the Republic of Kazakhstan.
2. The day of adoption of the Constitution at the all-nation referendum shall be proclaimed a national holiday -the Constitution Day of the Republic of Kazakhstan.

Article 91

1. Amendments and additions to the Constitution of the Republic of Kazakhstan may be introduced only by an all-nation referendum held by the decision of the President of the Republic made on his own initiative, at the recommendation of Parliament or the Government. The draft of amendments and additions to the Constitution shall not be submitted to an all-nation referendum if the President decides to pass it to the consideration of Parliament. In this case, Parliament's decision shall be adopted according to the procedure established by this Constitution. In case the President of the Republic refuses the proposal of the Parliament on submission of amendments and additions to the Constitution for the consideration of the Republican referendum, the Parliament has the right by majority of not less than four-fifths of votes of the total number of deputies of each Chamber of the Parliament to adopt the law on making of these amendments and additions to the Constitution. In such case the President of the Republic shall sign this law or submit it for the consideration of the Republican referendum which shall be deemed valid if more than half of the Republican citizens, possessing the right to participate in the Republican referendum, take part in it. Amendments and additions to the Constitution, which are submitted for the consideration of the Republican referendum, shall be deemed adopted, if more than half of citizens, taking part in it, vote for it.
2. The unitary status and territorial integrity of the Republic, the forms of government may not be changed.

Article 92

1. The constitutional laws must be adopted within a year from the day of enactment of the Constitution. If the laws called constitutional in the Constitution or the acts having the force thereof have been adopted by the moment of enactment of the Constitution, they are brought into accordance with the Constitution and deemed to be the constitutional laws of the Republic of Kazakhstan.
2. Other laws named in the Constitution must be adopted according to the procedure and within the terms determined by the Parliament but no later than two years after the enactment of the Constitution.
3. The decrees of the President of the Republic published within the term of his exercise of additional powers in accordance with the law of the Republic of Kazakhstan from December 10, 1993 "On Temporary Delegation of Additional Powers to the President of the Republic of Kazakhstan and Heads of Local Administration" and having the force of law shall attain the force of law and may be altered, amended or annulled according to the procedure stipulated for alteration, amendment or annulment of the laws of the Republic. The decrees of the President of the Republic published within a term he exercises additional powers on the issues stipulated by paragraphs 12-15, 18 and 20 of article 64 of the Constitution of the Republic of Kazakhstan adopted on January 28, 1993 shall not be subject to approval by Parliament of the Republic.
4. The legislation of the Republic of Kazakhstan functioning at the moment of enactment of this Constitution shall be applied in the part that does not contradict it and within two years from the day of the adoption of the Constitution must be brought into accordance with it.

Article 93

With the purpose of implementation of article 7 of the Constitution, the Government, local representative and executive bodies must create all necessary organizational, material and technical conditions for fluent and free-of-charge mastery of the state language by all citizens of the Republic of Kazakhstan in accordance with a special law.

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Article 94

The President of the Republic of Kazakhstan elected in accordance with the legislation of the Republic of Kazakhstan functioning at the moment of enactment of this Constitution shall acquire the powers of the President of the Republic of Kazakhstan stipulated by it and exercise them during the term established by the decision adopted at the all-nation referendum of April 29, 1995.

By consent of the President of the Republic of Kazakhstan the present term of the powers of the President of the Republic may be reduced by resolution of the Parliament of the Republic, adopted at the joint session of its Chambers by the majority of votes of the total number of deputies of each Chamber. In such case the Majilis of the Parliament within one month shall order elections of the President of the Republic of Kazakhstan. The President of the Republic, elected according to the results of these elections, shall take the oath within one month since the day of publication of the results of elections and exercise his duties before taking office of the President of the Republic, elected in regular Presidential elections, which shall be held after the expiration of a seven-year term on the first Sunday of December.

2. The Vice-President of the Republic of Kazakhstan elected in accordance with the legislation of the Republic of Kazakhstan functioning at the moment of enactment of this Constitution shall preserve his powers until the expiration of the term for which he was elected.

Article 95

1. One half of the deputies of the Senate of the first convocation shall be elected for a four-year term, the other half of the deputies shall be elected for a two-year term in the procedure, established by Constitutional Law.

2. Provisions of the Constitution of the Republic of Kazakhstan on elections of deputies of the Majilis of the Parliament on the basis of Party Lists shall be applied from the beginning of elections of deputies of the Majilis of the Parliament of the second convocation.

Article 96

The Cabinet of Ministers of the Republic of Kazakhstan from the day of enactment of this Constitution shall acquire the rights, obligations and responsibility of the Government of the Republic of Kazakhstan.

Article 97

The first composition of the Constitutional Council of the Republic of Kazakhstan shall be formed in the following manner: the President of the Republic, the Chairperson of the Senate of Parliament, the Chairperson of the Majilis of Parliament shall each appoint one member to the Constitutional Council for a three-year term and shall each appoint one member to the Constitutional Council for a six-year term. The Chairperson of the Constitutional Council shall be appointed by the President of the Republic for a six-year term.

Article 98

1. The justice and investigation bodies stipulated by this Constitution shall be formed according to the procedure and within the terms stipulated by the respective laws. The functioning juridical and inquiry bodies shall retain their powers until new bodies are formed.

2. Judges of the Supreme Court and the Highest Arbitration Court and local courts of the Republic of Kazakhstan shall retain their powers until the formation of courts, as stipulated by the constitution. Vacant offices of judges shall be filled according to the procedure, established by the Constitution.

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