THE RIGHT OF SOCIAL SECURITY OF THE REPUBLIC OF KAZAKHSTAN
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S. Toraigyrov Pavlodar State University

Faculty of Public Administration, Business and Law

Department of Jurisprudence

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Reviewers:
G. B. Ahmedjanova – Doctor of Law, professor of S. Toraiglyrov Pavlodar State University;
M. A. Shakenov – Candidate of Law, acting of associating professor of Eurasional Nation University;
S. K. Jetpisov – Candidate of Law, acting Professor of the Innovative Eurasian University.

Compilers: S. Bastemiev, B. Nurgazinov, Zh. Karibayeva, A. Akhmejanov


The training manual «The Law of Social Security of the Republic of Kazakhstan» sets out the theoretical foundations necessary to study this course. The content of the training manual is based on normative legal acts relating to pension provision and social protection of citizens of the Republic of Kazakhstan. The main purpose of the manual is to help readers get acquainted with the rights of social security. Calculated for undergraduates, students, teachers, students of gymnasiums, lyceums and colleges.
Introduction

In terms of economic growth and welfare of the population of the Republic of Kazakhstan, the formation of its normative legal basis social protection of disabled people is one of the priorities of social policy. The Republic of Kazakhstan Constitution guarantees the minimum pension, social security in old age, in case of illness, disability, loss of a breadwinner and other legal grounds of the citizens. Encouraged the payment of voluntary pension contributions, the creation of additional forms of social security.

Kazakhstan is the first country in the CIS, to radically change the principles and priorities of pension policy, by clicking on the solidarity pension system to a fully funded, have revised the fundamental provisions of the material welfare and social service disabled citizens. The main direction of activity of the state in the Republic of Kazakhstan in the sphere of social protection is the fight against poverty. The state provides for certain measures which are aimed at creating a system of compulsory social insurance in case of disability, survivor, and work. Secured with the development of social rehabilitation of the disabled system defined position relative to more precise regulation and the implementation of joint funded pension systems mechanisms. It is envisaged that the conduct of the state policy in the field of social protection will be accompanied by the improvement of the regulatory framework in this area.

The Republic of Kazakhstan is an active process of formation of the social security system, which is understood as a system of measures aimed at the implementation of the social policy of the state to ensure adequate living standards for certain categories of citizens listed in the law, in connection with the onset of socially important facts. To the social security system of modern Kazakhstan should include all types of pensions, most types of benefits, compensation, social services complex benefits and services for certain categories of citizens, as well as the targeted state social aid.
Social Security has always been and is one of the key determinants of places in public life and society. It depends directly on the development of the economy and is closely connected with politics and social well-being of working people and the unemployed population.

In science, there were two basic concepts of the content of this concept - economic and legal.

Under Soviet rule, social security, first extended to all persons of wage labor (workers and employees), and then the members of the collective farms, children, large families, single mothers. The current social security legislation of Kazakhstan already applies to the unemployed, displaced persons and refugees, who are not entitled to an occupational pension.

Given the current point of view on the concept of social security should be at the same time to identify the main features of its modern:

1) Sources of financing. The financing of social security is due to the special extra-budgetary funds: social insurance, the State Fund for Employment of the Republic of Kazakhstan, as well as the state budget, the Republican and territorial funds of social support of the population.

2) The persons to be providing. This – the disabled (in old age, years of service); persons who have lost their breadwinner; pregnant women; children; families with children; unemployed; persons having the status of refugees and internally displaced persons; war and labor veterans; Persons suffering from the effects of radiation; persons who have been subjected to repression.

3) Terms of security. The right to a particular type of security is established for certain groups of citizens of the above only upon the occurrence of the relevant circumstances specified in the law. These include events (reaching a certain age, disability, death, birth of the citizen). These circumstances, in most cases are associated with the onset of human difficult situation in which he found himself, for reasons beyond his control, and when society is helping him urgently required.

4) The purpose of the provision of security. By providing citizens of one or another type of security, the state pursues specific goals. They can be divided into the next, intermediate and final. So, while ensuring women benefit maternity immediate goal is the material support of women in the period when she is released from work before or after childbirth. The intermediate goal is to care for the health of the mother and child. The ultimate goal is to raise a healthy generation and the country's population
growth. However, it should be assumed that the main purpose of each type of security is to equalize the social status of certain categories of citizens with the rest of society. Indeed, life situations, which is citizen who requires it, as a rule, higher material costs or additional physical, mental and moral effort as compared to other members of society.

Thus, social security - is a form of distribution of wealth in order to meet essential personal needs (physical, social, intellectual), the elderly, the sick, children, dependents, survivors, unemployed, all members of society in order to protect the health and normal reproduction of labor resources by special funds.

Are 4 main functions of social security: economic, political, demographic and socio-rehabilitation.

The economic function is expressed in the provision of financial support to citizens in a difficult situation, to promote the development of social production as a whole and the individual sectors of the economy.

The political function aimed at the convergence of social level of the different layers of the population, creating conditions for a dignified life for everyone.

Demographic feature helps to stimulate the growth of the country's population, a healthy generation reproduction, increase life expectancy of citizens.

Socio-rehabilitation function of social security linked to the specific needs of elderly and disabled citizens. It is expressed in the creation of an environment conducive to the preservation of their legal status and the health of all citizens.

The subject of social security law constitute a group of public relations, characterized by a certain internal unity, which, along with the special regulation methods allow to distinguish this branch of law from other branches. Thus, a group of public relations:

1) the ratio of social security of citizens in the form of money (Pensions, benefits, compensation);

2) the relationships for the provision of various social services (social nursing care, the disabled, children, families with children, refugees and internally displaced persons, medical services);

3) procedures and procedural relations associated with the establishment of legal facts, as well as the realization and protection of the right to some form of social security. These relations precede, accompany or follow from the relationship, within the first 2 groups.
2 The principles of social security law

An indicator of an independent branch of law is not only the presence of the subject and method of legal regulation of social relations, but also industry-specific principles that unite the individual standards in the industry system, expressing the essence of the industry standards that define the position of the subjects of the law, their rights and duties.

The principles of social security law are the guiding principles that define the essence of the direction of the system of legal norms that need to be fixed in the law or follow the content. Until now codified act (legal framework, the Code), which were the principles of the right to social security are fixed, it is not accepted. The principles of social security law or its individual sections are reflected in the Resolution of the Government approved the program of pension reform, the Law of the Republic of Kazakhstan «On obligatory social insurance» and others.

The Law of the Republic of Kazakhstan «On obligatory social insurance» the following principles defined by the mandatory social insurance:
- Stability of the financial system of compulsory social insurance;
- Universal compulsory social security, availability, for insured persons implementing their social guarantees;
- Government regulation of the compulsory social system insurance;
- Obligatory payment of policyholder premiums in the budget compulsory social insurance funds;
- Ensuring the supervision and control;
- Responsible for the proper use of funds of compulsory social security.

In the scope of the guidelines to classify as follows:
1) the common law, common to all branches of law;
2) cross-sectoral;
3) industry;
4) intra.

To apply general legal principles: recognition and warranty in the Republic of Kazakhstan of the rights and freedoms of man and citizen, plant and equipment belonging and freedom from birth; equality before the law and the courts; equality of rights and freedoms of men and women and equal opportunities for their realization; the right of everyone to unite to protect their interests; warranty of state protection of rights and freedoms, including judicial protection.
Multi-sectoral guidelines: to ensure a decent life, providing state support for family, motherhood, fatherhood, children, disabled and elderly people, the prohibition of forced labor and others.

Industry principles: the universality of the right to social security, social security by compulsory payments to the funds, the differentiation of conditions and rules to ensure, depending on seniority and other factors, providing citizens, in all cases of disability, a plurality of types of social security, compliance benefits, pensions and et al. pay a living wage.

Intra principles: pensions, everyone is entitled to a state pension in case of loss of work due to old age, disability, loss of breadwinner, and other cases; targeting, accessibility, voluntary and humanity in social services; health care: accessibility of medical and social assistance, preventive measures for social protection of citizens in case of loss of health.

The right to social security is one of those branches of law, principles which are not textually enshrined in law. There is no general regulation, where the principles of the right to social security would have been recorded. Therefore the researchers of this problem are forced to withdraw from the law of social security.

The principles of social security law reflect objectively existing laws of development of society, the state of the economy, are derived from the content of social policy in the sphere of material security of incapacitated citizens give the generalized characteristic of the industry. They change the nature of the social and security relations are changing - some out of date, there are new, others will, filled with new content.

The universality of social security.

The Republic of Kazakhstan Constitution establishes equal and the same for every opportunity upon the occurrence of specific socially relevant circumstances to receive certain types of social security, irrespective of gender, race, nationality, language, origin, property and official status, place of residence, attitude to religion, convictions, etc.

The right to social services covers all. The legislation does not provide for restrictions on the right to receive certain types of software, but it sets the conditions under which they are provided. Especially fully embodies this principle in pension provision. Pensions - this is the most common form of social security elderly and disabled citizens, which is the basis of the entire social security system. All other forms of assistance and care for the elderly and disabled people are designed to meet their specific needs, usually in excess of pension (prosthetics), and sometimes instead of it (content in boarding houses).
In the Republic of Kazakhstan general pension services. The right to social security in the form of a pension recognized for every person and it is implemented.

The universality of social security is manifested in legislation governing state aid in the maintenance and education of children according to the article. 27 of the Constitution of the Republic of Kazakhstan motherhood and childhood, the family is under state protection. So, the Law of the Republic of Kazakhstan «On state allowances to families with children set to benefit at birth»:

First, second, third child - 31.41 monthly calculation index; fourth and more child - 52.35 MCI.

Ensure universal principle held in the Art. 29 of the Constitution of the Republic of Kazakhstan relating to medical care and treatment. Medical assistance is provided to all citizens of the Republic of Kazakhstan, under certain conditions, foreign citizens, persons without citizenship.

Differentiation of contributions, conditions and level of maintenance depending on the labor contribution, the causes of need.

Terms of differentiation can be objective - it is natural and climatic conditions, harmful, heavy and very harmful working conditions, or dependent on the subjective properties of the parties involved, such as health (women, minors, persons with disabilities).

From a certain length of service is associated with the right to a retirement pension by age. Working in adverse conditions entitles to preferential conditions for obtaining a pension. Determining the length of professional activity is the basis for a special type of pension - pension for years of service.

By socially significant factors are the causes of disability (employment injury, occupational disease). On the content of citizen rights in social welfare impact factors: age, health, marital status, living in certain areas, the acquisition of unemployed status, maternity leave, child care, etc.

The state's duty to guarantee the level of social security not less than the subsistence minimum.

This principle means that pensions, benefits, compensation payments should maintain the standard of living in need of social assistance not less than the legal minimum wage.

This is the principle in practice cannot be realized, since none of the payments under the social security system does not reach such a level (for example, the minimum pension age). But this does not mean that the State is exempt from the obligation to guarantee human dignity.

Warranty social assistance in cases when a person needs it due to circumstances recognized socially significant.
Based on this principle is the events that can follow a person throughout life. This - the achievement of a certain age, disability, temporarily or permanently, in whole or in part, the loss of a breadwinner, families, long-term professional activity in certain areas, pregnancy and childbirth, needs in health care and treatment, forced displacement, death of loved ones. These factors play a role legal facts, entailing certain legal implications of the emergence of the right to a particular type of security. State aid is provided when a person is not able to work, earn a living needs to be additional costs. The law expands the list of social risks, upon the occurrence of which the citizen should be protected (eg, infection with human AIDS medical officer on duty, loss of ability to work in connection with participation in the fight against terrorism).
3 Sources of Social Security Law

The term «source of law» has two meanings. The first reveals the cause of the creation of law. The state acts lawmaking power, enshrines the right of the will and interests of the people. Second - characterizes its legal nature. It determines the results of legislative activity.

Sources Social Security Law - a different legal acts, regulating the complex of social relations, which is the subject of the right to social security.

The sources of Social Security Law reflected the material conditions of society, with their changes and changing sources of Social Security Law.

The set of regulations, ie sources of social security law is the social security legislation.

Sources of social security law are numerous and varied and for this reason they are classified on various grounds:

1) legal force;
2) the scope of their activities;
3) the bodies to regulation;
4) the form of the act;
5) legal interest.

According to the legal force of the sources of Social Security Law are divided into laws and regulations, legislation in the field of social security. Laws have supreme legal force and have priority over any other laws and regulations. The Basic Law of the Republic of Kazakhstan - is the Constitution of the Republic of Kazakhstan, adopted on 30.08.95, the Constitution of the Republic of Kazakhstan is the basis of all the current legislation of the Republic of Kazakhstan. The Republic of Kazakhstan is protected by labor and human health, provide state support for family, motherhood, childhood and fatherhood. According to Art. 28 of the Constitution of the Republic of Kazakhstan citizens are guaranteed a pension, social security in old age, in case of illness, disability, loss of a breadwinner. Voluntary social insurance. Art. 12 of the Constitution of the Republic of Kazakhstan declare that human rights and freedoms are applicable.

The form of the act of the sources of law of social security are divided into laws, decrees, decisions and orders of the Government of the Republic of Kazakhstan, decrees, orders the Ministry of Labor and Social Protection of Kazakhstan and others.

In the scope of the sources of law of social security are divided into national, regional, sectoral and local.

A variety of classification in scope is the range of persons to whom the individual regulations on social security legislation applies.

The right to social security has a complex system of legal sources; due to the nature of legal regulation of this branch of social security law includes a variety of public relations: relations concerning cash payments; attitude about natural forms of social security; procedural relations.

A lot of sources and a variety of social security law define it possible to characterize only the most important, fundamental acts, which enshrines the right of citizens to certain types of social security reflect the requirements and conditions of their provision.

The first group of sources of social security law makes international treaties and conventions.

The International Labor Organization.

According to Art. 4 of the Constitution of the Republic of Kazakhstan, international treaties ratified by Kazakhstan take precedence over the laws and apply directly, unless the international treaty that its application requires publication of the law. An important place is given to the Universal Declaration of Human Rights of 1948 «On the basic aims and standards of social policy», the ILO Convention «On Equality in Social Security» - secured an important position in them, according to which the increase in the standard of living is seen as a primary objective in the planning of economic development. In addition to the conventions are important ILO recommendations, such as «On the preservation of the rights of the CIS member states in the field of citizens pension» concluded 1.03.1992. In this agreement, the CIS members agreed to hold a policy of harmonization of legislation on pensions.

CIS states signed an agreement on social security. For example, the Agreement between the Government of the Russian Federation and the Government of the Republic of Kazakhstan, living and (or) working on «Baikonur» complex, approved by the Government on 05.09.98.

The second group of social security law is:

RK laws. In the field of social security rights characteristic it is that there is no single source that regulates the complex social relations, are the subject of social security law. The rights of citizens to one or another type of security are fixed in RK laws governing pensions; provide citizens with
various types of social services that guarantee social protection for people with disabilities, etc.

The third group consists of regulations, among which a special place is occupied by the Presidential Decree in the field of social security.

The fourth group took the decision of the Government of the Republic of Kazakhstan, which shall govern the application of statutory laws on certain types of social security (pensions, benefits, compensation), they can install the additional measures.
The legal relations of social security

The rules of social security rights live and act only in the sphere of legal relations in the industry. All legal relations of social security - a system of legal relations of the subjects of social security law.

The legal relations of social security - is regulated by the rule of law social security social-security relations of citizens (families) with the bodies of social security and social protection on the appointment and payment of pensions, allowances, social compensation and provision of social services in kind. This link legal entities of special software in which one entity - a citizen (family), sells the rights to a certain kind of social security, and 2 subject - social security authority - is required to ensure that implementation.

All the welfare of citizens is made through their entry into the relevant relationship (legal relationship) with the social security authorities. They are the subjects of legal relations. The exception is the material security benefits, pension’s clergy.

The legal relations of social security have a security claims and character as one entity - a citizen (family) is entitled to demand of him relying kind of social security, and other subject - social security body - is obliged to provide it. These legal relations are bilateral and both are subject to their rights and obligations.

All legal relations of social security are classified according to the following reasons:

1) The nature of the relationship, defined the objectives of the legal relationship (for the purpose of the form provide for the consideration of a dispute on Social Security).

2) By type of social security (specific types of pensions, allowances, social compensations)

3) In terms of relationships (lasting continuously, up to a certain term, one-off).

Relationships are classified according to the forms of social security:

1) social security from the state budget;

2) social security;

3) the additional types of voluntary insurance.

All legal relations of social security are divided into 3 types:

1) the basic (physical) relationship in the payment of assigned pensions, benefits and service delivery activities in its natural form;
2) the procedural relationship - establish legal facts to provide a certain type of social security and purpose of this provision or denial of it;
3) the legal proceedings to resolve disputes concerning social security.

Material relations there as much as there are types of pension benefit payments and services material relationship is the core of the entire legal system of social security.

Procedural legal material relationship service social security exists for their establishment or modification.

Procedural legal relationship may be 2 types, depending on who is the subject of a second to consider the dispute:
1) the legal relationship of the citizen (family) with the parent body of social protection which the body appealed downstream activities;
2) the legal relationship of the citizen (family) with the court to consider the dispute.

All material relationship are classified by type of collateral:
1) pension;
2) the payment of social benefits payments;
3) the provision of social services.

Retirement legal to pay the appointed pension exist:
1) age;
2) seniority;
3) for military service.

All legal relations in the payment of social allowances and compensations are classified by type of benefits and compensation and terms of payment:

Non-recurring nature of the payment of:
1) payment on the birth of the child;
2) the funeral benefit.

Periodic payments for:
1) the allowance for pregnancy and childbirth;
2) temporary disability benefits.

Monthly payment for:
1) benefit the victims of the radiation;
2) family benefits for children up to 18 years;
3) unemployment benefits.

Retirement relationships are classified into the following types in the payment of social compensations:
1) to pay the employee compensation for the forcedunpaid leave;
2) to pay compensation to the refugees or displaced persons;
3) the payment of compensation to persons (families) suffered as a result of the ecological crisis in the Aral Sea ecological disaster, and others.
The subject of legal relations of social security is his party has subjective rights and duties. To become a subject of legal relations of social security must be a citizen of the premise as the possession of legal personality consisting of capacity and capacity delectable. These 3 ability citizen on social security law may not be the same. For example a child right-able be eligible for benefits but it is not legal competence and delectable so out of it in legal social security take his legal representatives.

Every citizen has the right to social security but its right there is a certain kind of social security only with the onset of the main legal fact (disability temporary disability). Common personality enjoyed by all citizens from birth to death for this kind of social security as the medical care and treatment.

For other types of social security legal personality of a citizen arises at the same time with the appearance of his right to social security as the one and the other depends on the emergence of a single legal fact this (the death of a breadwinner disability).

A citizen may have multiple kinds of basic relations of social security for example be the subject of legal retirement on a disability pension entity relationship for temporary disability benefits and legal entity for sanatorium treatment. But this does not mean that it has no general legal personality to all the branches of social security. It occurs for each type of software only with the appearance at the same time of their right to this kind of support and ends with the end of the law.

The subjects of legal relations of social security are basically disabled, the handicapped, the elderly, children, the unemployed, refugees, immigrants (repatriates).

Foreigners and stateless persons in the territory of the Republic of Kazakhstan have the same rights to social security as citizens of the Republic of Kazakhstan on the basis of a law or international treaty.

Subjects of social security law - are participants of legal relations of social security with social and an interim right for this type of software.

All legal relationships are two-sided, so each of them has the actors on one side of the citizen, in some cases - family. For example, in the legal relationship on the subject of pension survivor advocates family. The second subject of each social-security relationship is the authority that is required to designate and present this kind of software.

The commission intended benefits personality limited to procedural legal relationship: establishment of legal facts for the right to a pension and its purpose. pensions are paid out by the social protection of the population.

For different types of social security bodies, carrying out their may be: public bodies of social protection, employment services (unemployment
benefits); health authority (for care, treatment); education authority; Authority ministries (defense, internal affairs, national security); local authorities and employers - specific enterprises, organizations (to provide workers and their families more help).

The procedural legal relationships to establish certain legal facts of the second subject are a medical-social examination (ITU), establishing the disability, its causes and the onset time and the court establish the fact is missing, and the death of the missing person.

The object of legal relations of social security are the specific social benefits, about which set this legal relationship subjects.

The object of procedural legal relations on a pension, benefits, compensation is to establish the right for this kind of support and the appointment of his or establishing a specific legal fact.

The object in the material legal relationship is the realization of rights for this type of software, i.e., getting his money or in kind.

The object of legal relations in the process is challenging the citizen's right to social security.

All legal relations of social security are the reason for the citizen to establish the relationship; they also determine the effect of the behavior of the subjects in this legal relationship.

For each kind of legal social security a special object, which came about this legal relationship subjects? Therefore, considering the kind of legal social security necessary to identify the subject, object and content of the relationship. For example, in the old-age pension legal relationship is subject to old-age pension, the pension legal relationship of disability - disability benefits.

The grounds for the changes and the cessation of legal relations of social security are to establish by law the legal facts, and their compositions. Before installing the basic material for the implementation of specific legal rights established whether there is a right of a citizen of this itself if there is assigned to this kind of software, if not, then denied his appointment, as there is no order or other legal fact.

Legal facts - it is life circumstances, events or actions.

Legal facts in Social Security - is the specific life circumstances set out in the legislation on social security, as having certain legal consequences for social welfare.

With legal facts related and the very emergence of the right to a certain type and amount of security, as well as the appearance and movement of legal relations on the implementation of this right.

Most of the legal facts in social security - this fact-event (disability, injury, death). The procedural and procedural legal relations of social
security are the facts, the action of these legal entities for the appointment of pensions, benefits, compensation, services and procedural steps to resolve the dispute.

Legal facts as the rule of law and the legal personality, is a prerequisite to legal social security. Only if two of these three prerequisites can arise and function relationship of social security. For example, to provide old-age pension of the basic legal fact, determining the right to it and the corresponding pension legal relationship will be the retirement age, and other relevant legal fact is required by law work experience.

A legal fact in social security can be in one case lawmaking, in other - right-changing, 3 - right-finishing. For example, the death of a breadwinner, old-age pensioners is the main law-legal fact in the right of his family to benefit the survivor and the event of the retirement of her relationship. And in the pension legal relationship for the old-age pension of the pensioner of his death is right-finishing legal fact.

The main legal fact in the complex is part of a citizen's initiative on realization of the right to social security in the relevant relationship for him. It determines the type of the object and the corresponding legal social security.
One of the most important legal facts, which is associated with the occurrence of the majority of legal relations in the sphere of social security, is seniority.

Under the seniority refers to the total duration of labor activity (work, study) or other socially useful activity. Seniority is a quantitative qualitative characteristic. Quantitative characteristic of seniority is its duration. Qualitative characteristics reflects the nature and the conditions in which labor activity occurs (harmful, the severity and danger). Depending on the qualitative and quantitative characteristics of the following types of work experience:

1) the total length of service;
2) the length of service;
3) continuity of employment.

Total work experience - this is the total duration of the work (regardless of the number and duration of interruptions). Taking into account the total length of service established old-age pension.

Under-employed to be included in the total length of service means:
1) work under employment contracts, paid by individuals and legal entities;
2) military service;
3) service in the special state and law enforcement agencies, the State Courier Service;
4) Public Service;
5) Entrepreneurial and other income - generating activities;
6) while caring for a disabled person of the first group, second group of lonely disabled and old age pensioners in need of assistance, as well as the elderly who have reached the age of eighty;
7) While caring for a disabled child under the age of 16 years;
8) While leaving non - working mother of young children, but not longer than until each child reaches the age of 3 years within 12 years in total;
9) While in custody, serving his sentence in prison and references of citizens unjustifiably prosecuted and repressed, but later rehabilitated;
10) Time Spent able - bodied citizens in the temporarily occupied territory of the former USSR and the people (regardless of age) in the territory of other States in the Great Patriotic War, where they were forcibly removed, the contents in the Nazi concentration camps (ghetto and
other places of detention during the war) if the periods indicated, these persons have not committed crimes against the motherland;

11) Time Spent disability unemployed disabled veterans and equated with disabilities;

12) the period of residence abroad, the spouse (spouse) of the employees of the former Soviet institutions, institutions of the Republic of Kazakhstan and international organizations, but not more than 10 years in total;

13) The period of residence of the spouses of military (except conscripts), staff of special state bodies and their spouses in areas where there was no possibility of their employment in the specialty, but not more than 10 years in total;

14) training in higher education, including training courses, vocational schools, colleges, schools and training courses, advanced training and retraining, post-graduate, doctoral and clinical studies, as well as spiritual (religious) organizations education in the Republic of Kazakhstan and abroad;

15) Service in the militarized protection, bodies of special communication and rescue units regardless of departmental affiliation and the availability of a special or military rank.

Special seniority - a total duration of employment in certain sectors, in certain occupations, positions and in specific areas.

When calculating the preferential seniority for a pension is counted:

1) military service as a part of the army during the fighting, including in the performance of military duty, as well as stay in the partisan detachments and formations during the fighting, as well as time spent on treatment in hospitals due to war injuries - in order, established for the calculation of the terms of this service in the appointment of pension payments for long service soldiers;

2) work, including as civilian staff in the army, and the service, except for military service provided for in subparagraph 1) of this section during the Great Patriotic War - twice the amount;

3) work in Leningrad during its blockade during the Great Patriotic War from September 8, 1941 to January 27, 1944 - threefold;

4) Time Spent citizens aged 12 years and older in the city of Leningrad during its blockade from September 8, 1941 to January 27 1944 - double the amount;

5) the residence time of persons in the territory of other States in the Great Patriotic War, where they were forcibly removed, as well as time spent in the Nazi concentration camps (ghetto and other places of
detention during the war), if the periods indicated, these persons have not committed crimes against Motherland - twice the amount;

6) while in custody, serving his sentence in prison, exile, forced labor with restriction of liberty in a penal colony, and compulsory treatment in psychiatric institutions of citizens, illegally brought to criminal responsibility and repressed, subsequently rehabilitated, - in treble;

7) Work and military service in the areas adjacent to the Semipalatinsk nuclear test site, in the period from August 29, 1949 to July 5, 1963 - treble, and from 6 July 1963 to 1 January 1992 - a-half;

8) Work anti-leprosy and anti-plague institutions, infectious facilities for persons treated, infected with human immunodeficiency virus or AIDS - double the amount in the organizations carrying out a forensic examination and post-mortem diagnosis, - according to the list of works approved by the Government of the Republic Kazakhstan - a-half;

9) Work on water transport for the full navigation period is counted as a year of work;

10) Work for a full season in the organizations of the seasonal industries, regardless of their affiliation - on the list approved by the Government of the Republic of Kazakhstan, shall be counted in the length of a year of work.

A special type of special seniority is seniority. Achieving the established seniority gives the employee the right to a pension regardless of age, subject to termination of employment, in connection with which the pension is granted.

The law defines the circle of persons who may be granted a pension for years of service:
- Citizens engaged in underground and open cast mining, mines;
- Soldiers;
- In connection with a particular operation in civil aviation;
- Citizens serving in the bodies of internal affairs bodies prosecutors, penal system, customs authorities, tax police bodies;
- In connection with the work of the professional rescue services and units;
- Some other people (astronauts, athletes).

Continuous work experience - this is the duration of the last of continuous operation on a single enterprise (institution, organization) or more companies, provided that a break in employment did not exceed the established by the legislation.

Uninterrupted service differs from the general and special is its content.
The continuity of employment is included only the duration of the actual work. In contrast to the total experience here does not apply preferential calculus and continuity of employment is counted during a break in the work due to the forced absence, caused unfair dismissal.
Pension security is the main social security disabled citizens. Legal regulation of pensions is carried out by various regulations provide for specific grounds, conditions and pensions.

The main legal act establishing the foundation and conditions of appointment and payment of pensions is the Law of RK «On Pension Provision in the Republic of Kazakhstan» dated June 21, 2013 № 105-V.

According to the legislation of RK the retirement age of men is 63 years, women - 58 years. Fixed age limit is lower than in Germany, the USA, England, Austria, where employees retire at 65 years of age. In Norway and Denmark - in 67 years. One of the factors determining the retirement age is the average life expectancy. In Kazakhstan men live on average 60-64 years, women – 70 - 73 years. Index life expectancy in Kazakhstan is much lower than in other countries.

The pension system is funded by the Pension fund, independent of the state budget, fully formed out of compulsory pension contributions, compulsory professional pension contributions, and voluntary pension contributions and provides pension payments. On 1.01.1998, the new pension system came into Kazakhstan. In accordance with the legislation of the company's income in retirement directed 25 percent. These 25 percent were divided into 2 parts, of which 15 percent were transferred to the State Center for pension payments, while 10 percent of employers enumerated in the accumulative pension fund, who chose the employee. Both of these contributions are mandatory. On 01.01.2010, one of the largest pension funds in the country was established State Accumulative Pension Fund. JSC «SPC» State Accumulative Pension Fund (hereinafter - the State Accumulative Pension Fund or the Fund) is the first Kazakh pension fund. Being at the origin of its formation, GNPF is one of the founders of its infrastructure, the first in the country to experience all the features of the scope of economic relations which, along with the newly created pension funds continued to attract pension contributions and make pension payments.

On 22/08/2013, it was created by JSC «ENPF on the basis of JSC» SPC «GNPF», «JSC», «ENPF" - is a socially responsible organization, to observe the principles of accountability, transparency, ethical behavior, respect for stakeholder interests, respect for the rule of law, respect for human rights, and the participants of which is still running the country's population.

The pension system of Kazakhstan has 4 problems:
1. The amount of the pension is very low not only by international standards, but also in comparison with, for example, with Russia. The pension is too insignificant to maintain a minimum standard of living of pensioners, which requires an additional source of income other than pensions.

2. The lack of effectiveness of existing funds. Low efficiency of the Pension Fund is due to decline in production, many employers evasion from payment of taxes and a large share of shadow economy, tax evaders.

3. Taxes on payroll by which pension system is funded. Employers High taxes are paid to the pension fund, do not encourage the involvement of employees, it contributes to the informal labor market.

4. Non-compliance relating to the retirement age. The retirement age of men - 63, women - 58 years. The required number of years of service for full pension - 25 years for men and 20 years for women. It is not clear which of these two criteria is the main (age or length of service). In military retirement age is 45 years for men under 25 years of seniority.

In Kazakhstan there is a system of payment of benefits to families with low income. Special benefits are paid to disabled children, non-working mothers of large families. Lump sum at birth, the payment did not depend on the family income.

Benefits are paid to citizens living in areas of ecological disaster. There are 2 categories of regions: the region of «pre-crisis state» and «the zone of ecological disaster». Special heavy ecological situation is observed in Semipalatinsk and Qyzylorda regions.

The pension system consists of three groups of public relations:
1. Ratio for the formation of pension funds, which account for pensions are paid;
2. Relations on financial security of members of the company pension and other pension payments;
3. Relationship management and organization of the pension system.

The word «pension» is Latin for payment. But it's not just the payment, and the payment citizen, i.e. an individual in connection with the onset of certain events in life - reaching the appropriate age, in connection with the long-term relevant professional activities.

For the occurrence of the pension relationship requires a legal structure - you have all the legal facts. In the absence of one of them pension ratio cannot occur. The pension is based on earnings and is calculated monthly.
7 Pension military personnel, the internal affairs agencies, prosecutors, and others

Under the pension for years of service refers to the monthly cash payment that is installed by citizens due to long-term occupational and appointed, regardless of the age of the recipient when abandonment of the work or at the end of this activity.

The pension for years of service refers to the number of pensions, characterized by a multiplicity of different types of pensions and certain circle of persons entitled to receive it.

The pension for years of service always «experienced» as the old-age pension. Pensions and that are called a pension for years of service, which is installed with the appropriate special experience (seniority) and reaching a certain age.

Pensions are not entered for the years of service for all employees, but only for certain categories. The introduction of pensions is due to the specifics of a particular activity, service seniority. After a long-running hard and responsible work to further its implementation for various reasons, not always possible or appropriate, for example, in connection with some of the usual variations, psychological and emotional overloads, accumulated over many years.

The aim of retirement pensions - is the liberation of the citizens from having to keep his old job, largely to compensate them for lost earnings due to transfer to another paid job with a complete cessation of work.

Pensions for seniority for some kind of categories of workers are the main pension, instead of the old-age pension (for example, police officers). The amount of such pensions higher than the old-age pensions.

The duration of the special length of service (seniority) entitling them to a pension for years of service, in some cases, different for men and women, and in some cases identical.

The pension for years of service - retirement pension. Its size, as the size of age commensurate with the labor contribution and defined, so long as the relevant work activity continued as it was paid. In this regard, to determine the level of pension is calculated seniority (usually years) and average earnings.

The size of pensions for length of service is 50 percent of earnings. For each full year of seniority in the military service, serve in the special state and law enforcement agencies, the State Courier Service of more than twenty-five years of pension benefits for years of service, increased by two
per cent for each full year of employment, worked out on the day of dismissal from service - one percent of pay.

For each full year of general work experience, worked out on the day of termination of employment, more than twenty-five years, the size of pension payments, increased by one percent of pay.

The right to pension benefits for years of service is:

1 Military personnel (except conscripts), employees of special government and law enforcement agencies, the State Courier Service:

1) having a long service in the military service, serve in the special state and law enforcement agencies, the State Courier Service of not less than twenty-five years and have reached the established by the legislation of the Republic of Kazakhstan state the age limit in the service of the dismissal from service;

2) having a long service in the military service, serve in the special state and law enforcement agencies, the State Courier Service of not less than twenty-five years, dismissed on grounds of redundancy or choice or health;

3) with a total of twenty-five or more years, of which at least twelve years and six months constitute the continuous military service, service in the special state and law enforcement agencies, the State Courier Service, and discharged upon reaching the established by the legislation of the Republic of Kazakhstan the age limit condition on military service, serve in the special state and law enforcement agencies, state courier service or by downsizing or state of health.

2 Persons whose rights have special ranks, class ranks and wearing uniforms were abolished from 1 January 2012:

1) having a long service in the military service, serve in the special state and law enforcement agencies, the State Courier Service of not less than twenty-five years and reached the age corresponding to the age limit condition on law enforcement service at a fixed special rank, class rank at the time of the abolition of the right to have special titles and ranks and wear uniforms;

2) having a long service in the military service, serve in the special state and law enforcement agencies, the State Courier Service of not less than twenty-five years, dismissed on grounds of redundancy, or their own, or a mismatch position or job due to health condition, which prevents the continuation of the work;

3) with a total of twenty-five or more years, of which at least twelve years and six months constitute the continuous military service, service in the special state and law enforcement agencies, the State Courier Service, and dismissed on grounds of redundancy or inconsistency occupied
position or work due to the state of health impeding the continuation of the work, or have reached the age corresponding to the age limit in the state judicial service at a fixed special rank, class rank at the time of the abolition of the right to have special titles and ranks, as well as wearing uniforms.

3 The military, employees of special government and law enforcement agencies, the State Courier Service, as well as those whose rights have special ranks, class ranks and wearing uniforms were abolished from January 1, 2012, for the first time entered the service after 1 January 1998 and discharged to January 1, 2016, had the date of dismissal of the conditions for the purpose of pension benefits for years of service, in accordance with the norms of the legislation in force before 1 January 2016 are entitled to the appointment of pension payments for long service, taking into account years of service and salaries of at the time of dismissal from service.
8 The structure and organization of activities. Single accumulative pension fund

Single accumulative pension fund carries out the involvement of compulsory pension contributions, compulsory professional pension contributions, voluntary pension contributions and provides pension payments.

Single accumulative pension fund shall be established in the form of joint-stock company, it is a nonprofit organization. Name a single accumulative pension fund shall contain the words «single accumulative pension fund». Can abbreviate the name of a single accumulative pension fund using «ENPF» name abbreviations.

The sole shareholder of the single accumulation pension fund is the Government of the Republic of Kazakhstan. Asset management shares a single accumulative pension fund owned by the Government of the Republic of Kazakhstan by the National Bank of the Republic of Kazakhstan. The composition of the board of directors of a single accumulative pension fund on an ongoing basis with the right to vote includes a representative of the authority.

Single accumulative pension fund shall be entitled:
1) attract voluntary pension contributions;
2) to receive a commission for its activities;
3) in matters relating to pensions, represent the interests of the depositor (recipient) in court in accordance with the legislation of the Republic of Kazakhstan;
4) to lease the property purchased for their own use;
5) open branches and representative offices;
6) to exercise other rights under the pension rules of a single accumulative pension fund.

Single accumulative pension fund must:
1) involve compulsory pension contributions, compulsory professional pension contributions;
2) make pension payments to beneficiaries in accordance with the procedure established by the Government of the Republic of Kazakhstan;
3) to individual accounts for pension savings and benefits;
4) free of charge to provide an individual, an individual retirement account, information on the status of pension savings which opened the name at his request on any requested date from the opening date of the individual pension account, and provide electronic and other means of access to information on his pension savings.
A method of transmitting a single accumulative pension fund of information on the status of pension savings is determined by the pension rules of a single accumulative pension fund.

Single accumulative pension fund does not send the depositor (recipient) data for the past year on the status of pension savings in case of lack of money to an individual retirement account as of January 1 of the current year or the failure to notify the depositor (recipient) a single accumulative pension fund to change the place of residence in accordance with the pension rules of a single accumulative pension fund;

5) publish in mass media, including on its own Internet site, information on the structure of the investment portfolio of the single accumulation pension fund at the expense of pension assets in the manner and terms established by the regulations of the authorized body;

6) to provide gratuitous advisory services to depositors (recipients) on the functioning of the pension system and the activities of investment portfolio management;

7) to ensure the confidentiality of information on the status of pension savings depositor (recipient);

8) be responsible for violation of the Republic of Kazakhstan legislation on pensions and pension rules of the single accumulation pension fund in accordance with the laws of the Republic of Kazakhstan;

9) to transfer pension savings depositor (recipient) to an insurance company in the manner prescribed by this Act and the regulations of the authorized body;

10) enter into a contract of trust management of pension assets to the National Bank of the Republic of Kazakhstan;

11) to transfer pension savings depositor (recipient) at the expense of voluntary pension contributions to the voluntary pension savings fund in the manner provided in this Act and the regulations of the authorized body;

12) publish in the media and to place on your own web-site financial statements and the audit report in the manner and terms established by the authorized body and the laws of the Republic of Kazakhstan on accounting and financial statements, other statements and information on their activities in accordance with the procedure established by the authorized authority. It is not allowed to publish information containing guarantees or promises of income contributions into a single accumulative pension fund, as well as other information prohibited by the legislation of the Republic of Kazakhstan;
13) to submit an annual report on the activities of a single accumulative pension fund for consideration by the Pension Fund Management Board on a single accumulative pension fund;
14) provide equal conditions to all its depositors (recipients);
15) exchange of information with the State Corporation on individual pension accounts of depositors (recipients) in the manner determined by the central executive body of the Republic of Kazakhstan;
16) to use in their activities certified hardware and software;
17) have a reserve center for data storage;
18) to audit software and hardware, including information, communication systems and technology used by a single accumulative pension fund in its activities at least once every three years;
19) have an internal audit service.

In order to protect the rights and interests of depositors (recipients) a single accumulative pension fund shall be prohibited:
1) carry out other business activities except the activities stipulated in this Law;
2) the use of pension assets for purposes not provided for by the legislation of the Republic of Kazakhstan;
3) providing for its own single assets of accumulative pension fund financial assistance on a grant basis, except for financial assistance to the workers in an amount not to exceed 100 times the monthly calculation index established for the financial year by the law on the national budget;
4) pledge of pension and (or) their own assets;
5) the issue of securities other than shares;
6) borrowing;
7) the provision of loans by any means;
8) issuance of guarantees and warranties of any kind;
9) attraction for fulfillment of obligations of persons with whom one accumulative pension fund has not concluded an employment contract or a contract with the National mail operator;
10) participate in the establishment and activity of legal entities, except for cases stipulated by the regulations of the authority.

Trust management of pension assets of a single accumulative pension fund by the National Bank of Kazakhstan on the basis of the agreement on trust management concluded between the National Bank of the Republic of Kazakhstan and one accumulative pension fund.

National Bank of Kazakhstan may designate another person to perform acts necessary to manage trusted him pension assets, in accordance with the contract on the investment management of the assets
and the present Law. In this case the trustee is responsible for the actions of his chosen attorney as for his own.

The functions of the Management Board of the National Fund of the Republic of Kazakhstan in terms of pension assets management of the single accumulation pension fund is:

1) to develop proposals to improve the management efficiency;
2) consider and develop proposals for areas of investment;
3) development of proposals for the definition of the list of financial instruments allowed for acquisition on account of pension assets of a single accumulative pension fund;
4) consideration of the annual report on the activities of a single accumulative pension fund.

Investment declaration drawn up taking into account the list of financial instruments allowed for acquisition on account of pension assets of a single accumulative pension fund.

Pension Fund Management Board single accumulative pension fund is an advisory body of the National Bank of the Republic of Kazakhstan. The position of the Pension Fund Management Board single accumulative pension fund and its composition shall be approved by decision of the Board of the National Bank of the Republic of Kazakhstan.

The structure of a single accumulative pension fund’s pension assets management of the Council on includes:

1) two representatives of the Government of the Republic of Kazakhstan;
2) two members of the Parliament of the Republic of Kazakhstan;
3) two representatives of the National Bank of the Republic of Kazakhstan;
4) independent experts in the amount of not less than thirty percent of the total number of single accumulative pension fund members of the Pension Fund Management Council.

The contracts on pension provision at the expense of compulsory pension contributions, compulsory professional pension contributions, which set out the rights, duties, responsibilities and other legal relations of a single accumulative pension fund and depositors (recipients), developed a single accumulative pension fund based on the pension rules of a single accumulative pension fund approved Government of the Republic of Kazakhstan.

Opening an individual retirement account into a single accumulative pension fund is carried out on the basis of statements of the contributor, made up in the form prescribed by pension rules of a single accumulative pension fund. On the basis of the statement of the depositor on opening an
individual retirement account single accumulative pension fund sends an
electronic notification to the State Corporation for entering information
about the contract on pension provision at the expense of compulsory
pension contributions, compulsory professional pension contributions in a
single list of individuals who have signed the contract on pension
provision at the expense of compulsory pension contributions, compulsory
professional pension contributions.

The depositor is considered acceding to the contract on pension
provision at the expense of compulsory pension contributions, compulsory
professional pension contributions from the date of receipt of a single
accumulative pension fund electronic notification of the State Corporation
on making information about the contract on pension provision at the
expense of compulsory pension contributions, compulsory professional
pension contributions in a single list individuals who have signed the
contract on pension provision at the expense of compulsory pension
contributions, compulsory professional pension contributions.

Pension assets of accumulative pension fund single stored and
recorded in the accounts at the National Bank of the Republic of
Kazakhstan in accordance with the custodian agreement concluded
between the National Bank of the Republic of Kazakhstan and one
accumulative pension fund. The National Bank of the Republic of
Kazakhstan for the purpose of registration and storage of pension assets of
a single accumulative pension fund shall be entitled to open accounts with
foreign custodians, determined by the authorized body. National Bank of
Kazakhstan exercise control over the placement of pension assets of a
single accumulative pension fund in the manner prescribed by the
regulations of the authority. In addition, the National Bank of Kazakhstan
keeps a record of all transactions on the accumulation of pension assets;
their placement, investment income receivable in the manner prescribed
by regulations of the authorized body, and on a monthly basis informs the
single accumulation pension fund of its accounts.

The depositors of compulsory pension contributions, individuals for
whom are the obligatory professional pension contributions, the recipients
of a single accumulative pension fund shall be entitled:

1) to obtain information about the status of their pension savings;
2) to appeal in court the decisions, actions (inaction) of a single
accumulative pension fund;
3) to receive pension payments from a single accumulative pension
fund in accordance with the legislation of the Republic of Kazakhstan at
the time of retirement benefits;
4) to bequeath their pension savings in accordance with the legislation of the Republic of Kazakhstan;

5) enter into an agreement annuity with an insurance company at the expense of pension savings;

6) enter into a contract on pension provision at the expense of voluntary pension contributions a single accumulative pension fund and (or) voluntary accumulative pension fund;

7) exercise other rights under the laws of the Republic of Kazakhstan.

To participate in the legal relationship in the payment of mandatory pension contributions has the right to citizens of the Republic of Kazakhstan:

1) performing work under civil law contracts, the subject of which is the execution of works (services);

2) working in the offices of international organizations in the Republic of Kazakhstan, diplomatic missions and consular institutions of foreign states accredited in the Republic of Kazakhstan;

3) working outside of the Republic of Kazakhstan.

To join the pension provision agreement at the expense of compulsory pension contributions, compulsory professional pension contributions an individual is obliged to provide a single accumulative pension fund application for opening an individual retirement account at the expense of compulsory pension contributions, compulsory professional pension contributions.

In the case of a natural person in a single accumulative pension fund open individual retirement accounts to account for mandatory occupational pension contributions to the re-application to open an individual retirement account, designed to account for the mandatory occupational pension contributions are not available.

The depositors of compulsory pension contributions, individuals for whom paid compulsory professional pension contributions and beneficiaries of pension payments from a single accumulative pension fund must:

1) in accordance with the procedure established by the Government of the Republic of Kazakhstan, according to a single accumulation pension fund of all changes affecting the fulfillment of obligations a single accumulative pension fund, within ten calendar days from the date of such changes;

2) enter into a contract of pension annuity;

3) perform other obligations in accordance with the legislation of the Republic of Kazakhstan on pension provision.
Agents are entitled to receive from the State Corporation the confirmation of the presence of the employee Individual Retirement Account in accordance with the procedure established by the Government of the Republic of Kazakhstan.

Agents are required to timely calculate, withhold (charge) and pay mandatory pension contributions and compulsory professional pension contributions in a single accumulative pension fund.

The contract on pension provision at the expense of voluntary pension contributions is between the single accumulation pension fund and the contributor (recipient) in writing in accordance with the standard contract on pension provision at the expense of voluntary pension contributions.

The order of the conclusion and the standard form of pension provision at the expense of voluntary pension contributions are set by the regulations of the authority.

Pension assets formed at the expense of compulsory pension contributions, compulsory professional pension contributions and voluntary pension contributions include pension contributions, investment income, funds received as penalties and damages, net of commission.

Natural and legal persons entitled to pension assets formed at the expense of compulsory pension contributions, compulsory professional pension contributions and voluntary pension contributions, belong to the category of rights in rem. Seizure or repossession of compulsory pension contributions, compulsory professional pension contributions, interest, pension assets and pension savings for the debts of the depositor (recipient), State Corporation, single accumulative pension fund, custodian bank and portfolio manager is not allowed, including in case of liquidation, and (or) bankruptcy of listed entities.

Pension assets formed at the expense of compulsory pension contributions, compulsory professional pension contributions and voluntary pension contributions are used exclusively:

1) placement in financial instruments, the list of which is determined by the authorized body and the investment declaration;

2) the implementation of pension payments in accordance with the legislation of the Republic of Kazakhstan;

3) transfer of pension savings to an insurance company under a contract of pension annuity;

4) transfer of pension savings at the expense of voluntary pension contributions from a single accumulative pension fund to the voluntary pension savings fund from voluntary pension savings fund in a single
accumulative pension fund and one voluntary accumulative pension fund to another voluntary pension savings fund;

5) recycling wrongly credited pension contributions and other money erroneously credited;

6) payment of commission single accumulative pension funds, voluntary pension savings fund in the cases and in the amount established by the Law of RK "On Pension Provision in the Republic of Kazakhstan".

In case of death of the recipient, as well as persons having pension savings in a single accumulative pension fund, the voluntary accumulative pension fund and has not reached retirement age, his family or the person who performed the burial, one accumulative pension fund, voluntary pension savings fund shall be paid a lump sum payment for funeral within the size of 52.4-times the monthly calculation index established for the financial year by the law on the national budget, but not more than the available funds on the individual pension account.

If the rest of pension accruals on the individual pension account of the beneficiary after the lump-sum payment for funeral will be an amount not exceeding the amount of the minimum pension set for the financial year by the law on the national budget, the remainder is included in the lump sum payment for burial.
State Center of pension payments

State Center for pension payments - is a legal entity carrying out pension benefits to citizens who are entitled to pension benefits under the terms of the Law «On pension security» at the expense of the provision for the payment of pensions from the state budget, the volume of which shall be approved by the Law on the republican budget for the corresponding year, conducting the account of mandatory pension contributions and their translation from payers to pension funds, appropriating social individual codes of citizens.

State Center for pension payments is created in the form of a state enterprise, based on the operational management of which is determined by the authorized body of the Government of the Republic of Kazakhstan.

Pension payments from the State Center for pension payments in the following categories of citizens:

1) Receiving the pension before January 1, 1998;
2) Have reached retirement age;
3) military personnel, special government and law enforcement agencies, the State Courier Service, which are assigned special ranks, class ranks and set qualification classes, as well as those whose rights have special ranks, class ranks and wearing uniforms were abolished from January 1, 2012, eligible for retirement benefits for years of service.

In case of death of the recipient of pension benefits by age, including the recipient of the state basic pension payments, his family or the person who performed the burial, paid a lump sum payment for burial in the amount of 15.7 times the monthly calculation index established for the financial year by the law on the republican budget.

In case of death of the recipient of pension benefits by age, is a party or a disabled World War II, his family or the person who performed the burial, paid a lump sum payment for burial in the amount of 36.6 times the monthly calculation index established for the financial year by the law on the republican budget.

Appointment of pension payments from the Center made:
1 July 2001 - the men at the age of 63, women at the age of 58.
At the same time the appointment of pension’s age for women is made:
From January 1, 2018 - at age 58.5 years;
From January 1, 2019 - at age 59 years;
From January 1, 2020 - at age 59.5 years;
From January 1, 2021 - at age 60 years;
From January 1, 2022 - at age 60.5 years;  
From January 1, 2023 - at age '61;  
From January 1, 2024 - at age 61.5 years;  
From January 1, 2025 - at age 62 years;  
From January 1, 2026 - at age 62.5 years;  
From January 1, 2027 - at age 63 years.

Citizens living in the areas of emergency and maximum radiation risk during the period from August 29, 1949 at 5 July 1963 no less than 5 years, in accordance with the Law of the Republic of Kazakhstan «On social protection of citizens suffered from nuclear tests at the Semipalatinsk nuclear test site» are the right to the appointment of pension benefits by age:

1) Men - at the age of 50;  
2) Women - upon reaching 45.

Women who have given birth (adoptive, adopt) 5 or more children and raised them to the age of eight are entitled to pension benefits on reaching the age of 53 years.

Pension payments by age fully appointed at the age of, the following categories of citizens:

1) men - in the presence of seniority not less than twenty-five years as of 1 January 1998;  
2) Women - in the presence of seniority not less than twenty years on January 1, 1998.

Pension payments by age incomplete appointed categories of citizens, if they have no right to receive payment of pension age in full, depending on whether they have work experience of at least six months as of January 1, 1998.

Pension payments for incomplete age are calculated as a percentage of pension payment in full of all proportion to the age of experienced workers on January 1, 1998.

Judges are retired, receiving a monthly life annuity, not appointed by the pension-age benefits.

Pension payments by age in full from the State Center for Pension Payment shall be appointed at the age of, the following categories of citizens:

1) Men - in the presence of work experience of at least 25 years;  
2) Women - in the presence of work experience of at least 20 years.

Calculation of pension payments from the State Center for Pension Payment is made at the rate of 60% of average monthly income.
Calculation of the size of pension payments from the State Center for pension payments made on the basis of the average monthly income for any 3 consecutive years, regardless of interruptions from 01.01.95, the

The size of pension benefits by age for each full year worked up to January 1, 1998 in excess of the required length of service increased by 1 percent, but not more than 75 per cent of the income taken into account for the calculation of pension benefits.

The maximum size of pension benefits by age, appointed prior to 1 January 1998, except for the size of pension payments to participants and invalids of the Great Patriotic War, the military, police officers, prosecutors, the former State Investigation Committee of the Republic of Kazakhstan and the persons to whom pension was appointed before January 1, 1998 at favorable terms on the list number 1 production, jobs, professions, positions and indicators approved by the Government of the Republic of Kazakhstan, and the results of certification of workplaces, cannot exceed 75 percent of the size of 41 times the monthly calculation index set by the relevant financial year the law on the national budget.

The income for the calculation of pension payments from the State Center for Pension Payments include all types of remuneration and other income, list of which is established by the Government of the Republic of Kazakhstan.

Profit for calculating pension payments for 3 years is determined by dividing the total income of the 36 calendar months of the contract for thirty-six.

Income for the calculation of pension benefits by age cannot exceed the size of 41 times the monthly calculation index established for the financial year by the law on the national budget.

Statement on the appointment of pension payments from the State Center for pension served in assigning pensions authority at the place of residence of citizens with the documents confirming the length of service and the income required for the calculation of pension benefits.

Authority appoints pension payments (Department of Labor and Social Protection) considers the documents for a pension from the State Center for pension payments of no more than 10 days from the date of submission of documents.

No later than 5 days Department of Labor and Social Protection of Population, relegate the decision must give the applicant. In case of cancellation of a pension from the State Center for Pension Payments Department is obliged to motivate the reasons for refusal in writing. The person submitting the documents to the appointment of pension payments
from the State Center for Pension Payments may appeal the decision of the authority, appointing pension payments in court.

Pension payments from the State Center for pension payments are assigned to the date of application for a pension.

Day of treatment for a pension payment from the State Center for pension payments shall be the date of simultaneous submission of the application and required documents to the authority of social protection.
10 State social benefits

The concept of social pensions has entered the pension system in connection with the adoption by the Supreme Soviet Decree «On pension provision of citizens in the USSR».

The main purpose of the introduction of social security benefits - providing guaranteed minimum cash assistance to persons who have not acquired the right to retirement pension due to their lack of seniority.

State social benefits are included in the public social security system and are periodic payments of funds by the State to citizens in need of receipt due to disability, survivor and age.

Citizens of the Republic of Kazakhstan have the right to receive state social benefits. Foreigners and stateless persons permanently residing in the Republic of Kazakhstan have the right to the state social benefits on a par with citizens of the Republic of Kazakhstan.

Social pensions are established in the following categories of persons:
1) disabled groups 1, 2 and 3;
2) Disabled children under the age of 16 years;
3) Loss of the breadwinner;
4) Age.

Social benefits do not accrue from the earnings; the amount of benefits is established as a fixed amount differentially for different social categories of disabled citizens.

Social allowance is established:
1) In the amount of minimum old age pension - disabled group 1; disabled children, children who lost their parents;
2) In the amount of 2/3 of the minimum old-age pension - disabled 2 groups;
3) In the amount of ½ of the minimum old-age pension - disabled 3 groups

Applying for Appointment of benefits can take place at any time after the occurrence of the right to benefits. The application for the appointment of allowances applied to the authority of social protection at the place of residence of the person entitled to benefits, together with the documents.

Consideration of documents for the purpose of benefits is carried out social security agencies within 10 days from the date of submission of documents.

Benefits are paid out for the past month. Retention of benefits is made by way of execution.
Persons with disabilities is a person who due to limited activity due to the presence of physical or mental disability in need of social protection and assistance.

Restriction of vital activity is expressed in full or partial loss of the ability or opportunity to exercise self, movement, orientation, communication, control their behavior, and to engage in employment.

Citizens are directed to medical and social assessment of health care institutions. In the direction indicated on the health status of a citizen, reflecting the degree of violation of functions of organs and systems, the state of the body features. ITU operates on the basis of the provisions of the ITU adopted by the Government.

Those carrying out medical and social expertise, consider the submitted medical documents, conduct a personal inspection, assess the degree of restriction of his life and collectively discuss the results.

Depending on the degree of disorder of the body and Disability person found invalid, set 1, 2 and 3 disability, and persons under the age of 16 years established the category of «disabled child». Upon reaching 16 ITU disability set 1, 2 and 3 groups.

The most severe disability is a disability group 1, characterized by persistent significantly pronounced disorder of body functions, in which a person is not capable of self-care, mobility, self-control, orientation and communication.

Disability Group 2 is set when expressed persistent disorder of body functions, resulting in a permanent or long-term disability or to a state when a person is not able to work or may perform work in special conditions, with the help of other people.

The basis for the definition of disability 3 groups is the inability to perform an invalid operation on his profession or his ability available to those activities provided reduce qualifications or reduce the volume of industrial activity.

Disability benefits are appointed in the case of disability, regardless of whether the work is stopped at the time of applying for benefits.

Disability benefits are assigned, regardless of when the disability occurred - during the work or service, and entry to employment or after the termination of work.

For people with disabilities who are entitled to disability benefits include:

1) Disabled from general illness, work injury, occupational disease, from childhood, including children with disabilities up to 16 years;

2) Persons with disabilities with the number of conscripts, disability which occurred as a result of injury, concussion, injury, disease, received
during military service, persons who became disabled during the elimination of consequences of accidents at nuclear facilities civil or military use or as a result of an emergency at nuclear facilities;

3) invalids from among servicemen (except conscripts), persons of commanding and ordinary structure of law-enforcement bodies and the former GSK RK upon the occurrence of disability due to injuries received as a result of an accident not related to military service or illness not related to the performance of military and dereliction of duty;

4) the number of disabled military (except conscripts) who became disabled as a result of injury, concussion, injury, disease, received during military service, law enforcement officers and the former GSK Kazakhstan in the performance of official duties;

5) Disabled due to an emergency situation, including as a result of exposure to radiation during nuclear explosions and tests and / or / their effects on the condition of establishing a causal link.

The grounds for the appointment of disability are the recognition of disabled persons and the establishment of one of his three disability groups. In cases where the cause of disability is an industrial injury, occupational disease benefit is granted regardless of the duration of employment.

If there is a common cause of disability disease. To assign a disability requires total length of service specified duration.

Citizens who became disabled before the age of 20 years of disability benefits due to a general disease shall be appointed regardless of the duration of the general seniority.

Benefits are paid out for the current month. As for the appointment of disability is the recognition of a disabled citizen and setting him one of the 3 groups of disability, and the benefit is granted and paid to the period for which the disability is determined.

If the person with a disability re-examination is not established, the benefit is paid until the end of the month in which the re-examination was carried out.

If a citizen does not come at the appointed time on the re-examination, the payment of benefits is suspended. The allowance is resumed from the day when a citizen of the newly declared invalid. Omitting the period of re-examination for a good reason and the disability for the last time the allowance is paid from the date on which the citizen and is recognized as invalid.

For people with disabilities who are entitled to disability benefits include:

1) Disabled from general illness, work injury, occupational disease, children with disabilities up to the age of sixteen;
1) disabled since childhood, disabled children from sixteen to eighteen years - the first, second, third, groups;

2) persons with disabilities among the conscripts, who became disabled as a result of injury, concussion, injury, disease, received during military service, persons who became disabled during the elimination of consequences of accidents at nuclear facilities civil or military use or as a result of accidents at nuclear facilities;

3) invalids from among servicemen (except conscripts), staff of special state bodies, persons of commanding and ordinary structure of law-enforcement bodies and the former State Investigation Committee of the Republic of Kazakhstan upon the occurrence of disability due to injuries received in an accident not related to the performance of duties military service, service in the special state bodies (official duties) or illness that is not associated with the performance of military and service duties;

4) invalids from among servicemen (except conscripts), employees of special state agencies, law enforcement officers and the former State investigative Committee of the Republic of Kazakhstan in the performance of official duties;

5) persons with disabilities due to environmental emergencies, including as a result of exposure to radiation during nuclear explosions and tests and / or their effects on the condition of establishing a causal link.

Dimensions benefits.

1) Disabled persons referred to in subparagraphs 1), 1-1) and 3) mentioned above, the monthly disability benefits are assigned as follows:

1) On April 1, 2014 as follows:

- Invalids of the first group - 1.42 subsistence level established for the financial year by the law on the national budget (hereinafter - the cost of living);
- Invalids of the second group - 1.11 minimum subsistence levels;
- Invalids of the third group - 0.78 minimum subsistence levels;
- Disabled children under the age of sixteen - 1.05 minimum subsistence level;
- Disabled since childhood, the first group - 1.42 minimum subsistence levels;
- Disabled since childhood, the second group - 1.16 minimum subsistence levels;
- Disabled since childhood, the third group - 0.91 minimum subsistence levels;
Disabled children from sixteen to eighteen years of the first group - 1.42 minimum subsistence levels;
Disabled children from sixteen to eighteen years of the second group - 1.16 minimum subsistence levels;
Disabled children from sixteen to eighteen years of the third group - 0.91 minimum subsistence level;
2) From 1 January 2016:
Invalids of the first group - 1.78 minimum subsistence levels;
Invalids of the second group - 1.39 minimum subsistence levels;
Invalids of the third group - 0.98 minimum subsistence levels;
Disabled children under the age of sixteen - 1.31 minimum subsistence level;
Disabled since childhood, the first group - 1.78 minimum subsistence levels;
Disabled since childhood, the second group - 1.45 minimum subsistence levels;
Disabled since childhood, the third group - 1.14 minimum subsistence levels;
Disabled children from sixteen to eighteen years of the first group - 1.78 minimum subsistence levels;
Disabled children from sixteen to eighteen years of the second group - 1.45 minimum subsistence levels;
Disabled children from sixteen to eighteen years of the third group - 1.14 minimum subsistence levels.
2) Disabled persons referred to in subparagraphs 2) and 5) of Article 11 of the Law «On state social benefits for disability, survivor and age in the Republic of Kazakhstan», the monthly disability benefits are assigned as follows:
1) On April 1, 2014 as follows:
Invalids of the first group - 1.69 minimum subsistence levels;
Invalids of the second group - 1.36 minimum subsistence levels;
Invalids of the third group - 1.05 minimum subsistence levels;
2) From 1 January 2016:
Invalids of the first group - 2.11 minimum subsistence levels;
Invalids of the second group - 1.70 minimum subsistence levels;
Invalids of the third group - 1.31 minimum subsistence levels.
3) Disabled persons specified in subparagraph 4) of Article 11 of the above mentioned Law, the monthly disability benefits are assigned as follows:
1) On April 1, 2014 as follows:
Invalids of the first group - 2.19 minimum subsistence levels;
Invalids of the second group - 1.56 minimum subsistence levels;
Invalids of the third group - 1.05 minimum subsistence levels;
2) From 1 January 2016:
Invalids of the first group - 2.74 minimum subsistence levels;
Invalids of the second group - 1.95 minimum subsistence levels;
Invalids of the third group - 1.31 minimum subsistence levels.
4 The monthly disability benefit working beneficiaries paid in full.
5 If the amount of pension benefits by age is less than the size of the
monthly disability allowance established for the respective categories of
disabled persons, the payment of a monthly disability allowance is made
in the form of appropriate additional payments to the retirement benefit
age to the size of the monthly disability allowance established for this
category of persons with disabilities.

Allowance for loss of breadwinner has disabled family members of
the deceased breadwinner, consisting on its expense. At the same time
children and persons listed below benefits are granted regardless of
whether they consist survivors' dependents.

Disabled family members are:
1) children (including adopted children, stepchildren), brothers,
sisters and grandchildren under eighteen years of age and over that age if
they became disabled before reaching the age of eighteen, with brothers,
sisters and grandchildren - provided that they do not have able-bodied
parents, stepchildren - if they do not receive maintenance from their
parents.

Minors have the right to grant the survivor, retain this right also in
their adoption;

2) the father, mother (including adoptive parents), the wife, the
husband, if they have reached the retirement age in accordance with the
law on pensions;

3) one of the parents or spouse, or grandfather, grandmother, brother
or sister, irrespective of age and disability if (s) he is busy looking after
the children, siblings or grandchildren of the deceased breadwinner, under
8 years old and does not work;

4) grandfather and grandmother if they have reached the retirement
age in accordance with the law on pensions, and in the absence of the
persons who are legally required to maintain them, and have no other
source of livelihood.

Citizens over 18 years studying in educational institutions are
eligible for survivors to graduation in secondary education, full-time
students in higher and secondary special education, within no more than
23 years of age.
Members of the family of the deceased considered his dependents, if they were in its full content, or recipients of its assistance, which was for them a permanent and main source of livelihood.

Benefits awarded to children who have lost both parents (orphans), payable to their representatives (guardians, adoptive parents).

Dimensions benefits.
1. The maximum amount of the monthly benefit for loss of breadwinner is appointed:
   1) On April 1, 2014 in the amount of 1.69 minimum subsistence level on all disabled members of his family;
   2) From 1 January 2016 the amount of 2.11 minimum subsistence level on all disabled members of his family.

2. The monthly benefit for loss of breadwinner is appointed:
   1) On April 1, 2014 as follows:
      If there is one disabled family member in the amount of 0.69 minimum subsistence level;
      If there are two - 1.19 minimum subsistence levels on all disabled family members;
      With three - 1.48 minimum subsistence level on all disabled family members;
      If you have four - 1.57 minimum subsistence levels on all disabled family members;
      In the presence of five - 1.62 minimum subsistence level on all disabled family members.
      If you have six or more disabled members of the family allowance for each size is calculated as equal to a share of 1.69 minimum subsistence level;
   2) From 1 January 2016:
      If there is one disabled family member in the amount of 0.86 minimum subsistence levels;
      If there are two - 1.49 minimum subsistence levels on all disabled family members;
      With three - 1.85 minimum subsistence level on all disabled family members;
      If you have four - 1.96 minimum subsistence levels on all disabled family members;
      In the presence of five - 2.03 minimum subsistence level on all disabled family members.
      If you have six or more disabled members of the family allowance for each size is calculated as equal to a share of 2.11 minimum subsistence levels.
3 In case of loss of both parents Orphans monthly allowance for loss of breadwinner is appointed:

1) April 1, 2014 - in the amount of 0.94 minimum subsistence level for each child, the rest of disabled family members - in the amount of 0.43 minimum subsistence level, but not more than 2.05 of the subsistence minimum on all disabled family members;

2) from 1 January 2016 - in the amount of 1.18 minimum subsistence level for each child, the rest of disabled family members - in the amount of 0.54 minimum subsistence level, but not more than 2.56 of the subsistence minimum on all disabled family members.

4 Members of the families of military personnel, employees of special government bodies, bodies of internal affairs and former State Investigation Committee of the Republic of Kazakhstan, killed or died as a result of injury, concussion, injury, disease, received while on duty or military service, service in the special state bodies, the monthly allowance for the survivor's pension is increased by 0.25 living wage for each disabled family member, but no more than:

1) April 1, 2014 - 2.05 minimum subsistence level on all family members;

2) From 1 January 2016 - 2.56 minimum subsistence level on all family members.

5 If the amount of pension benefits by age, received disabled family member, less than the amount received monthly allowances for loss of breadwinner, the payment of monthly allowances for loss of breadwinner is made in the form of appropriate additional payments to the retirement benefit age to the size of the monthly benefit for loss of breadwinner, established for these disabled family members.

Age benefits are paid to citizens with no rights to pension payments from the State Center for pension payments, pension savings funds upon reaching the age laden with pension legislation of the Republic of Kazakhstan, or upon receipt of pension payments in the amount less than the minimum pension.

The monthly allowance for age assigned in the amount of 0.52 minimum subsistence levels.

Citizens who have reached retirement age and implementing mandatory pension contributions in accordance with the Law «On pension security» monthly age benefits are provided in the form of appropriate additional payments to the minimum pension established by the legislation of Kazakhstan.
11 Special state benefits. Measures the safety of pension savings

Special state benefits - a cash payment in need of social protection and provided independently from the other types of benefits.

State social allowances system is subject to the Law of the Republic of Kazakhstan «On state social benefits» of April 5, 1999 for № 365-1.

The manual is included in the system of state social security and is a monthly payment of money to the citizens having the right to receive them.

For citizens eligible for benefits include:

1) Participants of the Great Patriotic War and persons equated on privileges and guarantees to participants of the Great Patriotic War;
   1-1) invalids of the Great Patriotic War and persons equated, on privileges and guarantees to the invalids of the Great Patriotic War;

2) Parents and not remarried widows of soldiers killed (dead, missing) in World War II;

3) families of servicemen, employees of special government bodies, the victims (missing) or died as a result of injury, concussion, injury, disease, received during the fighting in Afghanistan or other countries in which the operations were conducted; military family, employees of special government bodies, dead (deceased) during military service, service in the special state bodies, in peacetime, families of police officers killed in the line of duty; families of the victims in the aftermath of the Chernobyl disaster and other radiation disasters and accidents at civilian or military facilities; deceased family as a result of radiation sickness or disabled people who died, as well as citizens, whose death in the prescribed manner is related to the impact of the Chernobyl disaster and other radiation disasters and accidents at civilian or military purposes and nuclear test sites;

4) not remarried wives (husbands) of deceased disabled veterans and equated with disabilities, as well as the wives (husbands) of deceased war veterans, partisans, underground fighters, citizens, awarded the medal «For the Defense of Leningrad» or a sign «Resident of blockade Leningrad» , accept disabled as a result of general illness, industrial injury and other causes (except illegal);

4-1) Hero of the Soviet Union, Heroes of Socialist Labor, holder of the Order of Glory of three degrees, the Labor Glory of three degrees, those awarded the honorary title of «Kazakhstan-garishker-yshkishi»;

5) persons awarded with orders and medals of the former USSR for self-denying work and faultless military service in the rear during the Great Patriotic War, as well as persons who have worked (have served) at least
six months to June 22, 1941 to May 9, 1945, and not awarded with orders and medals of the former USSR for self-denying work and faultless military service in the rear during the Great Patriotic war;

6) A person from among the participants of liquidation of consequences of the Chernobyl catastrophe in 1988-1989, evacuees (who left on their own) from the zones of exclusion and resettlement in the Republic of Kazakhstan, including children, who on the day of the evacuation were in uteri;

7) Invalids of the first, second and third groups,

8) Children with disabilities up to the age of sixteen;

8-1) disabled children from sixteen to eighteen years of the first, second, third, groups;

9) Mothers with many children awarded pendants «Altyn Alka», «Kumis Alka» or previously received the title «Heroine Mother», and awarded orders «Maternal Glory» and I or II degree;

10) large families with four or more cohabiting minor children, including children enrolled in full-time training in the organizations of secondary, technical and vocational, post-secondary education, higher education, after reaching the age of majority before the end of their educational institutions (but no more than up to the age of twenty-three);

11) Victim of political repression, the person suffered from political repression, has a disability or are pensioners;

12) Those who are assigned to pensions for special services to the Republic of Kazakhstan.

Applying for grants can be appointed at any time after the occurrence of the right to benefit without restriction in any period.

The application for the appointment of benefits submitted by the person entitled to receive it. Attached to the application documents, the list of which is approved by the central executive body.

The documents in question on the appointment of benefits within 10 days from the date of submission of documents. No later than 5 days, the central executive body notifies in writing its decision to the applicant. The benefit is granted from the date of treatment. In case of refusal to pay benefits a central executive authority is obliged to motivate the reasons for refusal in writing and return the documents.

The allowance is reviewed in connection with the change of the monthly calculation index approved annually by the Law on the national budget, as well as changes in the citizen disability.

The benefit is granted to citizens for the changes in the monthly calculation index, approved the law on the republican budget for the respective year.
The benefit is granted in the following amounts:

1) Participants of the Great Patriotic War - 16.0 monthly calculation index;

2) Invalids of the Great Patriotic War - 16.0 monthly calculation index;

3) Persons equated on privileges and guarantees to participants of the Great Patriotic War, - 6, 19 monthly calculation index;

4) Persons equated on privileges and guarantees to the invalids of the Great Patriotic War - 7.55 monthly calculation indexes;

5) Widows of soldiers killed (dead, missing) in World War II, not to remarry - 4.48 monthly calculation index;

6) to the families of servicemen, employees of special government bodies, the victims (missing) or died as a result of injury, concussion, injury, disease, received during the fighting in Afghanistan or other countries in which the operations were conducted; the families of military personnel, employees of special government bodies, dead (deceased) during military service, service in the special state authorities in peacetime; the families of police officers killed in the line of duty; families of the victims in the aftermath of the Chernobyl disaster and other radiation disasters and accidents at civilian or military facilities; the families of the deceased as a result of radiation sickness or deceased persons with disabilities, as well as citizens, whose death in the prescribed manner is related to the impact of the Chernobyl disaster and other radiation disasters and accidents at civilian or military facilities and nuclear tests, - 4.59 monthly calculation index;

7) wives (husbands) of deceased disabled veterans and equated with disabilities, as well as the wives (husbands) of deceased war veterans, partisans, underground fighters, citizens, awarded the medal "For the Defense of Leningrad" and badge "Resident of blockade Leningrad", accept disabled as a result general illness, industrial injury and other causes (except illegal) that are not remarried - 2.56 monthly calculation index;

8) Heroes of the Soviet Union, Knights of the Order of Glory of three degrees, those awarded the honorary title of «Kazakhstan-Faryshker Yshkyshy» - 138.63 monthly calculation indexes;

9) Heroes of Socialist Labor, the number of participants of the Great Patriotic War - 74.65 monthly calculation index;

10) Heroes of Socialist Labor, holder of the Order of Labor Glory of three degrees - 9.60 monthly calculation index;

11) persons awarded with orders and medals of the former USSR for self-denying work and faultless military service in the rear during the
Great Patriotic War, as well as persons who are not awarded state awards, have worked (have served) at least six months during the period from June 22, 1941 - May 9, 1945 - 2.13 monthly calculation index;

12) Persons from among the participants of liquidation of consequences of the Chernobyl catastrophe in 1988-1989, evacuees (who left on their own) from the zones of exclusion and resettlement in the Republic of Kazakhstan, including children, who on the day of the evacuation were in uteri, - 2.13 monthly calculation index;

13) Persons with disabilities first and second groups - 1.49 monthly calculation index;
14) disabled third group - 0, 64 monthly calculation index;
15) Disabled children under the age of sixteen - 0, 96 monthly calculation index;
16) Disabled children from sixteen to eighteen years of age:
   The first and second groups - 1, 49 monthly calculation index;
   The third group - 0, 64 monthly calculation index;
17) mothers with many children, awarded pendants «Altyn alka», «Kumis Alka» or previously received the title of «Mother-heroine», awarded the Order of «Maternal Glory» I and II level - 6.40 monthly calculation index;

And more cohabiting minor children, including children enrolled in full-time training in the organizations of secondary, technical and vocational, post-secondary education, higher education, after reaching the age of majority before the end of their educational institutions (but not more than up to the twenty-three age) - 4.16 monthly calculation index;

18) large families with four or more cohabiting minor children, including children enrolled in full-time training in the organizations of secondary, technical and vocational, post-secondary education, higher education, after reaching the age of majority before the end of their educational institutions (but not longer than until the age of twenty-three) - 4.16 monthly calculation index;
19) To the victims of political repressions, to victims of political repression with a disability or are pensioners - 1, 07 monthly calculation index;
20) Persons who are assigned to pensions for special services to the Republic of Kazakhstan - 1.07 MCI.

Safety of pension savings is provided with:
1) Licensing of accumulative pension funds
   Attract pension contributions and make pension payments;
2) Licensing company pension management
   Asset investment management of pension assets;
3) Licensing custodian banks' activity level 2;
4) Regulate the activities of accumulative pension funds by Establishment of accumulative pension funds by setting appropriate standards and limits to ensure their financial sustainability;
5) Establishment of prudential standards activities for the pension asset management companies. Prudential standards - is established by the authorized government agency regulations, required to comply with them in the management of pension assets;
6) Establish the requirements for founders, executives and specialists of accumulative pension funds and pension asset management companies;
7) The establishment of funds storage requirements for money and securities Exclusively in the custodian bank;
8) The investment of pension assets in bank deposits, which are Affirmative persons in relation to each other and the custodian bank;
9) Separate accounting of own funds and pension assets of accumulative pension funds, and control over their target placement;
10) The transfer of the investment management function of pension The company's assets for pension assets management of non-state pension accumulation funds;
11) The establishment of the authorized body for securities regulation Securities requirements for companies managing pension assets for diversification and reduce risk when placing pension assets;
12) Restrictions on the compensation of remuneration received by pension funds;
13) Mandatory annual audits of annual financial statements of accumulative pension funds and pension asset management companies.
Pension assets - funds intended for the provision and implementation of pension payments from accumulative pension funds.
Pension assets of accumulative pension funds are formed by:
1) Pension contributions and investment income generated by Investing activities, net of compensation awards accumulative pension funds and companies for managing pension assets of non-state accumulation funds;
2) Other sources provided by the legislation of foreclosure on pension assets for the debts of the depositor, the recipient of the pension fund, the custodian bank and the company is not allowed pension asset management.
Pension assets of accumulative pension fund may be used for the following purposes:
1) Placing of financial instruments;
2) The implementation of pension payments in accordance with the law;
3) Transfer of pension savings to another accumulative pension Fund and other money erroneously credited.

Pension accumulations were in favor of whom make pension contributions to pension funds, in the event of his death is inherited according to law.

In case of death of the recipient or his family face an ongoing burial recipient accumulative pension fund shall be paid a lump sum payment for burial within 15 monthly calculation indexes, but no more than the available funds on the individual pension account. Investment management of pension assets of non-state savings fund is carried out on the basis of a contract with a company of his choice of pension asset management.

Pension asset Management Company may enter into a contract for the management of pension assets at the same time with 2 or more non-state pension funds. The value of equity pension assets management should be increased in proportion to the size of pension assets taken into management. The contract for management of pension assets shall be in writing. By the agreement, the rules of trust management of property contract.

Pension assets of accumulative pension funds are kept and recorded in the accounts at the custodian bank in accordance with the custody agreement.

Custodian bank - the bank, which provides services for the custody and accounting of securities entrusted money and customers.

Pension Asset Management Company is a party custodian agreement concluded between non-state accumulation fund, custodian bank and the management company of accumulated pension assets, and carries out the disposal of pension assets by placing funds in deposits, government and corporate securities and other financial instruments. Shape Model custody agreement is developed and approved by the authorized body in coordination with the authorized body on regulation of the securities market and the National Bank of Kazakhstan. Custodian bank exercises control over the targeted placement of pension assets of private pension fund and obliged to block (not execute) pension asset management company's orders in the event of non-compliance legislation, with immediate notification of the authorized body on regulation of the securities market and non-state savings fund. Custodian bank keeps records of transactions on the accumulation of pension assets and their placement to obtain investment income on a monthly basis and informs the accumulative pension fund of its accounts and activity on pension assets management companies. Do accumulative pension fund should be one custodian bank.
12 Social benefits at the expense of the employer

Social benefits - cash payments are assigned to citizens for the purpose of compensation for lost earnings, or provide additional financial assistance.

Unlike pensions - permanent and main source of livelihood - the grant is using, temporarily replacing the lost income.

Temporary disability benefits - is a monetary payment to compensate the lost employee earnings during temporary release from work due to illness and other socially important reasons.

The benefit is granted all employed (i.e. on the basis of an employment agreement (contract)), irrespective of the place of work, its nature, the order of remuneration.

Temporary disability - (a disease, injury, maternity leave, spa treatments, care for a sick child and a family member, quarantine) shall be certified by a piece of disability and, in some cases - a certificate of incapacity for work.

Leaf disability - a document certifying the fact of disability, is the basis for exemption from work and receiving benefits for temporary disability, pregnancy and childbirth.

Foreigners working in the Republic of Kazakhstan organizations, sick leave granted on a general basis.

The right to temporary disability benefits arises at the worker:
1) In the case of confirmation of temporary incapacity to work period, including the time of the test and the day of dismissal;
2) In case of confirmation of the fact of temporary disability hospital leaf.

If a person, in spite of the presence of the hospital sheet works, it receives a salary, rather than temporary disability benefits.

The right to issue sick leave physicians has the public health system. Certificate of incapacity issued upon presentation of a document proving the identity of the patient, after a personal examination of the patient and supporting medical records file substantiating the provisional release of the work.

They do not have the right to temporary disability benefits:
1) Intentionally causing damage to their health in order to evade work or pretend to be ill;
2) Temporary disability from illness or injury, occurring as a result of intoxication or actions related to intoxication;
3) Temporary disability who has come as a result of injuries sustained in the commission of crimes;
4) Passing compulsory treatment by a court;
5) Are in custody and undergoing a forensic examination.

Benefit payments are differentiated terms. The manual is issued on the first day of disability and to its recovery or establishment of invalidity.

One of the parents is entitled to the benefit of the treatment of the child to be with him in the hospital at all times during his stay in the hospital, regardless of the child's age. Parents who are with the child in the hospital are given a sheet of disability.

If you are caring for a child under the age of 7 years allowance issued for the entire period of the child's illness. If you are caring for a child aged from 7 to 15 years old benefit granted for no more than 10 days, unless medical opinion is not required care for a longer period.

Temporary disability benefits paid out in the presence of relevant documents in connection with a common disease:
1 Injury (home);
2 Abortion;
3 Quarantine;
4 For temporary transfer in the event of tuberculosis or Occupational disease.

The duration of uninterrupted service on the size of temporary disability benefits are not affected.

Dimensions benefits:
1) Temporary disability, work-related injury or occupational disease the employee - 100% of the average wage;
2) Temporary disability, people with disabilities working great Patriotic War and persons equated to them - 100% of the average wage;
3) Temporary disability benefits to other categories of person sappointed on the basis of the average monthly salary.

The monthly employee benefits are determined by multiplying its average daily earnings in the number of working days to be paid according to sick leave.

The Constitution of the Republic of Kazakhstan stated that motherhood, childhood and the family are under state protection.

Maternity allowance was introduced simultaneously with the temporary disability benefits. Until 1940, pregnancy and childbirth were regarded as one of the cases provides benefits in connection temporary disability. Subsequently, this payment of maternity moved into a separate type of benefit.
The purpose of this grant - to compensate the lost earnings due to the need to halt female employment during pregnancy and childbirth, to ensure the protection of women, maternal health, restoring her health after childbirth and maternity care for a child in the first months of life. This manual is designed for working women.

Women are entitled to 70 days of pregnancy duration before Herod and 56 - after giving birth.

Calculation made totally and leave is granted to women in full, irrespective of the number of days actually used before childbirth, with payment of benefits for these periods of maternity leave paid by the employer, regardless of the duration of work in the organization.

Calculation of the maternity leave and payment is made in accordance with the Labor Code of the Republic of Kazakhstan.

Social benefits for pregnancy and childbirth is payable at the same time, while social payments for child care reaches the age of one year - a monthly basis. According to the Law of Kazakhstan "On obligatory social insurance" structural subdivisions of the State Center for pension payments within 5 working days from the date of the documents required for the purpose of social payments, transfer them to the authorized body (territorial Department of Control and Social Protection of the population) on the appointment of social payments.

The authorized body to destination of social payments within 10 working days from receipt of the documents considers them and decides whether to appoint or not to appoint social payments. In case of failure to appoint social payments, he shall notify the applicant of the reasons for refusal and return submitted documents to the applicant. It can also send the documents for examination and check of documents which were the basis of their issue. At the same time be informed of the delay in the decision on the appointment of social payments and the timing of the extension of the decision, but no more than one month, the applicant shall be notified in writing.

Social payments to beneficiaries are made by the 20th day of each month following the decision on the payment of social purpose.

The following benefits and payments provided Childbirth:

1 State one-time benefit for the birth of the child (for working, and for unemployed women) - a fixed allowance.

2A monthly social allowance for child care reaches the one year (for unemployed women)

3 Monthly social payments for child care reach the one year (for women workers).
4 One-time social payment on pregnancy and childbirth due to loss of income (for women workers).

The allowance fixed at birth is 31.41 MCI - on the first, second and third child and 52.35 MCI - on the fourth, fifth, sixth, and so on children. This allowance is paid to all postpartum women: how to work and do not work, the state budget.

The amount of social benefits for child care when he reaches one year for unemployed women registered, and is as follows:
- For the first child - 5.76 monthly calculation index;
- The second child - 6.81 monthly calculation index;
- For the third child - 7.85 monthly calculation index;
- For the fourth and subsequent children - 8, 90 monthly calculation index;
State targeted social assistance - a new kind of material support to low-income families and low-income citizens. The purpose of the provision of state social assistance - to support the standard of living of low-income households, the per capita income is below the subsistence level established by the Government of the Republic of Kazakhstan. This support enables the use of funds for the eradication of extreme poverty. State targeted social assistance is provided by the state budget and local budgets.

The Law of RK «On state social assistance» is defined, the right to social aid granted to the citizens of the Republic of Kazakhstan, repatriates, refugees, foreigners and stateless persons permanently residing in the Republic of Kazakhstan, with an average per capita income below the poverty line.

The size of the poverty line is determined quarterly by the central executive body on the basis of the subsistence minimum in the average per capita as a percentage depending on the economic possibilities of the state. The poverty line by regions, cities of republican status, capital is calculated on a quarterly basis by the local executive bodies.

The media published information about:
1) The amount of the poverty line - on a quarterly basis by the central executive authority;
2) The poverty line - on a quarterly basis by the local executive bodies;
3) the share of the population with incomes below the poverty line, according to the country, region, city of republican significance, the capital - annually by the authorized body in the field of state statistics.

Targeted social assistance is not assigned:
1) the unemployed who are not registered in the employment centers, and able-bodied citizens of the Republic of Kazakhstan, in writing refuse to participate in active measures to promote employment, except invalids and persons, during their stay in the hospital treatment of more than one month, students, trainees, students and master's degree full-time students, as well as citizens, busy taking care of invalids I and II groups, persons older than eighty years, children aged up to seven years;
2) Unemployed, without a valid reason to refuse the offer of employment population centers, including social workplace or public work, on training, retraining and advanced training, abandons his participation in such work and training.
Targeted social assistance to the unemployed is recovering from the date of employment, including social workplace or public work, referral to training, retraining and professional development, and able-bodied citizens of the Republic of Kazakhstan from the date of participation in active measures to promote employment.

Established 2 types of targeted social assistance:
1 Cash payments - benefits, social assistance;
2 Natural assistance (fuel, food, medicines, etc.).
The predominant view is cash payments.

State targeted social assistance is provided to the district (city) department of labor and social protection of the population in the form of:
1 The allowance for families with children;
2 Social assistance for childbirth and material assistance unemployed.
3 Pecuniary aid in the form of benefits for payment housing maintenance and utilities;
4 Social assistance for the burial of working citizens, financial assistance for the burial of the unemployed, regardless of family income.

Financial assistance to the unemployed is the citizens who have received the status of unemployed. In case of sending the unemployed to vocational training or public work material assistance discontinued from the start of training or work. Term of rendering financial assistance cannot exceed 6 months for the 12-month period.

Social assistance at birth and burial of citizens is to families upon the occurrence of the relevant circumstances. The size of material aid to the unemployed and the funeral of the unemployed cannot be less than 1 -fold MCI.

State targeted social assistance provided at the place of residence or place of stay of a needy family. The decision to accept the appointment of district department of Labor and Social Protection of Population. It can be provided at the same time or for a certain period.

An application for social assistance submitted in writing (on behalf of the family - her legal representative: a parent, guardian). It shall contain information on the composition of the family, income and property belonging to the right of ownership. The information referred to in the statement can be verified by district (city) department of labor and social protection of the population, adopted a statement.

The decision on the appointment of targeted social assistance or refusal of such assistance to the applicant in writing within 7 days after treatment of the applicant and provide them with the necessary documents. If the need for additional verification of information submitted by the applicant department of labor and social protection of the population is
required within the specified period to give a preliminary response to the notice of such verification. The final answer should be given not later than 15 days after submission of the application.

The decision not to grant State aid was adopted in the case of providing false information on family composition, income and property belonging to the right of ownership.

During the period of receiving state social assistance the applicant must inform the authority that has appointed him state aid of any changes that have occurred in the family structure, income and property. The deadline for posts - 10 days from the date of the changes.

In case of unreliable data reported for the appointment of targeted social assistance or untimely notification of the changes that occurred, the applicant (his family) may be deprived of the right to receive state social assistance.

Refusal of appointment of state aid and an end to this aid can be appealed to a higher authority for social protection and the court on the same grounds.

The comprehensive income of the family members is taken into account all revenue actually received in cash and in kind for a set period of time, including:

1. Income received in the form of payment of the ore;
2. Income from business activities;
3. Property income;
4. The public and private pensions, scholarships, grants, compensation and other forms of social support;
5. Received child support for children and other dependents;
6. The lump sum amounts received by way of damages, caused by injury or other impairment of health;
7. Income from private farming.

Targeted social assistance is assigned to each family member who is eligible to receive it.

The structure does not include the family:
1) Children who are on full state support;
2) The elderly and disabled, permanently residing in nursing homes;
3) Persons in the military service;
4) Persons who are in detention, compulsory treatment.

The birth grant issued to the mother, the child's father and closest relatives. Lump-sum allowance for childbirth - is one of the social benefits for each child, regardless of any conditions relating to the social status of the parents. This benefit is entitled to receive both employed and unemployed citizens.
Lump-sum allowance for childbirth - is one of the social benefits for each child, regardless of any conditions relating to the social status of the parents. This benefit is entitled to receive both working and non-working citizens.

For the appointment and payment of benefits provided the following documents:

- Application for the benefit; if both parents are working, then shall be accompanied by a certificate from the employer of the other parent that guide it are not appointed;
- Certificate of birth issued by the authority of the registrar's office. Help is issued together with the certificate of the child's birth.

Social funeral benefit paid to the spouse, next of kin, other relatives, legal representative of the deceased or other person who has taken the responsibility to carry out the burial of the deceased. Appointment and payment of benefits is made on the day of applying for it on the basis of reference organ registry office about the death - authority social welfare in the community.
14 Social and labor rehabilitation. International legal regulation issues of social protection

Social services for the elderly and disabled citizens consists of several types: housing and household facilities, the content in social institutions of disabled citizens (homes for the elderly and disabled, pensions for veterans of labor, neuropsychiatric boarding schools, children's homes, shelters), prosthetic and orthopedic care, transport service and etc.

The legal framework regulating social services are adopted and in force in the current laws and regulations. Among the main are: the Republic of Kazakhstan Law «On social protection of disabled persons in the Republic of Kazakhstan» dated April 13, 2005 № 39, the Law of the Republic of Kazakhstan as of April 28, 1995 № 2247 «About privileges and social protection of participants and invalids of the Great Patriotic War and persons, equal to them» (with alterations and amendments as of 07.04.2014 was).

Social service - an activity of social services for social support, the provision of social, socio-medical, psychological and pedagogic, social and legal services and financial assistance, for the social adaptation and rehabilitation of citizens who are in difficult situations.

The difficult life situation - a situation objectively violates the livelihoods of citizens (disability, inability to look after themselves due to old age, illness, orphanhood, low income, unemployment, lack of fixed residence, etc.), He cannot overcome on their own.

The right to social services is Kazakhstan citizens. Foreigners and stateless persons enjoy in Kazakhstan the same right to social services, and that citizen of Kazakhstan, unless otherwise stipulated by international treaties.

Persons receiving social services - is first of all people with disabilities, older people and children.

Social services are provided social services for free and for a fee. However, the social service can recognize only the wages that provide free or for incomplete market value, i.e., fully or at least partly at the expense of society.

The Declaration on the Rights of Disabled Persons, adopted by the UN General Assembly on 9 December 1997, establishes the rights of disabled people to health care, psychological and functional treatment for restoration of health, to education, craft training and rehabilitation, aid, counseling, employment services that allow them to develop their
capabilities and skills and accelerate their process of social integration and reintegration.

According to UN experts, people with disabilities make up 10% of the total population. In the Republic of Kazakhstan in recent years has been an increase in the number of disabled people of working age and children with disabilities.

Providing social welfare of persons with disabilities can be achieved through rehabilitation. Rehabilitation of the disabled — is a system of medical, socio-economic, educational activities aimed at the elimination or fullest possible compensation limits of life caused by the breach of health with persistent disorder of body functions.

The main goal of rehabilitation - the restoration of the social status of the disabled, to achieve their financial independence and social adaptation. Rehabilitation includes medical, professional and social rehabilitation of the disabled.

Individual rehabilitation program (IRP) is developed institution of civil service medical and social assessment in the case of the consent of the disabled person to carry out rehabilitation measures, consisting of medical, professional and other measures aimed at the restoration, compensation for damaged or lost functions of the body, rehabilitation, compensation disabled abilities implementation of certain activities.

Children — disabled preschool provides the necessary rehabilitation measures and created the conditions for a stay in preschool institutions, education of children with disabilities parental consent is carried out at home.

The basis of the rehabilitation of the disabled and their employment policy must be based on the principle of equality of persons with disabilities and respect for equality of opportunity and treatment for men and women who are disabled.

In order to rehabilitate the creative and production abilities of disabled persons in accordance with their individual rehabilitation program shall be granted the right to work in enterprises (institutions, organizations) with the usual working conditions, specialized factories, shops and sites that use labor of disabled persons, as well as to engage in individual and other activities.

Local executive and representative bodies set standards booking in enterprises (institutions, organizations) jobs for people with disabilities in the amount of not less than 5% of the number of employees (at least 20 people).
Enterprises, institutions and organizations do not provide a reservation of jobs for people with disabilities or evading their employment, reimburse the costs associated with the employment of people with disabilities.

It creates specialized enterprise management and areas for the use of disabled persons. Employment of people with disabilities is provided by the State Employment Service.

Local authorities can approve the lists of positions and professions, subject to pre-emptive replacement disabilities in enterprises, institutions and organizations.

It guarantees employment of disabled persons should also include provisions establishing the responsibilities of employers to create people with disabilities employed in the organizations of any pattern of ownership, the necessary working conditions. These include the establishment for disabled groups 1 and 2 reduction of working hours not exceeding 36 hours per week with full pay; involvement of people with disabilities to work overtime, work on weekends at night only with their consent and subject to such work if they are not prohibited for health reasons; the provision for the year holiday for all workers with disabilities of at least 2 months without pay (at the request of a disabled person and taking into account the conditions and the possibility of production).

Attraction to work of persons from among the senior citizens and the disabled who are inpatient service may be effected departments of labor and social protection of the population. They have the right to create a shop, workshops, cottage industries and attract them to work in the elderly and the disabled.

Of great importance for the employment of disabled people have employment contracts with the condition of the home and work part-time. Home-based work in the conditions of global computerization creates additional employment opportunities for people with disabilities.

The right of citizens to social security has an important place among other social and economic human rights, and found fully consolidated in international laws.

International legal regulation is expressed in the development of international standards in the field of social security, in co-ordination of national legislation on the conservation of acquired rights to social benefits when moving to a citizen of one State to another in the course of employment or retention of acquired rights to a specific type of pension or benefits when changing country of permanent residence.

This regulation should be regarded as a voluntary-mandatory and optional in relation to the legislation of the Republic of Kazakhstan in the field of social security. It is based on the ratification of the conventions and
Other acts of international organizations and their bodies, to which the Republic of Kazakhstan. This is mainly due to the activities of the UN, the ILO CIS. Such regulation is achieved by entering into the Republic of Kazakhstan bilateral and multilateral international legal treaties with other states.

All States parties to the Covenant recognize the right of everyone to a decent standard of living for every person and his family, which excludes food, clothing and housing, improvement of living conditions.

The Universal Declaration of Human Rights, which is inextricably linked to the Covenant, enshrines the human right to social security and to implement the necessary measures in order to maintain his dignity. It states that every person has the right to a standard of living, including food, the right to security in the event of unemployment, sickness, disability, old age and other lack of livelihood in circumstances of independence from him.

One of the fundamental rights of every human being is entitled to social security, i.e., eligible to receive benefits, unemployment, disability, temporary disability or other lack of livelihood in circumstances beyond human existence circumstances. The most complete reflection of the generally recognized principles and norms of international law received in the «Universal Convention on Human Rights» (1948) and the International Covenant on Economic, Social and Cultural Human Rights and the Citizen (entered into force on 02.03.76 d. b.).

Universally recognized principles and norms of international law and international treaties are an integral part of the legal system and have the highest legal force.

The USSR and the Republic of Kazakhstan has not ratified most of the conventions on social security, developed by the ILO and other international organizations. However, in recent times shown a significant increase to their ratification.

These international instruments regulate the basic rights of citizens in the field of social security.

There are 3 ways of introduction and consideration of international standards on social security:

1 The direct application of the norms contained in the international Acts in the legislation of Kazakhstan;

2 The inclusion of such rules in the legislation of the Republic of Kazakhstan fully or partially;

3 Accounting and implementation of normative legal acts in the internal law of international experience in the field of social security, expressed in the relevant international instruments to which the Republic of Kazakhstan is not a party, as well as in national legislation.
The main subjects of the international legal regulation of social security are the UN and the ILO. The ILO is a UN agency specialized and in accordance with its articles of association shall have the authority to adopt international conventions and recommendations, including those on social security.

The subjects of international legal regulation of social security at the regional level and bilaterally can join various associations of states. Certain powers on this issue have CIS members, which formed in 1991.

The most significant source, which contains the universally recognized principles and norms of international law relating to social security, is the International Covenant on Economic, Social and Cultural Rights. It provides that States involved in it recognize the right of everyone to social security.

Sources of international legal regulation of social security are the acts of the UN and the ILO, the regional associations in Europe, Africa, the Middle East, bilateral and multilateral treaties.

In the scope of the international rules on social security can be grouped into the following groups:
1. General - to be carried out in all countries of the world;
2. Regional - act only within a specific region;
3. Bilateral - required only for the participating countries.

By way of implementation of international standards on social security are divided into 3 groups:
1) Acts, binding on the member states of international organizations without ratification;
2) Acts that are binding after ratification;
3) Acts that are not subject to ratification and is not binding on.

A special group of sources governing international relations social security agreement form of the CIS.

The first step in improving the legislation in the field of social security is the Agreement of 13 March 1992 which was signed by Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. The agreement will extend to all types of pension schemes, provided by the current legislation.

Agreement Members are required to appoint and pay pensions under the legislation of the country of residence, taking into account seniority acquired in the territory of any of that State, as well as the former Soviet Union in the period up to March 13, 1992 the amount of income for the calculation of the pension is determined by the official exchange rate set by the national currency at the time a pension. The pension is provided in accordance with the legislation of the country of residence.
According to the Constitution of the Republic of Kazakhstan, foreigners and stateless persons shall enjoy the rights and bear the same obligations as citizens of the Republic of Kazakhstan, except for cases stipulated by international treaties. Equality of foreign citizens and stateless persons, including refugees, citizens of the Republic Kazakhstan confirmed by the Law of the Republic of Kazakhstan «On Employment». 
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Технический редактор З. Ж. Шокубаева
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