

AL-FARABI KAZAKH NATIONAL UNIVERSITY

**Approved at the meeting of
Scientific and Methodological Council of
al-Farabi KazNU
Protocol No. _____
From _____ 2019
Vice Rector for Academic Affairs
_____ A.Hikmetov**

**SPECIALTY ENTRANCE EXAMINATION PROGRAM FOR APPLICANTS TO THE
DOCTORAL PROGRAM FOR SPECIALTY
"8D042 LAW" - (JURISPRUDENCE)**

ALMATY, 2019

The program is compiled in accordance with the State Compulsory Education Standard in the specialty "8D042 - Law".

Approved at a meeting of the methodical bureau of the Faculty
Protocol No. ____ " ____ " _____ 2019

Chairman of the methodical bureau _____ Urisbaeva A.

The program was considered at a meeting of the Academic Council of the Faculty of Law
Protocol No. ____ " ____ " _____ 2019

Dean of the faculty _____ Baideldinov D.L.

Scientific Secretary _____ Atakhanova G.M.

CONTENT

1. Purpose and objectives of the entrance exam in the specialty: determining the level of knowledge, skills and ability to express thoughts clearly and reasonably, as well as identifying the analytical abilities of the examinees in the specialty "8D042 - Law" - (Jurisprudence), necessary for studying in a doctoral program and getting an academic degree "doctor PhD".

The entrance exam form is a written exam. The examinees write down their answers to the questions of the exam ticket on the answer sheets, which are checked by the examining board in encrypted form.

2. Requirements for the level of training of people entering the doctoral program: applicants must show good and in-depth knowledge in the field of theory of the state and law, the general and special parts of civil and criminal law.

In accordance with the State educational standard for education, persons wishing to master the doctoral study programs in the specialty "Jurisprudence" must have a previous education level corresponding to the master's program in the specialties.

3. Prerequisites of the educational program:

Only graduate related specialties are accepted for doctoral studies:

6M030100 - Jurisprudence

6M030300 - Law enforcement

6M011500 - Fundamentals of Law and Economics

6M030200 - International law

6M030400 - Customs

6N0301-Jurisprudence

4. The list of examination topics:

The discipline of "Theory of State and Law" (Modern problems of the general theory of law)

1. The subject and method of the theory of state and law

Methodological foundations of the general theory of state and law.

The subject of the general theory of state and law - basic laws of the origin, development and functioning of the state and law. Objectivity and scientific research of the state and law. Materialistic and dialectical approaches to the study of state and law. Deideologization of the methodology of the theory of state and law. General humanistic, social and philosophical approaches to the study of state and law.

A modern understanding of the class approach in the study of state and law. Correlation of the class and general humanistic approach in the study of state and law. The logic of the process of knowing the state and law. Techniques of scientific thinking. Analysis, synthesis, induction, deduction, hypothesis. Concrete methods of studying state and law. The formal logical method. Comparison method. Sociological research methods of state and law: questionnaire method, interviews, social experiments. A systematic method of researching state and law. The formal legal method of researching the state and law.

Place, role and functions of the theory of state and law in the system of legal sciences. Generalizing and methodological functions of the theory of state and law. Predictive function of the theory of state and law. The place of the theory of state and law in the system of theoretical and historical, branch and special applied legal disciplines. Their commonality, difference, interaction and mutual influence. Correlation of the theory of state and law and political science. The system of the course of the theory of state and law. The role of the theory of state and law in the formation of the legal worldview and legal culture of the modern lawyer. Domestic theory of state and law, its development. Ways to get it out of the crisis situation in which it is.

2. The origin of the state

Primitive society. Characteristics of the appropriating economy of primitive society. Tribal system. Management bodies and norms of behavior in the family system. Public power under the

Gentile system. The economic basis of the Gentile system. Transition from an appropriating economy to a producing one. The emergence of private property. Stratification of society, the emergence of social inequality and conflicts. The emergence of the state. The state as a political, structural, territorial organization of an early class society.

Dualism in the social purpose of the state: the state as a means of managing society and a tool for resolving class conflicts.

The state as a social institution that provides a productive economy. The main theories of the origin of the state: materialistic theory, natural law theory, organic theory, violence theory, psychological theory, theological, technocratic, patriarchal, contractual, and others. Forms of origin of the state: Eastern, Athenian, Roman, Germanic, and others.

3. The concept and features of state

Variety of definitions of the state. The essence of the state. General social and class in the essence of the state. The state as a public legal community. State sovereignty. Nation and state. The relationship between the state and the economy. Evolution of statehood. The stages of development of the state. The uneven development of the state among different peoples. Formation of features of the state: public power, territorial division of subjects of the state, taxes, loans, state debts. Statehood and sovereignty. Law-making as a sign of the state. The sequence of formation of features of the state. The peculiarity of the formation of statehood among different peoples.

4. The essence and functions of the state

Concept and content of state functions. Social purpose of the state, tasks of the state and its functions. The concept of state functions and their classification. Different approaches and basis of the classification of the functions of the state. The main internal and external functions of the state. Permanent and temporary functions of the state. Humanistic, economic and political functions of the state.

Evolution of state functions at the present stage. Economic and social functions of the state. Functions of social protection of citizens, protection of human rights, strengthening of law and order. Ecological function. Cultural and educational function of the state. External functions of the state. The function of protecting the Fatherland, the function of preserving peace. Functions of economic, cultural and technical cooperation with other states that ensure the integration of the state into the world economy.

Forms and methods of performing state functions. Legal forms of state functions implementation. Law-making, law execution and law enforcement forms of state functions. Organizational forms of implementation of state functions.

The function of the state and the function of the state body. Evolution of the functions of the state during democratic renewal, transition to a market economy, and inclusion in the world civilization.

5. Mechanism of the state

The concept of the mechanism of the state. The mechanism of the state and the state apparatus. The main principles of the structure and functioning of the state apparatus: separation of powers, internationalism, democracy, professionalism, belonging of the state sovereign power to the people, protection of human rights, legality, etc. Inadmissibility of usurpation of power by the state apparatus. Fight against bureaucracy and corruption in the activities of the state apparatus. Deformations in relations between the state and society, ways and methods of their elimination. Law on public service. Civil service personnel, their classification. Principles of selection of civil servants and requirements for them.

Bodies of the state, its characteristics. Tasks, functions and competence of the state body. Authority of the state body. Legislative, Executive, and judicial bodies of the state. Higher and local bodies of the state. Bodies of General and special competence.

System of state bodies of the Republic of Kazakhstan. The president of the Republic of Kazakhstan. Legislative power of the Republic of Kazakhstan. The Parliament of the Republic of Kazakhstan. The Senate. The Majilis. Executive power of the Republic of Kazakhstan. The

Government. The Prime Minister. The Ministries. The State Committees. The Constitutional Council.

Judicial power of the Republic of Kazakhstan. The Supreme court of the Republic of Kazakhstan and local courts of the Republic of Kazakhstan. Justice in the Republic of Kazakhstan. Distortion of justice and ways to overcome it. Judicial reform. Ensuring judicial protection of citizens' rights and independence of the court. The place and role of the bar in the transition to the rule of law. Principles of selection of judges in the Republic of Kazakhstan. Supreme judicial Council of the Republic of Kazakhstan. Qualification Board of justice.

Prosecutor's office of the Republic of Kazakhstan. Ministry of Internal Affairs of the RK. The National Security Committee of the RK. The army and its management bodies.

Local government and self-government bodies. Maslikhats. Akims.

6. Form of the state

The ratio of the essence, social purpose and form of the state. The concept of the form of the state. The form of government, the form of national-state and administrative-territorial structure, and the state-political regime.

Factors that determine the form of the state. Geographical, economic, political, historical, national, climatic factors. Continuity of the form of the state. Influence on the form of the state of the activities of an outstanding person, the political experience of certain States, conquest and religion. The ratio of the type and form of the state.

Form of government. Monarchy. Absolute monarchy. Limited. Oriental despotism. Early feudal, class-representative. A dualistic, parliamentary monarchy.

Republic. Aristocratic. Democratic. Republic-city. Parliamentary. Presidential. Soviet. People's democratic party. Mixed.

Form of government. Unitary state. Administrative-territorial division of the state. Federation. National-state structure. Federations on a national and territorial basis. Mixed federations. Confederations. Types of confederations. The difference between a Confederation and a Federation. Other state and interstate entities: communities, communities, empires, associations.

State-political regime. Democratic and anti-democratic political regimes. Anti-democratic regimes: despotic, fascist, totalitarian, authoritarian, theocratic, racist, military dictatorship. Democratic state-political regimes: paternalistic, liberal-democratic, formal-democratic, religious-democratic. Feature of the totalitarian regime in the Soviet state. Forms of the modern state.

State identity of the Republic of Kazakhstan. Parameters of sovereignty. Invariants of the new model. Ways of achieving. "Kazakhstan-2030" and the professional state.

7. Typology of state and law

Basic approaches to the typology of the state. Marxist typology of the state. A slave-owning, feudal, bourgeois, socialist state. Change of historical types of the state and transition from one type to another. State of transition (transit) period of development.

Chronological approach to the periodization of the state. The state of ancient ages, middle ages, modern and modern times.

Crisis of the Soviet state: patterns of occurrence, stages of development, essence. Transitional state of modern statehood of the Republic of Kazakhstan.

Civilizational approach in the typology of the state. Foundations for the typology of civilizations and their statehood.

Concept of the type of law. Relationship of the type of law with the socio-economic system. Type of law from the point of view of the formational and civilizational approach. Historical types of law: slave-owning, feudal, bourgeois and socialist types of law.

A chronological approach to typology: the law of the ancient ages, the right of the middle ages, a new right time, the right modern times.

8. The state in political system of society

Civil society and the political system. Power and its manifestations. Power as a social phenomenon, its essence in social, political and organizational aspects. Types and types of power.

Alienation of power, ways and methods of overcoming it. Political power and personality. The principles of power, the system of its construction, the main features. Legitimacy of power.

The political system, its essence, the objective nature of education and its role in the political life of society. Structure of the system, grouping of its elements, and criteria for evaluating them. Functions of the political system.

Correlation of political, economic, social and legal systems of society. Signs of the political system: the basic orientation of the principles of government: "personocentrism", "systemocentrism" and their role in the political life of society.

The state's place in the political system. Public authority. The main institutions of state power, the mechanism of its implementation. The main functions of state power, its interaction with other elements of the political system. State apparatus and political system.

The state and other elements of the political system. State and civil society. The state and the party. Forms of participation of parties in government. Ruling party. Parliamentary party. Opposition party. Non-governmental organizations. Multiparty system-the principle of the political system. Social movements, the independent press, and institutions for the study of public opinion are elements of civil society and their role in the political life of society. The state and labor collectives. The state and the Church. Secular and theocratic States.

Features of the evolution of the political system of the Republic of Kazakhstan in the modern period. Political consciousness. Structure of political consciousness. Political ideology. Public opinion.

9. Legal state and civil society

Legal state and its main characteristics. Goals, tasks and functions of the rule of law. Social purpose of the rule of law. Political and moral foundations of the rule of law. Economy of the rule of law. The difference between the rule of law and the state of statist.

The main features of the rule of law. The protection of human rights is a property of the political regime. The reality of rights and freedoms, their guarantee, ensuring a decent and free existence of the individual. Mutual responsibility of the state and the individual.

The coincidence of law and law is a property of a dynamic legal system of a legal state. The inviolability of the principle of legality and justice, the rule of law, and the effectiveness of the legal system.

Separation of powers, their equality, and ensuring a clear mechanism of checks and balances. A democratic, independent, objective court. Ensuring the principle: "What is not forbidden by law is permitted." Independent mass media, the study and use of public opinion in the functioning of the political system.

Theory and practice of forming a democratic, secular, legal and social state in the Republic of Kazakhstan. Fundamental principles of activity: social harmony, political stability, economic development for the benefit of all people, patriotism, democratic solution of issues of state life. The supremacy of the Constitution and laws over other normative acts, the binding of the citizen and the state by mutual rights and obligations.

10. Concept, essence and functions of law

Origin of the law. Mono norms of the tribal system and the transition from them to the law. Causes and main ways of the formation of law. Assignment of law. Signs of entitlement. Relationship of law with the state. The essence of the law.

The main theories of the origin of law: natural law, theological, normative, Marxist, psychological and sociological. General characteristics of modern legal understanding. Objective law and subjective law. Definition of the right. Normative, binding, formal certainty, systematic and volitional nature of law as its main features and essential features.

Objective and subjective in law. Law and socio-economic system. Law and politics. Law and morality. Law and religion.

The concept of the function of the law. System of legal functions. Regulatory and protective, educational and informative-oriented functions of law.

11. Law in the system of social norms of society

Normative regulation of public relations. Types of regulatory regulators. Social norms of society. Technical standard.

Types of social and technical norms. Grounds for classification of social norms of society.

Customs. Traditions. The usual business practices. Ceremonies. Standards of morality. Norms of public organizations. General and special in social norms of society. Interaction, mutual influence and interpenetration of social norms of society.

Legal norms in the system of social norms of society and their features.

12. Sources of law

The concept of sources of law. Sources of law and form of law. Sanctioned custom, judicial precedent, and legal regulation. Doctrine as a source of law. Normative agreement as a form of law. Relationship of the essence and form of law, continuity in law. Reception of law.

Concept and general characteristics of normative legal acts. Differences between normative legal acts and acts of application and interpretation of law. Types of normative legal acts, criteria for their classification. Types of normative legal acts by legal force, scope, subjects issuing them, and time of validity.

The concept of the law. Law and the legal act (statute). Supremacy of law. Types of legal acts. The Constitution and its features. The highest legal force of the Constitution. Direct effect of the Constitution. The law on normative legal acts in the Republic of Kazakhstan and its significance for the development of legal science and legal practice.

Decrees of the President of the Republic of Kazakhstan. Presidential decrees that have the force of law. government decree. Prime Minister's orders. Resolutions of the constitutional Council and the Supreme Court of the Republic of Kazakhstan. Resolutions of the Senate and Mazhilis. International agreements of the Republic of Kazakhstan.

Normative legal acts of local government and self-government bodies. Decisions of maslikhats, decisions and orders of akims. The concept of legislation. The system of law and the system of legislation. The relationship between the concepts of legal system, system of law and system of legislation. The effect of normative acts in time, space and in the circle of persons. Retroactive force of the law. Conflicts between legal acts and their resolution.

13. Norms of law

Concept of the norms of law. A rule of law - a pattern, rule, measure, or scale of behavior. Signs of the norms of law: formal certainty, General obligation, consistency, multiple actions, non-personification of the addressee, security by the state, grant-binding nature. Relationship of legal norms with the state. The possibility of state enforcement in ensuring the implementation of legal norms.

Logical structure of the legal norms. Hypothesis, disposition, and sanction are the logical elements of a legal norm. The legal norm hypothesis is a normative definition of the conditions for applying a legal norm. Types of hypotheses. Disposition of a legal norm-an indication of the type and measure of possible or appropriate behavior. The disposition of a legal norm is a right, obligation, or prohibition. Sanction of a legal norm. Sanction of a legal norm: a measure of responsibility, preventive influence, protection, and adverse consequences arising from the behavior of a legal entity. Types of sanctions. Absolutely-defined, relatively-defined and alternative sanctions.

The ratio of the norms of law and the article of the normative legal act. A norm of law and a regulatory order. Relativity of structural characteristics of the norms of law. Methods of stating the law in the articles of a normative legal act: direct, blank and reference. Non-typical regulations.

Types of legal norms. Criteria for classification of legal norms: method of establishment, legal force, scope, subject of regulation, duration, degree of authority or method of legal regulation, functions in the mechanism of legal regulation, forms of expression of the order.

14. The system of law

Concept of the legal system. Structural elements of the legal system. Principles of building a legal system. The relationship between the concepts of legal system and legal system. The system of law in various legal systems. Branch building of the law system of the Republic of Kazakhstan.

Criteria for dividing law into branches: the subject and method of legal regulation of public relations. Rule of law. Institute of law. Sub-branch and branch of law. Complex branches of law. Public law and private law. Substantive law and procedural law. Correlation of international and national law. Priority of international law over national law. Characteristics of branches of law of the Republic of Kazakhstan.

15. Lawmaking

General characteristics of law-making. Formation of law and law-making. Law-making in various legal systems. Law-making process. Principles of law-making activity of the state: democracy, scientific character, legality and professionalism, etc. Direct law-making of the people. Referendum. Concept and stages of the legislative process. Legislative initiative. The drafting of the law. Project approval. Discussion of the draft law. Adoption of law. Publication of the law. Procedure for publication and entry into force of regulations. The role of the constitutional Council of the Republic of Kazakhstan in the process of legislative activity of the Republic of Kazakhstan.

Legal technique and its significance for law-making activity. Language of law. Legal culture of legislators and its role in law-making.

16. Systematization of legislation

The concept of systematization of normative legal acts. Types of systematization. Codification of legislation and its distinctive features. Types of codification: laws, codes, fundamentals of legislation, code of laws. Development of codification in the modern period. Problems of improvement of legal acts.

Incorporation and its variations. Chronological, systematic, and substantive. Consolidation. Modern methods of systematization of legislation. Accounting for legislation and the use of electronic computing technology for this purpose.

17. Legal relationship

Legal relations - public relations regulated by law. The concept of legal relations, their signs. Legal relations are a form of social relations. Legal relations - a form of realization of law. Realization of law outside legal relations. Norms of law and legal relations. Types of legal relations. Criteria for the classification of legal relations. Regulatory and protective legal relations. Absolute and relative legal relationship. General regulatory relations. Classification of legal relations by branches of law.

Relationship structure. Subjects of legal relations, objects of legal relations, content of legal relations. The concept and content of subjective law. Types of competencies, legal claim. The concept, content and types of legal obligation.

The subjects of legal relations. Legal capacity. Legal capacity, tort ability of legal entities. Legal personality. Legal status. Competence. Description of the subjects of law. Citizen. Executive. State body. Public organization. State. Individuals and legal entities. Commercial and non-profit organizations. Objects of legal relations. Monistic theory of the object of legal relations Human behavior - the object of legal relations. Pluralistic theory of the object of legal relations.

Legal facts as the basis for the emergence, change and termination of legal relations. Classification of legal facts. Law-making, law-changing and terminating legal facts. Events and actions. Lawful and unlawful actions. Crimes and misconduct. Actual legal composition. Legal status.

18. Realization of law

The concept of the implementation of law, its forms and methods. Immediate (simple) forms of law enforcement. Compliance, enforcement and use of law. The application of law is a complex form of realization of law. Situations in which there is a need for the application of law. Application of law, its signs and features. Stages of application of law. Requirements for the process of applying the law. Establishment of the factual circumstances of the case. Establishment of the legal basis of the case. Choice and analysis of a legal norm. Establishing the reliability of a legal norm. Legal qualifications. Making a decision and its execution. Bringing the decision to the attention of interested parties. The effectiveness of the application of law.

The subjects of application of law. State bodies, officials, law enforcement agencies of the state, public organizations. Law Enforcement Acts. The concept and types of enforcement acts. Execution of acts of application of law. Classification of enforcement acts by subjects.

19. Interpretation of regulations

The concept of interpretation of legal acts. Clarification and clarification of the content of legal norms. Types of interpretation. Formal and informal interpretation. Normative and casual interpretation. Authentic, doctrinal, everyday interpretation.

Subjects of the interpretation of law. Constitutional Council of the Republic of Kazakhstan. Plenum of the Supreme Court of the Republic of Kazakhstan. State bodies issuing regulatory legal acts. Lawyers. Scientists. Citizens.

Ways of interpreting law: philological, historical, logical, systematic, political-historical. Interpretation of law by volume: a literal, restrictive and broad interpretation of law. The concept of a gap in law. Ways to fill the gap in the law. Filling the gap in law through lawmaking. Institute of analogy in law. The analogy of the law and the analogy of law. Conditions and grounds for applying the analogy.

20. Legal consciousness and legal culture. Legal nihilism

Legal consciousness is a form of public consciousness. Correlation of legal consciousness with other forms of social consciousness: political, legal, moral and religious. Forms of interaction of law and legal consciousness. Structure of legal consciousness: legal ideology and legal psychology. Types of legal consciousness by subject: public, group and individual legal consciousness. Types of legal consciousness by content: everyday, professional and theoretical legal consciousness.

Socio-legal attitude of the individual. Awareness of the law and legally significant behavior. Psychology of lawful behavior. Legal culture of society and legal consciousness. Legal culture: elements, content, scope and forms of action. Correlation of legal and political culture. General characteristics of legal culture. Legal culture of the society. Legal culture of the lawyer. The role of the professional community of lawyers in improving the legal culture of society. Functions of legal culture: cognitive, evaluative and regulatory. The importance of legal culture in the formation of the rule of law, improving law-making and law enforcement activities. Respect for the law and the processes of its formation in modern conditions.

Deformation of the legal consciousness of citizens. Legal infantilism, nihilism in the legal consciousness of the individual. Legal nihilism as a state of society, the causes of legal nihilism. Forms of legal nihilism and ways to overcome it the Concept, content and goals of legal education of citizens. Mechanism, forms and means of legal education of citizens in a democratic society.

21. Law and conduct. Legitimate behavior.

Legal behavior. Legitimate behavior. Individual behavior motivation and legal factor. Will, consciousness and forms of their manifestation in the legal life of the individual. The concept and characteristics of legal behavior. The composition of lawful behavior: objective and subjective sides. The motives of lawful behavior. Types of lawful behavior. Psychology of lawful behavior. Legal attitude and legal culture as factors of formation of motives of lawful behavior.

22. Offences and legal liability

The concept of an offense. Legal structure of the offense. Subjects of the offense. Objective and subjective sides of the offense. Forms of guilt. Harm and a causal link to the offense.

The main signs of violations. Types of offenses. Social nature and causes of crime, as well as other offenses. Legal liability: concept and main features. Violations are grounds for legal liability. The difference between legal responsibility and moral and political responsibility. Legal liability and legal sanctions.

Types of legal liability. Grounds for exemption from legal liability. The presumption of innocence, its content. Necessary defense and extreme necessity as grounds for exemption from legal liability.

23. Legality, law and order, discipline. The mechanism of legal regulation

The concept of the legality. The place and role of the Constitution in ensuring the rule of law. Constitutional legality is the basis of law and order.

Violations of the legality in modern States: causes, forms, ways to overcome. Legality and arbitrariness. Forms of violation of the rule of law in totalitarian States.

The concept of law and order. The rule of law and public order. Guarantees and methods of ensuring law and order. The concept of discipline. Law and discipline. Types of discipline. Executive discipline, its significance in the work of the state apparatus. Technological discipline. Discipline in business.

Legal regulation and legal impact. The concept of the mechanism of legal regulation. Stages and main elements of the legal regulation mechanism. The role of legal norms, legal facts, legal relations, and acts of law enforcement in the process of legal regulation.

Effectiveness of the legal regulation mechanism and factors affecting the effectiveness of the mechanism of legal regulation.

The discipline of "Civil law"

1. Civil law. Civil legislation

Civil law in the system of branches of law. Subject of civil and legal regulation. Property and non-property relations. Civil law and market relations. Method of civil law regulation. Basic principles of civil law. General characteristics of foreign civil law. Civil law and civil legislation. Main acts of civil legislation in force on the territory of the Republic of Kazakhstan. The civil code of the Republic of Kazakhstan, its place in the system of civil legislation. International treaties and civil legislation of Kazakhstan. The effect of civil legislation in time, in space and in the circle of persons. Filling in gaps in civil legislation. Interpretation of civil legislation. Customs, business practices, international recommendation acts in the civil law system.

2. Citizens as subjects of civil law

The relationship between the concepts of "citizens" and "individuals". The concept and content of civil legal capacity, its beginning and end. Legal capacity of foreigners and stateless persons. Restriction of legal capacity.

Legal capacity of citizens. Concept and types. Full and partial legal capacity. Restriction of legal capacity. Procedure for the exercise of civil rights and obligations of legally incapable and partially capable persons

Custody, guardianship. Guardianship of the able persons. Domicile and its legal significance. Procedure, conditions and legal consequences of recognizing a citizen as missing or declared dead. Consequences of the appearance of a person declared dead.

3. Legal entities. General norms.

Concept and characteristics of legal entities. The role of legal entities in civil turnover. Legal capacity and capacity of the legal entity. Individualization of legal entities in economic turnover. Branches and representative offices of legal entities. Subsidiaries of legal entities.

Ways of creating legal entities. Explicit-normative, permissive and administrative methods of creating legal entities. Constituent document. Procedure for state registration of legal entities

Liquidation and reorganization as ways to terminate legal entities. Grounds and procedure for liquidation of legal entities. Foreclosure on the property of a legal entity. Bankruptcy of legal entities. Types and procedure of reorganization of legal entities: transformation, joining, merging, separation, division, their features.

Specific characteristics of legal entities. Commercial and non-commercial legal entities, their specific features. Types of commercial legal entities, legal characteristics of business partnerships, joint-stock companies, production cooperatives, state enterprises. Legal regime of non-commercial legal entities.

4. Objects of civil law

Concept and types of objects of civil law. Things as objects of civil law. Classification of things as objects of civil law. Movable and immovable property. Withdrawn from civil circulation.

Divisible, indivisible property. The main thing and belonging and other characteristics of things as objects of civil law.

Services and other actions as objects of civil law. Products of creative activity as objects of civil law. Money, foreign currency as objects of civil law. Information as an object of civil law.

Securities, the notion of, species characteristics. Book-entry securities. Legal characteristics of shares, bonds and other securities.

Personal non-property rights and their protection. Features of protection of honor, dignity and business reputation.

5. Institute of transactions in civil law

Concept and types of transactions in civil law. One-way transactions. Bilateral and multilateral transactions (agreements). The concept of a contract. Conditional transactions.

The form of a transaction as a manifestation of the will of its participants outside. Oral, definitive, and written transactions. Registration of transactions.

The conditions for the validity of the transaction. The importance of compliance with the requirements imposed on the participants of the transaction, the form of the transaction, the content of the transaction, as well as the freedom of expression in the transaction.

Invalidity of transactions. Grounds for invalidation of the transaction. Possible legal consequences of invalidating a transaction or part of it. Limitation period for invalidation of transactions.

Features of exchange transactions.

6. Representation and power of attorney

The concept of civil law implementation. Freedom and limits of civil rights. The prohibition of abuse of subjective rights. Integrity of participants in civil legal relations.

The concept of civil rights protection. Way of protection. Protection agencies. Self-defense of civil rights.

Features of the implementation of the rights of entrepreneurs. Protection of the rights of entrepreneurs and consumers.

The concept of representation. Scope of representation. Types of representation in civil law. Power. Power of attorney, concept, types. Form of proxy. Term of the power of attorney. Terms of validity of the power of attorney. Retrust. Termination of the power of attorney.

Legal consequences of performing legal actions without authority or exceeding authority.

Distinctive features and legal features of a commercial representation.

7. The right of ownership. Generalities

Property as an economic category. The concept of property rights as subjective civil law. The perpetuity of the right of ownership. Rights of the owner. The concept and characteristics of the rights of ownership, use, disposal. The boundaries of the right of ownership. Encumbrances of the owner. Servitudes.

The main ways in which property rights arise. The risk of accidental death or accidental damage to property during the transfer of ownership. Ownership right to fruit and income.

The moment when the buyer's ownership rights arose under the agreement. Acquisitive prescription.

Voluntary termination of ownership. Compulsory termination of ownership rights. Nationalization, requisition, confiscation of property, their legal features. Other ways to forcibly terminate ownership rights. Other ways to terminate the right of ownership against the will of the owner.

Forms of ownership under the legislation of the Republic of Kazakhstan. Specific characteristics of state property.

Privatization of state property.

Concept and specific characteristics of private property.

The concept of shared ownership. Specific characteristics of shared property. Shared ownership property. Ownership, use, and disposal of shared ownership. Pre-emptive right to purchase a share in common equity ownership. Termination of shared ownership.

Shared joint ownership. Types of common joint property. Exercise of the right of common joint ownership. Termination of the right of common joint ownership. The right of common property of spouses. The right of common ownership of a peasant (farmer) farm. Shared ownership of privatized housing.

Common property arising from a joint venture agreement. A condominium is a special form of shared ownership.

8. Obligations. Generalities

Concept and system of the law of obligations. The concept of an obligation, its difference from other property relations. Grounds for obligations. Contractual and non-contractual obligations. The ratio of the concepts "obligation", "transaction", "contract". Plurality of persons in the obligation. Joint, shared and subsidiary obligations. Obligations involving third parties. Recourse obligations. Obligations in favor of third parties. Change of persons in the obligation. Legal features of replacing persons on the side of the creditor, on the side of the debtor.

9. Ways to ensure the performance of obligations

The concept of performing an obligation. The concept and meaning of proper performance of an obligation. Principles of performance of the obligation.

Terms of performance of the obligation. Early execution. Features of early execution in the business sphere. Consequences of late performance of the obligation. Place of performance of the obligation. Ways to fulfill the obligation. Performance of an obligation in parts, performance of an alternative or optional obligation. Performance of an obligation by a third party. Performance of a monetary obligation. Certification of performance of the obligation.

The concept and meaning of securing an obligation. Ways to ensure the fulfillment of obligations. Penalty, its types depending on the ratio with the recovery of losses.

A Deposit, as opposed to an advance. The form of the Deposit, the consequences of its violation.

Collateral as a method of securing the performance of an obligation. Specific characteristics of the collateral. Legal aspects of the mortgage and of the mortgage. Subject of pledge. The form of the pledge agreement, the consequences of its violation. The parties to the pledge obligation, their rights and obligations. Consequences of non-performance or improper performance of an obligation secured by a pledge. The procedure for foreclosing on mortgaged property.

Sureties and guarantees as ways to ensure the performance of obligations. The difference between a guarantee and a guarantee. Features of liability of the guarantor and the guarantor for non-performance or improper performance of obligations by the principal debtor.

10. Civil and legal liability

The concept of civil and legal liability. The place of civil and legal liability in the system of measures of legal liability. Principles of civil liability.

Types of civil liability. Shared, joint and subsidiary liability. Mixed liability. Liability by way of recourse.

Terms of civil liability. Wrongful conduct, damages, causal link, fault as conditions civil and legal liability. Features of compensation for non-pecuniary damage.

11. Contracts for the transfer of property to the ownership of the acquirer (purchase and sale, exchange, gift, rent)

Concept and meaning of the contract of sale. General characteristics of the agreement. Specific characteristics of the purchase and sale agreement.

Rights and obligations of the parties under the contract of sale. Liability of the parties for violation of the terms of the agreement on the quality, quantity, and terms of transfer of property. Quality control. Container. Packing. A sample of the product.

Warranty period, calculation procedure. Shelf life. Limitation period and claims for the quality of the goods sold. The ratio of claim deadlines and statutes of limitations. Procedure for submitting claims by organizations. Distribution of the burden of proof in the dispute over the quality of the goods sold.

Payment for goods. Terms of the purchase and sale agreement for product insurance.

The moment when the contract is executed by the seller. The emergence of the buyer's ownership of the purchased property. Transfer of the risk of accidental loss of the product to the buyer.

Retail purchase and sale, features of legal regulation. Public offer of the product. Types of retail purchase and sale agreements. The moment when the buyer's ownership rights arise in various retail sales methods.

Concept and General characteristics of a delivery agreement as a type of purchase and sale agreement. Rights and obligations of the parties under the delivery agreement. Essential terms of the delivery agreement. Quality conditions, assortment, and nomenclature. The order of delivery of the goods. Basic terms of delivery under foreign trade agreements.

Liability for violation of the terms of the delivery agreement. Grounds for unilateral refusal to perform the delivery contract.

Contracts for the supply of energy and other resources. Purchase and sale of buildings and structures. Purchase and sale of enterprises.

Barter. Concept, legal regulation

Concept and meaning of the gift agreement.

General characteristics of the gift agreement.

Gift items.

The moment when the contract for the gratuitous transfer of property was concluded.

A promise to transfer a thing or property right to someone free of charge, or to release someone from a property obligation. Succession under the promise of gift.

Form of donation agreement. Prohibition of gift giving.

Cases of gift restrictions.

Grounds for refusing to perform the donation agreement.

Donations.

Concept and General characteristics of rent agreements. Requirements as to the form of the contract. Legal regulation of compensated and gratuitous transfer of property on the terms of payment of rent.

Permanent rent, form and amount, the payer's right to buy out permanent rent.

Life annuity, the size, the timing of payments.

Encumbrance of real estate rent.

Ensuring the payment of rent. Risk of accidental loss of property transferred for payment of rent. Life-long maintenance of a dependent.

12. Contracts for the transfer of property for temporary possession and use (property rental, gratuitous use of property, housing rental)

Concept and content of the property lease agreement. Form of property lease agreement. Rights and obligations of the parties under the property lease agreement. Perineum, sublease (sublease).

Execution of the property lease agreement. The fate of property improvements made by the tenant (lessee).

Species characteristic of the contract of property hiring (rent). Household rental, features of legal regulation.

Rental of buildings and structures. Legal features of an enterprise as a property complex. The procedure for reconstruction and technical re-equipment of the enterprise by the lessee.

Legal nature of leasing relations. The difference between a leasing agreement and other types of property lease agreements.

Legal regulation of vehicle rental. Specific characteristics of vehicle rentals.

Principles of housing policy in the Republic of Kazakhstan. Ownership of residential premises. The moment when the right of ownership of residential premises for various reasons arises. Rights and obligations of the owner and family members of the owner of residential premises. Preservation of residential premises for the temporarily absent owner and members of his family.

Rental of residential premises under the current legislation of the Republic of Kazakhstan. Concept and content of the housing lease agreement. Specific characteristics of housing lease agreements. Provision of residential premises for certain categories of citizens from the state housing Fund.

13. Agreements on execution of works

The concept and system of obligations aimed at performing work. General characteristics of the contract. Rights and obligations of the parties under the contract. Procedure for concluding and executing the contract. Liability of the parties for non-performance or improper performance of the contract.

Specific characteristics of contract agreements.

Contract for capital construction. Duties and responsibilities of the parties to the contract for capital construction. The system of the General contract.

Features of a household contract.

Contract for design and survey work. Features of the contract for research, development and technological work.

14. Contracts of carriage

Types of transport according to the legislation of the Republic of Kazakhstan. Transportation, transport organization, legal status in economic turnover. Types of transport, their legal regulation.

The concept of the system, specific characteristics of the contracts of carriage. Content, conclusion, and execution of transportation contracts. Performance of the contract of carriage.

Features of the cargo transportation agreement.

Distinctive features of the passenger transportation agreement.

Peculiarities of claims and claim protection under contracts of carriage

The contract of freight forwarding the concept of distinctive features.

15. Insurance contracts

The concept of legal regulation of the insurance liabilities. Contents and specific characteristics of insurance obligations. Basic concepts of insurance legal relations. Concept, content and types of insurance contracts.

General characteristics of insurance contracts.

Insurance contracts in favor of a third party. Performance of insurance obligations. Liability of the parties for improper performance of insurance contracts.

Grounds for termination of the insurance contract.

The recognition of the insurance contract invalid, the legal consequences.

16. Settlement and credit relations

Contracts for banking services, the concept, General characteristic, types.

Bank account agreement, Bank Deposit agreement.

Credit relations. Concept and types of lending. Loan agreement. Types of loan agreements.

Ensuring the repayment of credit resources. The form of a contractual loan. Content and execution of the loan agreement.

The factoring relationship.

17. The contracts on rendering of actual and legal services

Civil and legal relations arising from the provision of actual and legal services.

Concept and content of the contract of assignment. The parties to the contract of assignment, its form. Legal forms of commercial representation. Delineation of an assignment agreement from related agreements.

The contract of the Commission the concept of value. Content and execution of the Commission agreement. Types of Commission agreement.

The contract of storage, the concept, content. Subjects, subject, terms and form of the storage agreement. Liability of the parties in case of improper performance of the contract.

Agreements on the organization of joint activities. Special partnership. Consortium. Comprehensive business license (franchising).

18. Competitive obligations

The concept of obligations from unilateral actions. Specific characteristics of obligations from unilateral actions. Obligations from the public promise of a reward. The concept of a public promise of a reward as a one-sided transaction.

Features of carrying out of lotteries, totalizators and other games. Tenders, auctions - features of conducting. Legal effect. Performance of obligations arising from the competition.

19. Obligations arising from the infliction of harm

The concept and conditions of obligations arising from causing harm. General terms of liability for damages. The scope, nature and amount of damages. Compensation for non-pecuniary damage. Consideration of the victim's guilt and other circumstances that affect the determination of the amount of compensation.

Individual cases of liability for causing harm. Liability for damage caused by a source of increased danger.

Liability for damage caused by actions of state bodies, local self-government bodies, as well as their officials.

Liability for damage caused by minors and incapacitated persons.

Features of compensation for damage caused to the life and health of a citizen.

Compensation for damage caused as a result of defects in goods, works, and services.

Compensation for non-pecuniary damage.

20. Intellectual property law

Creative activity and the role of civil law in its organization. Intellectual property right. Industrial property right. Legal support of creative activity. Institutes of civil law for the protection of the results of creative activity.

Exclusive rights to intellectual property. Their validity.

Ways to protect exclusive rights.

Signs of the copyright object. Subject of copyright. Subjective copyright, its content and limits of implementation. Property and personal non-property rights of the author.

Concept and General characteristics of copyright agreements. The form of the copyright agreement. Specific characteristics of copyright agreements. Order agreement. Copyright license agreement, other types of copyright agreements for the use of the work. Rights, obligations and responsibilities of the parties under the copyright agreement.

The Deposit of works. The duration of copyright.

Subjects, objects of related rights, term of validity of related rights.

Protection of copyright and related rights.

21. Industrial property law

The concept of an invention, utility model, industrial design. Legal support for the use of an invention, utility model, or industrial design. Patent, concept, types. Patent term. Conditions for patentability of an invention, utility model, or industrial design.

Subjects of patent law. Registration of rights to inventions, utility models, industrial designs. Rights of the author of an invention, utility model, or industrial design. Rights of the patent owner. License agreement. Protection of the rights of authors and patent holders.

Service inventions, utility models, industrial designs.

The right to a trademark, service mark, etc. results of creative activity.

The concept of means of individualization of participants in the civil turnover of goods and services.

Trade name. Use of brand name rights.

Trademark. Legal protection of a trademark on the territory of the Republic of Kazakhstan. Term of validity of the trademark right. Agreements on the transfer of trademark rights.

Name of the place of origin of the product.

Liability for improper use of means of individualization of participants in civil turnover, goods and services.

22. Inheritance law

The concept and meaning of inheritance of property of citizens. Basic concepts of inheritance law. Concept, meaning, and types of inheritance. Citizens who do not have the right to inherit. Objects of hereditary succession (the composition of the inheritance).

Inheritance by will. A will as a one-way transaction, a form of will. Cancellation of the will. Testamentary refusal (legate). Execution of the will.

Hereditary succession. The circle of heirs at law. The order of inheritance by law. Inheritance by right of representation. Mandatory share in the inheritance. Protection of the inheritance.

Procedure and legal consequences of inheritance acceptance. Creditors' claims to heirs for the testator's obligations.

The discipline of "Criminal law»

1. Concept, subject, objectives, principles and system of criminal law. Concept, subject and method of criminal law. Tasks and functions of criminal law. Criminal policy of the state in the field of countering crime.

The criminal law system. Concept and system of criminal law. General and Special parts. The place of criminal law in the system of legislation and law. Correlation of criminal law with related branches of law.

The science of criminal law, its content and tasks. Methods of the science of criminal law, its inseparable connection with practice.

Principles of criminal law. Concept and system of principles of criminal law.

2. Criminal law.

The concept of criminal law, its main and specific features (features). Criminal law as a source of criminal law. The Constitution of the Republic of Kazakhstan and criminal legislation. Generally recognized principles and norms of international law and current criminal legislation. Judicial practice as a source of criminal legislation. Disputes about the sources of criminal law in national and foreign literature. Criminal code of the Republic of Kazakhstan as a source of criminal law. Related legislation.

General characteristics of the current criminal code of the Republic of Kazakhstan. Structure and system of the current criminal code of the Republic of Kazakhstan: General and Special parts of the Code. The content and system of the General part of criminal law. Unity of the Common and Special parts.

Structure of criminal law norms contained in the articles of the General and Special parts. The concept of hypothesis, disposition, and sanction. Types of criminal law dispositions and sanctions. Criminal law and article of the criminal code. Content and purpose of criminal law norms. The legal nature of legal norms that fill in the blank dispositions of the criminal law.

The effect of criminal law in space. The effect of criminal law in space. Effect of the criminal law in relation to acts committed on the territory of the Republic of Kazakhstan. Concept of territory. The effect of criminal law on acts committed on the continental shelf and in the exclusive economic zone. The effect of the criminal law on persons who have committed crimes on a ship or aircraft. The problem of immunity.

The effect of the criminal law on persons who have committed a crime outside the Republic of Kazakhstan. Responsibility of military personnel of the Republic of Kazakhstan.

The effect of criminal laws in time. The content of the guiding explanations given in the Normative decisions of the Plenums of the higher judicial bodies on retroactive force for judicial, investigative and prosecutorial practice, as well as for the science of criminal law. Constitutional Council of the Republic of Kazakhstan on the retroactive effect of the criminal law. Retroactive force of criminal law: concept and limits.

Working with sources of criminal law. Interpretation of the criminal law. Technology (methodology) of working with sources of criminal legal information. The selection of legislation for a specific task. Reading, understanding and analyzing other sources of criminal law. Search and clarification of judicial practice. The position of judicial practice as the arguments. Selection and study of literature on criminal law and related branches of knowledge. Analysis of the language and

structure of the criminal law. Types of interpretation. The argument's conclusions: the law, practice, and doctrine. Inadmissibility of analogy of the criminal law. Presumption in the interpretation of the law. Criminal law risks of misinterpretation. Positive and negative heuristics in the interpretation of criminal law. Interpretation of the criminal law. Types of interpretation. Extradition of persons who have committed a crime.

3. The concept of crime.

The concept of crime in the criminal code of the Republic of Kazakhstan. Polemics about the nature of crime in national and foreign literature. Development of the concept of crime from the concrete to the abstract. Objective and evaluative in the concept of crime. The social nature of crime. The historically variable nature of acts recognized as crimes. Signs of a crime as a mandatory program for evaluating the act. Wrongfulness, danger to society, guilt, guilt. The material and formal concept of crime. Insignificance. Crime and composition of the crime. Administrative prejudice

Categories of crimes. Division criteria and their social conditionality. Crimes and misdemeanors under foreign criminal law.

4. Criminal liability and its grounds.

Fixing in the criminal law of the principal provision on the Commission by a person of an act containing all the elements of a crime provided for by the current criminal code, as a single and only basis for criminal liability (article 10 of the criminal code).

Concept and content of criminal liability. Concept, content and subjects of criminal law relations. Emergence of criminal liability, forms of its implementation and termination. Discussion issues in criminal law science concerning the concept, content and implementation of criminal responsibility.

Criminal liability. Prosecution. Criminal charges.

5. Composition of the crime.

The concept of a crime. Legal and epistemological nature, construction of the corpus delicti. Controversy about the composition of the crime. An exhaustive list of elements of crime in the current criminal code. The composition of the crime and the concept of crime. Modeling, guarantee, delineation and other functions of the corpus delicti.

Elements of the crime. Object, objective side, subjective side and subject of the crime. Basic (mandatory) and optional (additional) features. Certainty of the crime. The composition of the crime and criminal risks.

Types of crimes. Criteria for dividing them into types a) according to the degree of public danger; b) according to the structure and C) according to the legislative structure.

6. The object of the crime.

The concept of the object of crime under the criminal law of the Republic of Kazakhstan. The value of the object for establishing the composition and determining the nature of the danger of the crime. Controversy about the object of the crime. Characteristics of the object of crime as a social relationship and a legal good.

Vertical classification of objects: General, generic, and direct objects. Classification of direct objects horizontally: main, additional, and optional. Methods of describing objects in separate elements of the crime. The value of the object classification.

The concept of the subject of the crime and its difference from the object. The concept of the victim of a crime and its criminal-legal meaning.

6. Objective side of the crime.

The concept, content and meaning of the objective side of a crime in criminal law. Objective side in the text of the criminal law. Necessary and optional features of the objective side. Their subject content and criminal-legal assessment. Definiteness of their description.

Socially dangerous act (action or omission) as an external act of facial behavior. The concept of criminal legal action and its features. The concept of criminal law inaction and its features. Features of criminal liability for inaction. The concept of force majeure, physical and mental coercion and their significance for criminal liability.

Socially dangerous consequences, their criminal and legal significance. Types of consequences. Their description in the criminal law. Formal and material compositions. Controversy about them. Causation in criminal law: concept and meaning. Objective nature of the causal relationship. Theories of causation in domestic and foreign criminal law. Problems of objective and legal assessment of causality.

Optional features of the objective side of the crime.

7. Subject of the crime.

The concept of the subject of the crime, its social characteristics. The subject of the crime and the identity of the criminal. Discussions on the criminal liability of legal entities in the theory of criminal law.

Criminal-legal basic (mandatory) and optional features of the subject. Age of criminal responsibility.

The concept of sanity. Insanity: concept and criteria (medical Criminal liability of persons with a mental disorder that does not exclude sanity (Article 22 of the Criminal Code). Criminal liability of persons who have committed crimes in a state of intoxication.

Special subject of the crime and its criminal legal significance. Justification of differentiation of responsibility of special subjects of crime. Classification of special subjects.

8. The subjective side of the crime.

The concept of the subjective side of the crime: content and meaning. Necessary (mandatory) and optional features of the subjective side of the crime.

Guilt as a principle of criminal law, as a sign of crime and as an element of the subjective side. Subject and evaluative in the structure of criminal-legal guilt. Polemics about wine in foreign and domestic literature. The prohibition of objective imputation.

Forms of guilt, their significance for criminal responsibility. The ratio of intentional and negligent guilt. Legislative consolidation in the current criminal code of the provision that an act committed only by negligence is recognized as a crime only if it is specifically provided for by the relevant article of the Special part of the criminal code (part 4 of Article 19).

Intent as a form of guilt, its content (intellectual and volitional elements). Direct and indirect intent. The intent in the material and formal compositions. Other types of intent identified in the theory of criminal law. Significance of classification of types of intent for criminal liability.

Carelessness as a form of guilt, types of carelessness. Intellectual and strong-willed elements of levity. The difference between it and indirect intent. Intellectual and strong-willed elements of negligence. Its objective and subjective criteria. The difference between carelessness and frivolity. Innocent infliction of harm, its types. The difference between "incident" and negligence (Article 23 of the Criminal Code). A crime committed with two forms of guilt (Article 22 of the Criminal Code).

Techniques for describing the subjective side of the crime in the text of the criminal law.

The motive and purpose of the crime as optional features of the subjective side, their threefold meaning. The role of emotions in the subjective side of the crime.

The concept of error and its significance for criminal liability. Legal and factual errors, their varieties. Controversy about the error.

Theories of guilt in the criminal law of foreign countries.

9. Stages of the crime.

The concept of a completed crime. Stages of crime, types of stages. Differentiation of stages based on objective and subjective characteristics of the crime structure. Specifics of interpretation and evaluation.

Signs of a completed crime. The legal and actual end of the crime. The moment of the end of the crime, depending on the legal structure of the composition. The question of truncated hazard compounds.

Preparation for crime: concept and content, objective and subjective signs. Forms of cooking. The Foundation of the criminal liability for preparation for a crime. Delimitation of the detection of intent. Detection of intent and "verbal" elements of the crime. Attempted crime. The concept and

content of an attempt, its objective and subjective features. Types of attempt in the theory of criminal law. A bad attempt. Punishability of an unfit attempt. The difference between an attempt and a preparation for a crime and a completed crime.

Voluntary renunciation of the crime. The concept and essence of a voluntary waiver of his signs. Grounds and conditions for excluding criminal liability in cases of voluntary renunciation of a crime. Voluntary refusal of accomplices of a crime. The difference between voluntary refusal from **active repentance**.

10. Multiplicity of crimes.

The concept and content of multiple crimes. Legal and social characteristics of plurality, its separation from individual crimes: complex, continuing, continuing. Public danger of multiplicity. The problem of "double" responsibility. An isolated crime. Its kind.

Types of multiple crimes and their characteristics. Repeatability. An ideal and real set of crimes. Relapse. Types of relapse.

11. Complicity in a crime.

The legal nature, social danger and social essence of complicity in a crime. The concept of complicity in a crime, its objective and subjective features. Participation of two or more persons. Compatibility. The intent in the conspiracy. The question of the types of intent. Trends and fluctuations in judicial practice. The significance of the institution of complicity in a crime, its influence on the degree of danger of the committed crime. Controversial issues of the doctrine of complicity.

Types of accomplices, criteria and characteristics of their division. Performers, organizers, instigators and accomplices. Types of performers. Differentiation of the criminal legal status of performers and other accomplices. Responsibility of accomplices of a crime and features of qualification of their actions. Liability of co-conspirators in case of failure to complete the crime by the perpetrator for reasons beyond their control. The problem of "forced complicity".

The excess of the perpetrator. The concept of excess and the solution of the question of responsibility. Performers at the Desk.

Types and forms of complicity in a crime. The concept and features of certain forms of complicity. Commission of crimes: by a group of persons, by a group of persons with prior agreement, by an organized group, by a criminal community (criminal organization). Signs of forms of complicity. The problem of certainty of criminal law regulations. Polemics about the nature and characteristics of certain forms of complicity. Features of qualification depending on the form of participation. Grounds and limits of the participant's liability. Individualization of responsibility and punishment for complicity. Responsibility for creating an organized group in cases not provided for by the Special part of the criminal code. Specifics of complicity in certain types of crimes.

12. Circumstances precluding criminality of the act.

The concept and types of circumstances that exclude criminality of an act, their place in the system of circumstances that exclude criminal liability and punishment.

Circumstances excluding criminality of the act provided for by the criminal code of the Republic of Kazakhstan.

Necessary defense. The concept and content of necessary defense as a subjective right of any citizen. The value of the necessary defense. Conditions for the legality of the necessary defense. The concept of imaginary defense and the issue of responsibility for it. Exceeding the limits of necessary defense, its essence. The subjective side of excess. Responsibility for exceeding the limits of defense.

Extreme necessity: concept and content. Conditions for the legality of extreme necessity. The difference between extreme necessity and necessary defense.

Causing harm when detaining a person who has committed a crime. The concept of causing harm and its content. Conditions for the legality of causing harm to a person who has committed a crime, and responsibility for such harm if necessary measures are exceeded.

Physical or mental coercion: the concept and content of these circumstances. Conditions under which the criminality of an act committed as a result of physical coercion is excluded.

Criminal liability for mental coercion.

Reasonable risk. The concept of reasonable risk and its content. Conditions under which the risk is considered justified. Liability for unreasonable risk. Implementation of operational search activities.

Execution of an order or order: the concept and content of these circumstances. Conditions that exclude the criminality of causing harm. Conditions of liability for committing an intentional crime in the execution of illegal orders or orders.

13. The concept and purpose of punishment.

The concept of criminal punishment, its essence and features. The legal nature of punishment and its social functions. Theories of punishment in Russian and foreign literature. Legitimacy and limits of punishment.

Content of the punishment. The difference between punishment and other measures of state coercion.

Goals of punishment under the criminal code of the Republic of Kazakhstan and their feasibility. The value of individual goals.

14. The system and types of punishments.

The system of punishments under the criminal code of the Republic of Kazakhstan and its significance. The difference between punishments and other measures of a criminal legal nature. Types of punishments: fine; deprivation of the right to hold certain positions or engage in certain activities; deprivation of a special, military or honorary title, class rank and state awards; confiscation of property; involvement in public works; correctional labor; restriction on military service; restriction of freedom; detention in a disciplinary military unit; imprisonment for a certain period; life imprisonment; death penalty. Basic and additional punishments. Content and grounds for assigning certain types of punishments. Their role in the fight against crime.

Controversy about types of punishment. The death penalty controversy.

15. The purpose of punishment.

General principles of sentencing under the criminal code of the Republic of Kazakhstan. Concept, content and meaning of common principles. Method of individualization of punishment.

Circumstances that mitigate and aggravate the punishment. Types of these circumstances and their content. Prohibition of double counting of aggravating and mitigating circumstances. Cases of mandatory mitigation of punishment provided for by law. Trends in the development of legislation on sentencing.

Sentencing for a crime committed in complicity. The imposition of a more lenient sentence than is provided for this crime.

Assignment of punishment at relapse of crimes.

Sentencing for a combination of crimes. The order of sentencing, its limits. Additional penalties for a combination of crimes and their limits.

Sentencing in cases where, after the court has passed a verdict on the case, it is established that the convicted person is also guilty of another crime committed before the verdict in the first case.

Sentencing based on a set of sentences. The order of sentencing and the limits of final punishment. The procedure for determining the terms for the addition and absorption of various types of punishments.

Probation, its legal nature. Grounds for applying a suspended sentence and its content. Grounds and procedure for revoking a suspended sentence or extending a probation period. Controversy about the grounds and limits of a suspended sentence.

16. Exemption from criminal liability and punishment. Amnesty. Pardon. Criminal record.

The concept and types of exemption from criminal liability. Exemption from criminal liability in connection with active repentance. Exemption from criminal liability in connection with reconciliation with the victim. Exemption from criminal liability due to the expiration of the Statute of limitations. Other types of exemption from criminal liability. Legal grounds and conditions for

exemption from criminal liability. Trends in the development of legislation.

Concept and types of release from punishment. Their legal grounds and conditions. Parole from serving a sentence. Replacing the unserved part of the sentence with a milder form of punishment. Release from punishment due to a change in the situation. Release from punishment due to illness. Deferred sentence for pregnant women and women with young children. Release from serving a sentence due to the expiration of the Statute of limitations of the court's conviction. Other types of release from punishment.

Amnesty and pardon. Legal nature and correlation of Amnesty and pardon. Criminal record. Concept, essence and meaning. Repayment of a criminal record.

17. Criminal liability and punishment of minors

General provisions of criminal liability of minors. The system and types of punishments imposed on minors. The sentencing of minors. Release of minors from criminal responsibility and punishment. Use of compulsory measures of educational influence. Parole from serving a sentence.

Statute of limitations and repayment of criminal records.

Application of the provisions of the Criminal code of the Republic of Kazakhstan on the specifics of criminal responsibility and punishment of minors to persons aged 18 to 20 years.

18. Crimes against the person. Crimes against the person: concept and types. Crimes against life. Main and qualified compositions.

Crimes against health. Main and qualified teams.

Crimes that endanger life and health.

Crimes against personal freedom. Abduction. Controversy about the concept of kidnapping. Main and qualified teams. Special conditions for the release from criminal liability of a person who has committed a kidnapping. The delineation of abduction of a person with related offences.

Illegal confinement. Signs of the main composition. Qualifying sign. Separation of illegal deprivation of liberty from other crimes.

Trafficking in persons. International legal acts on the prevention and suppression of human trafficking. Signs of the main composition. Qualifying and especially qualifying signs of this act.

The use of slave labor. International legal standards of human rights in the field of labor relations. Features of the objective and subjective sides of this crime. Qualifying sign. Illegal placement in a psychiatric hospital.

The concept and types of crimes against sexual integrity and sexual freedom of the individual. Crimes against sexual freedom of the individual. Rape. The distinction between sexual intercourse and sexual acts. Criteria for distinguishing between attempted rape and sexual violence and completed acts. Assessment of the nature of violence and threat as a means of resisting the victim (s). Signs of gang rape and sexual assault. Their particularly serious consequences. Assessment of the age of the victim (victim) in cases of sexual crimes. Using the helpless state of the victim (victim).

The difference between sexual coercion and rape and sexual violence. The difference between depraved acts and sexual intercourse and other sexual acts with a person who has not reached the age of sixteen.

Crimes against the honor and dignity of the individual. Slander and insult. Objective and subjective aspects of these crimes. The victim of a crime. The distinction between libel and insult.

19. Crimes against the family and minors.

Concepts and types of crimes against the family and minors. Their General characteristics.

Involvement of minors in the Commission of a crime. Involving minors in anti-social activities. The objective side of engagement. Ways to engage. The time of the end. The subjective side and the actors. Substitution of a child. Illegal adoption (adoption). Disclosure of the secret of adoption.

Failure to perform duties for the upbringing of a minor. Special subject of this crime. Inaction as a form of the objective side. The concept of abuse of minors.

Malicious evasion of payment of funds for the maintenance of children or disabled parents. Signs of malicious evasion. Special subject of the crime.

20. Crimes against the constitutional rights and freedoms of man and citizen.

General characteristics of crimes against the constitutional rights and freedoms of man and citizen. The specifics of their illegality. History of formation of criminal law prohibitions. Classification of crimes against the constitutional rights and freedoms of man and citizen and its grounds. Crimes against political rights and freedoms. Violation of the equality of human and civil rights and freedoms. Obstructing the exercise of electoral rights or the work of election commissions. Violation of the procedure for financing the election campaign of a candidate, an electoral Association, the activities of a referendum initiative group, or another group of referendum participants. Falsification of election documents and referendum documents. Falsification of voting results. Preventing the holding of an Assembly, meeting, demonstration, March, picketing or participation in them. General and special features of the components of these crimes. Blank dispositions of norms on crimes against political rights and freedoms. Features of assessing the public danger of this group of crimes. Crimes against socio-economic rights and freedoms of man and citizen. Violation of labor protection rules. Obstructing the legitimate professional activities of journalists. Unjustified refusal to hire or unjustified dismissal of a pregnant woman or a woman with children under three years of age. Non-payment of wages, pensions, scholarships, allowances or other payments. Violation of copyright and related rights. Violation of inventive and patent rights. General and special features of the components of these crimes. Blank dispositions of norms on crimes against socio-economic rights and freedoms of man and citizen. Features of assessing the public danger of this group of crimes.

Crimes against personal rights and freedoms. Violation of privacy. Violation of the secrecy of correspondence, telephone conversations, postal, Telegraph or other messages. Violation of the inviolability of the home. Refusal to provide information to a citizen. Obstructing the exercise of the right to freedom of conscience and religion. Features of the criminal-legal assessment of private life, the secrecy of communications, the inviolability of the home, freedom of conscience and religion. The wrongfulness of the social danger of crimes against personal rights and freedoms. General and special features of the components of these crimes.

21. Crimes against the peace and security of mankind.

Concept and types of crimes against the peace and security of mankind. Public danger of criminal acts. The range of sources that establish criminal law prohibitions. Specifics of the object and subject of infringement. Signs of the objective side. Features of the subjective side of crimes, their motives and goals. The subject of crime.

Crime against peace. Planning, preparing, launching or waging an aggressive war. Public danger the Concept of aggressive war and its relation to the concept of aggression. Objective side. Perpetrator. Public appeals to unleashing an aggressive war. The concept of "public appeals". Objective side. Qualifying sign.

Development, production, accumulation, acquisition or sale of weapons of mass destruction. The concept and types of weapons of mass destruction. Signs of actions that make up the objective side.

Use of prohibited means and methods of warfare. Sources of law that disclose the blankness of the norm. Victims of crime. Objective side.

Attacks on persons or institutions that enjoy international protection. Basic concept: "representatives of a foreign state", "employees of an international organization enjoying international protection". Indicates an attack. The purpose of the attack.

Crimes against the security of humanity. Genocide. The concept of genocide. Victims of crime. Content of the objective side. Ecocide. The concepts of "mass destruction" and "environmental disaster". The objective side of the compositions provided for by the norm.

22. Crimes against property.

Criminal law protection of property in the structure of the criminal code of the Republic of Kazakhstan. Property as an object of legal protection.

The system of crimes against property. Theft of other people's property. Other mercenary encroachments on other people's property. Encroachments on someone else's property related to its

destruction or damage. Crimes against property under Chapter 6 of the criminal code of the Republic of Kazakhstan and other encroachments on property. A broad and narrow understanding of crimes against property.

Theft of other people's property. Signs of theft. Object and object of theft. Civil law content of the object and subject. Criminal-legal signs of the object and subject of theft. Objective signs of theft. Action as the seizure and (or) conversion of the object of theft in favor of the perpetrator or other persons. Subject characteristic (method) of action. Signs of action. Wrongfulness. Gratuitousness. Evaluative characteristics of the action. The problem of General and criminal wrongfulness. The interpretation of the sign of gratuitousness.

Consequences of theft as an element of the objective side. The concept and types of damage. Measurement and assessment of damage. Causal relationship between action and consequences. The moment the theft ends. Subjective signs of theft. Intent. The legal nature and necessity of the sign of a mercenary goal. Subject of theft. Mitigating and aggravating features related to the identity of the subject of theft.

Forms and types of theft. The need to classify crimes according to these criteria.

Theft. The development of legislation about the theft and his controversial issues. Public danger of theft. A secret method of taking possession. Its objective and subjective criteria. Differentiating theft from robbery, other forms of theft, fraud, and misappropriation of finds.

Qualifying and especially qualifying signs of theft. Characteristics of the system of these features.

Fraud. Two types of fraud in the criminal law. Difference between them. General characteristics of fraud as a violation of property in General. Illegality is General and special. The concept of deception or abuse of trust. Criminal law content of deception and abuse of trust. Intent and self-interest in fraud. Criminal law concept of the victim in fraud. Qualifying signs of fraud.

Embezzlement or embezzlement. Concept and features.

Robbery. The concept of open theft. The transition from secret theft to open theft. Signs of open theft. The moment the robbery ends. Robbery combined with violence. The nature of violence in the robbery. Differentiation of robbery, theft and robbery. Judicial practice on the qualification of robbery.

Robbery. Description of the crime in the law. The specifics of the design of the composition of the robbery. The moment the robbery ends. The objective party of robbery. Attack. The concept of attack. Method of attack. Violence. The severity of the violence. Threat of violence. Signs of the General concept of theft in the objective side of robbery. The problem of demonstration or manifestation of encroachment on someone else's property. The subjective side of robbery. The contents of the intent. Signs of theft in the subjective side of robbery. Types of robbery. Qualification of robbery, which involves murder. Differentiation of robbery, banditry, robbery, extortion, hooliganism. Qualifying signs of robbery.

Criminal encroachments on other people's property as a whole and not being theft.

Extortion. Signs of extortion as a crime. The problem of illegality, guilt and public danger. The objective side of extortion. Requirement. The ratio of demand and attack. Content of the requirement. Addressee of the request. Threat. Content of the threat. The link between demands and threats. Actions (inaction) of the recipient of the extortion.

Plunder of the subjects having special value. The concept of special value of items or documents. Subjective side.

Causing property damage by deception or abuse of trust. Subject of the crime. Legal and factual characteristics. Control over the subject of encroachment. Actions to cause damage. Retention of property. Deception or abuse of trust.

Differentiation of this crime, other forms of theft, abuse of authority and abuse of official powers. Qualifying sign.

Illegal possession of a car or other vehicle without the purpose of theft. The concept of illegality of an act. Subject of the crime. The concept of a different vehicle. Objective side. The concept of possession. Possession and retention of the subject of the crime. Duration of acquisition.

Non-profit (related to the destruction or damage of property) crimes against property. Types of these crimes.

Objective and subjective aspects of intentional destruction or damage to property. Objective and subjective sides of destruction or damage of property by negligence.

23. Crimes in the sphere of economic activity.

General characteristics of crimes in the sphere of economic activity. Wrongfulness, guilt, social danger and the punishability of the given group of crimes. A large amount, major damage, income, or debt in a large amount. Differences in their regulation in the current criminal code of the Republic of Kazakhstan. General and special features of the components of these crimes. Social changes and legislation on economic crimes. Context of interpretation of the rules on economic crimes.

Crimes against the General order of economic activity. Obstruction of legitimate business or other activities. Goals and scope of the ban. Criminal law risks.

Illegal business. Goals and scope of the ban. Its necessity. Features of the objective and subjective sides of illegal business. Methods of illegal entrepreneurship. Qualifying features of the composition of this act. Separation of illegal business from related crimes. Registration of illegal land transactions. The moment it ends. Special subject of the crime.

Illegal banking activity. The concept of illegal banking. Features of the objective side of the crime. Characteristics of socially dangerous consequences. Qualifying features of this crime.

False entrepreneurship. The concept of pseudo-entrepreneurship. Features of the objective and subjective sides of this crime. Differentiation with related elements of the crime.

Legalization (laundering) of money or other property acquired by criminal means. Reasons for the adoption of bans in this area. Types of prohibitions (differentiation by subject of the act). Problems of operation of norms on laundering of dirty money in space. Changes in the criminal code of the Republic of Kazakhstan. Their validity.

Acquisition or sale of property known to have been obtained by criminal means. Crimes against the rules of credit relations. Illegal loan receipt. The subject of this crime. Methods of committing a crime. Features of the objective side of the crime and the nature of socially dangerous consequences. The subject of this crime. The difference between obtaining a loan illegally and stealing someone else's property.

Malicious evasion of repayment of accounts payable. Features of this crime structure. Characteristics of the subject.

Crimes against the order of legitimate competition in the market. The prevention, restriction or elimination of competition. The purpose and scope of the ban. Criminal law risks. Object of the crime. Features of the objective and subjective side of this crime. Its subject. Qualifying and especially qualifying signs of this act.

Compulsion to make a transaction or refuse to make it. The concept of compulsion to make a transaction or refuse to make it. Objective and subjective sides of the crime. Qualifying sign. Separation from extortion.

Illegal use of a trademark. The subject of this crime. Objective and subjective sides of the crime.

Illegal receipt and disclosure of information constituting a commercial or banking secret. The concept of information constituting a commercial, tax or Bank secret. Specifics of the objective and subjective sides of the crime. The motive for this crime and its subject.

Bribery of participants and organizers of professional sports competitions and spectacular commercial competitions. Characteristics of the objective and subjective sides of the crime. Qualifying signs of this crime.

Illegal actions in bankruptcy. The concept of bankruptcy. Subject, objective and subjective side of the crime. Characteristics of consequences. The subject of this crime. Deliberate bankruptcy. The concept of deliberate bankruptcy. Characteristics of the objective side; socially dangerous consequences. The motive and subject of the crime in question. Fictitious bankruptcy. The concept of fictitious bankruptcy. Characteristics of the objective and subjective sides of the crime; socially

dangerous consequences.

Crimes against the financial system. Abuses in the issuance of securities. The concept of issuing securities. Features of the objective and subjective sides of this crime; socially dangerous consequences. The subject of this crime.

Crimes against the order of foreign trade activity. Smuggling. The concept of smuggling. Forms of smuggling. Contraband item. Characteristics of methods of committing a crime. Objective and subjective sides of the crime. The moment the crime ends. Qualifying and especially qualifying signs of smuggling.

Crimes against the procedure for paying customs duties and taxes. Evasion of customs payments levied on an organization or individual. A condition that determines the onset of criminal liability for evading customs duties levied on an organization or individual. Qualifying features of this crime. Separation from contraband.

Evasion of taxes and (or) fees from an individual. Features of the objective side of this crime. Conditions that determine the onset of criminal liability for evading a citizen from paying a tax or fee. Qualifying features of this crime. Evasion of taxes and (or) fees from the organization. Objective and subjective aspects of this crime. The moment it ends. Conditions that determine the onset of criminal liability for evading taxes or fees from an organization. Perpetrator. Qualifying features of this crime.

24. Crimes against public safety and public order.

The concept of public security and its types. Scope of criminal law prohibitions. General characteristics of crimes against public safety, their system.

Crimes against General security. Terrorist act. Objective side. Sign of danger. The purpose of the action. Qualifying sign. Special grounds for exemption from criminal liability. Promoting terrorist activities. The concept of inducement, recruitment and other involvement in the Commission of a crime. The concept of inciting a person to the activities of a terrorist organization. Other actions that constitute an act. Financing of terrorism. Conditions for exemption from criminal liability.

Public calls to carry out terrorist activities or public justification of terrorism. The concept of public justification of terrorism. Basic structure. Qualifying sign.

Hostage-taking. The concept of a hostage. Characteristics of the objective and subjective sides of the crime. Qualifying signs of this crime. Conditions for exemption from criminal liability.

Deliberately false report of an act of terrorism. Types of information that may constitute a false report about an upcoming act of terrorism.

Organization of an illegal armed formation or participation in it. The concept of an illegal armed group. Creating, directing, and participating in such formation. Its financing.

Banditry. The concept of a gang. Objective and subjective sides of the crime. The moment of the end of this crime. Conditions for exemption from criminal liability.

Organization of a criminal community (criminal organization). The purpose of the ban. Basic concept. Objective and subjective sides. The time of the end. Conditions for exemption from criminal liability. Qualification algorithm.

Hijacking of an air or water transport vessel or railway rolling stock. Feature of the subject of encroachment. Basic concepts of the objective side: "hijacking" and "hijacking". Content of the subjective side. Qualifying and particularly qualifying features. Piracy.

Crimes against public order. Mass disorder. Concepts of mass riots. Criminal-legal characteristics of actions that accompany mass riots.

Hooliganism. Specifics of illegality, guilt, and public danger. Objective side. The concept of gross violation of public order, clear disrespect for society, the use of weapons or items used as weapons. The subjective side of bullying. Qualifying sign.

Vandalism. Subject of infringement. Signs of the objective and subjective sides. Differentiation with adjacent structures.

Crimes related to violation of special rules of work or activity. Violation of safety rules at nuclear power facilities. Termination or restriction of electric power supply or disconnection from

other life support sources. Putting oil, oil products, and gas pipelines into disrepair. Rendering life-support facilities unusable. Violation of safety rules when conducting mining, construction or other works. Violation of safety rules at explosive objects. Violation of fire safety rules. Wrongfulness, guilt, social danger and the punishability of the given group of crimes.

25. Crimes against public health and morality.

The concept and types of crimes against public health and public morals. Wrongfulness, guilt, social danger and the punishability. General characteristics of the elements of crimes.

Crimes against public health.

General view. Illegal private medical practice or private pharmaceutical activity. Violation of sanitary and epidemiological rules. Concealment of information about circumstances that pose a danger to life or health. Production, storage, transportation or sale of goods and products, performance of works or provision of services that do not meet safety requirements. Organization of an Association that infringes on the person and rights of citizens. Scope of these rules. The importance of medical and administrative legislation for understanding basic concepts. The objective side of the crimes. Features of the subjective side. Signs of a special subject.

Crimes against public health formed by illegal actions with narcotic drugs, psychotropic substances or their analogues, strong and poisonous substances. Illegal acquisition, storage, transportation, manufacture, processing of narcotic drugs, psychotropic substances or their analogues. Illegal production, sale, or transfer of narcotic drugs, psychotropic substances, or their analogues. Violation of the rules of trafficking in narcotic drugs or psychotropic substances. Theft or extortion of narcotic drugs or psychotropic substances. Inducement to use narcotic drugs or psychotropic substances. Illegal cultivation of prohibited plants containing narcotic substances. Organization or maintenance of dens for the consumption of narcotic drugs or psychotropic substances. Illegal issuance or forgery of prescriptions or other documents giving the right to receive narcotic drugs or psychotropic substances. International legal norms applicable to the control of narcotic drugs and psychotropic substances. Changes in Russian legislation in this area. The subject of crime. Formal legal definition of narcotic drugs and psychotropic substances in Russian legislation. Basic compositions as compositions with alternative actions. The time of the end. The concept of large and especially large size of narcotic drugs, psychotropic substances or their analogues. Qualified and specially qualified attributes. Differentiation with related crimes. Special grounds for exemption from criminal liability.

Illegal turnover of strong or toxic substances for the purpose of sale. Subject of the crime. Objective side of the elements of crimes.

Crimes against public morals. Involvement in prostitution. Organization of prostitution. Illegal distribution of pornographic materials or items. Production and trafficking of materials or items containing pornographic images of minors. Destruction or damage to historical and cultural monuments. Abuse of the bodies of the dead and their places of burial. Cruelty to animals.

26. Corruption and other crimes against the interests of the public service and public administration.

General characteristics of crimes against the state power, interests of the state service and service in local self-government bodies.

Mechanism for the exercise of state power, civil service and service in local self-government bodies. The concept and content of legal benefits protected by the rules of this Chapter. Classification of prohibited assaults. Features of a special subject. The issues of criminal-legal nature, structure and purpose of the prohibitions.

Abuse of office. The concept of using official powers against the interests of the service. Significant violation of protected goods. Subjective side.

Misuse of budget funds. Misuse of state extra-budgetary funds.

Abuse of office. The explicit nature of going beyond the scope of authority. Consequences of the crime. Qualifying sign. Assigning authority to an official.

Illegal participation in business activities. The purpose and scope of the ban. The concept of "establishment of an organization engaged in entrepreneurial activity" and "participation in its

management". Method of action-in person or through a proxy. A ban on performing these actions. A causal relationship between actions and the granting of benefits or other forms of patronage to an organization.

Taking bribes. Bribery. History of the development of legislation on bribery. The purpose and scope of the prohibitions. The subject of the bribe. Polemics on the subject of bribery in criminal law literature and in practice. The insignificance of the subject of the bribe. The objective side of receiving a bribe. Actions (inaction) to receive the subject of a bribe. Grounds for transferring and accepting the subject of a bribe. The relationship of expected or performed actions to the receipt of the subject of the bribe. General patronage or connivance in the service. Qualifying sign. The concept of giving a bribe. Giving a bribe through an intermediary. The moment of the end of the crime for the bribe taker. The contents of the intent. The subject of the bribe. Exemption from criminal liability for bribery.

Official forgery. Purpose and scope of the article. Public danger of crime. Subject of the crime. Concept of an official document. The concept of deliberately false information, corrections that distort the actual content. The subjective side of the crime.

Negligence. The concept of non-performance or improper performance of their duties. Indicates an unfair or negligent attitude to the service.

5. List of recommended literature

Main literature:

1. Baimakhanov M. T. Selected works on the theory of state and law. - A., 2004.
2. Bulgakova D. A. Theory of state and law: Textbook. - A., 2003.
3. Ibraeva A. S. Theory of state and law. - A., 2006.
4. Marchenko M. N. Theory of state and law. Textbook. 2nd ed. - Moscow, 2006.
5. Matuzov N. I., Malko A.V. Theory of state and law. - Moscow, 2004.
6. Nersesyants V. S. General theory of law and state. - Moscow, 2000.
7. Khropanyuk V. N. Theory of state and law. 2nd ed. - Moscow, 2005.
8. Basin Yu. G. Legal entities under the civil code of the Republic of Kazakhstan: Concept and General characteristics of Almaty, 1996.
9. Basin Yu. G. Transactions. - Almaty, 1997.
10. Braginsky M. I., Vitryansky V. V. Contract law. General provisions. - Moscow, 1997.
11. Civil Code of the Republic of Kazakhstan (General part). Comment. In 2 vol., under the editorship of M. K. Suleimenov, Yu. G. Basin. - Almaty, 1998.
12. Civil Code of the Republic of Kazakhstan (Special part). Review under the editorship of M. K. Suleimenov, Yu. G. Basin. - Almaty, 2000.
13. Polenov G. F. Criminal law of the Republic of Kazakhstan. - A., 1997.
14. Criminal law of the Republic of Kazakhstan. The General part. / ed. I. I. Rogov, M. A. Sarsembayev. - Almaty, 1998.
15. Kairzhanov E. I. Criminal law of the Republic of Kazakhstan (General part). - Almaty, 1997.
16. Rogov I. I. criminal code of the Republic of Kazakhstan-General characteristics (in comparison with the criminal code of the Kazakh SSR). - Almaty: BASPA, 1997.
17. Criminal law of the Republic of Kazakhstan. Special part: Textbook / edited by Prof. A. N. Agybayev, G. I. Baimurzin. - Almaty, 2003.
18. Commentary to the Criminal code of the Republic of Kazakhstan / Under the editorship of I. I. Rogov and S. M. Rakhmetova. Book 2. - Astana, 2007.

Additional literature:

1. The Constitution of the Republic of Kazakhstan dated August 30, 1995 with amendments and additions.
2. The Criminal Code of the Republic of Kazakhstan dated July 16, 1997 with amendments and additions.
3. The Civil Code of the Republic of Kazakhstan (General part) dated 27.12.1994 with changes and

additions.

4. The Civil Code of the Republic of Kazakhstan (Special part) from 01.07.1999 with amendments and additions.

5. The Law of the Republic of Kazakhstan "On legal acts" dated 06.04.2016 with amendments and additions.

6. SCALE OF ASSESSMENT OF EXAM RESULTS

Each answer to the exam ticket question is evaluated on a 100-point scale. The entrance exam is output as the arithmetic average of the scores for all the answers.

The examination Commission conducts discussion and final evaluation of the answers of undergraduates in a closed session, determining the final grade - "excellent", "good", "satisfactory", "unsatisfactory", expressed in points.

When conducting the entrance exam in written and oral form the following criteria are established for evaluating the knowledge of applicants:

"Excellent" – a deep comprehensive knowledge of all program material, understanding of the nature and interrelation of these processes and phenomena, solid knowledge of basic principles of the disciplines: a coherent, meaningful, complete, correct and specific answers to all the questions of examination and additional questions from the members of the examination fee; the use to the extent necessary in answering the questions of all materials recommended literature.

Rating "good" – a solid and fairly complete knowledge of all the program material, a correct understanding of the essence and relationship of the processes and phenomena under consideration; consistent, correct, specific answers to the questions raised, while freely eliminating comments on individual issues.

Rating "satisfactory" – a solid knowledge and understanding of the main questions of the program, correct and specific, without gross errors, answers to the questions posed when eliminating inaccuracies and minor errors in the coverage of certain provisions in the leading questions of examiners, when answering questions, the main recommended literature is not used enough.

Rating "unsatisfactory" – an incorrect answer to at least one of the main questions, gross errors in the answer, a lack of understanding of the essence of the questions being presented; uncertain and inaccurate answers to additional questions.

Knowledge assessment scale

Letter Grade	The digital equivalent of points	% - content	Traditional system assessment
A	4.0	95-100	Excellent
A-	3.67	90-94	
B +	3.33	85-89	Good
B	3.0	80-84	
B-	2.67	75-79	
C +	2,33	70-74	Satisfactorily
C	2.0	65-69	
C-	1,67	60-64	

D +	1.33	55-59	
D-	1,0	50-54	
F	0	0-49	Unsatisfactorily
I (Incomplete)	-	-	"Discipline is not completed" (<i>not taken into account when calculating GPA</i>)
P (Pass)	-	-	"Read" (<i>not taken into account when calculating GPA</i>)
NP (No P ass)	-	-	"Not set off" (<i>not taken into account when calculating GPA</i>)
W (Withdrawal)	-	-	"Failure to discipline" (<i>not taken into account when calculating GPA</i>)
Aw (Academic Withdrawal)			Withdrawal for academic reasons (<i>not taken into account when calculating GPA</i>)
Au (Audit)	-	-	"Discipline is listened" (<i>not taken into account when calculating GPA</i>)
Att .		30-60 50-100	Certified
Not att .		0-29 0-49	Not certified
R (Retake)	-	-	Re-learning the discipline