

**APPROVED**  
**at a meeting of the Academic Council**  
**of NJSC «KazNU named after al-Farabi»**  
**Protocol №11 from 23.05.2025 y.**

**The program of the entrance exam for applicants to the PhD**  
**for the group of educational programs**  
**D078 - «Law»**

**1. General provisions.**

1. The program was drawn up in accordance with the Order of the Minister of Education and Science of the Republic of Kazakhstan dated October 31, 2018 No. 600 “On Approval of the Model Rules for Admission to Education in Educational Organizations Implementing Educational Programs of Higher and Postgraduate Education” (hereinafter referred to as the Model Rules).

2. The doctoral entrance examination consists of an interview, writing an essay, and a subject-specific examination.

<b>Block</b>	<b>Points</b>
1. Interview	30
2. Essay	20
3. Exam according to the profile of the group of the educational program	50
Total admission score	100/75

3. The duration of the entrance examination is 3 hours and 10 minutes, during which the applicant writes an essay and answers an electronic examination ticket. The interview is conducted at the university prior to the entrance examination.

**2. Procedure for the entrance examination.**

1. Applicants for doctoral studies in the group of educational programs D078 - «Law» write a problematic / thematic essay. The volume of the essay is at least 250 words.

Types of essays:

2. A motivational essay that reveals the reasons stimulating interest in research activities;
3. A scientific-analytical essay that justifies the relevance and methodology of the proposed research;
4. A problem-based/topic-specific essay that highlights various aspects of scientific knowledge in the subject area.

2. The electronic examination card consists of 3 questions.

**Topics for exam preparation according to the profile of the group of**  
**the educational program.**

Discipline «**The theory of state and law**»

### **Topic 1. The form of the state. The mechanism of the state. Public service**

The concept and characteristics of the state. The concept of the form of the state. Factors that determine the shape of the state: geographical, economic, political, historical, national. Form of government. Features of the presidential form of government in the Republic of Kazakhstan. The form of government. The political regime.

The mechanism of the state. The importance of the principle of power sharing in the formation of the mechanism of the state. The principles of democracy, transparency and professionalism in the activities of state bodies. The concept and classification of state bodies. Powers of the legislative, executive, and judicial bodies. The mechanism of checks and balances. Institutions of veto, impeachment, vote of no confidence.

Constitutional reform in Kazakhstan: purpose, objectives, main directions. Changes in the law enforcement system. The principle of priority of human rights and freedoms as the main principle of the activities of state bodies.

Public service. Principles of selection of civil servants and requirements for them in the Republic of Kazakhstan. The State's anti-corruption activities. Anti-corruption measures. Analysis of anti-corruption restrictions (Article 6 of the Anti-Corruption Law).

### **Topic 2. The legal state and civil society.**

The concept of the legal state: theory and practice. The legal state, the goals, objectives and functions of the legal state. The main features of the legal state. Separation of powers, ensuring a system of checks and balances. A democratic, independent, objective court. The priority of human and civil rights and freedoms, their reality, and their guarantee.

The concept of civil society. Social movements, independent media, and institutions for the study of public opinion are elements of civil society.

Measures taken by the State for the establishment of a true state of law and the formation of a high legal culture. Requirements of the Code of Ethics of Civil Servants of December 29, 2015 as a basis for combating corruption.

The human right to personal freedom. Problems of ensuring individual freedom and personal security in modern conditions. Problems of legal protection of human rights in the context of globalization. Methods and ways of protecting human rights.

### **Topic 3. Social norms. The concept, essence and functions of law. Sources (forms) of law.**

The definition of the right. The concept of legal functions. The system of legal functions: regulatory and protective; educational and informative.

The role and significance of law in the system of social norms of society. Law and morality: unity, difference, interaction, contradictions. Influence of customs and religion on legal norms.

The concept and types of sources of law. Legal custom. Customary law. Judicial and administrative precedent. Regulatory legal act. Normative contract as a form of law. The significance of the Law "On Legal Acts" of April 6, 2016 for legal practice. The significance of the legal customs of the Kazakh people for the modern legal system. Types of sources of law specified in Article 4 of the Constitution of the Republic of Kazakhstan. Types of normative legal acts, the importance of codes for the development of the legal system.

The concept, signs and types of laws. The significance of consolidated laws for legal practice.

The effect of a normative legal act in time, in space and in the circle of persons. Retroactive effect of the law. Gaps in the law, ways to overcome them. The analogy of law and the analogy of law.

### **Topic 4. The system of law. The legal system. Implementation of the right. Interpretation of the law.**

The concept of the legal system. Structural elements of the legal system, the rule of law, institutions of law, branches of law. Formation of new branches of law as a necessity of legal

practice. The concept and structure of the legal system of society. Romano-Germanic, Anglo-American, and traditional-religious legal systems. Features of the legal system of Kazakhstan.

The application of law is a special form (method) of the implementation of the right. Subjects of application of the law: state bodies, officials, law enforcement agencies. Stages of application of the law. The concept and types of law enforcement acts.

The concept of interpretation of normative legal acts. Clarification and clarification of the content of legal norms. Subjects of interpretation. Types of interpretation on the subject: official and unofficial; normative and accidental; authentic, doctrinal (scientific), ordinary. Methods (techniques) of interpretation of law: philological, historical, logical, systemic, and teleological. The scope (result) of the interpretation: literal, restrictive, and expansive.

### **Topic 5. legal consciousness. Legal culture. Legitimate behavior. Law and order.**

Legal consciousness is a form of public consciousness. Theoretical and everyday legal awareness. Professional legal consciousness of lawyers. The concept and features of legal consciousness, structure and types. The influence of legal consciousness on the process of lawmaking and law enforcement. Legal ideology and legal psychology. The concept and reasons for the growth of legal nihilism. Forms of legal nihilism, ways to overcome legal nihilism.

The importance of legal culture for the formation of the rule of law. Legal culture of civil servants and law enforcement officers. Efficiency of the state apparatus. The importance of ethical standards for the entire system of the state.

The concept of lawful behavior. Legal, illegal, legally neutral behavior. The importance of anti-corruption awareness and anti-corruption culture for the Kazakh society. Types of lawful behavior. Factors that affect the legality of actions.

Law and order. The role of law and order in society. Guarantees of the rule of law in society. Problems of strengthening the rule of law and the rule of law in society in the Republic of Kazakhstan.

### **Topic 6. Legal relationship.**

The concept of legal relations, their signs. Classification criteria (types) of legal relations. Regulatory and protective legal relations. Absolute and relative legal relations. Classification of legal relations by branches of law. The composition of legal relations. The content of legal relations. Subjects of legal relations. Legal capacity, legal capacity, and delinquency of legal entities. Legal personality. Characteristics of legal entities. Objects (objects) of legal relations. Legal facts as the basis for the emergence, modification and termination of legal relations. Classification of legal facts by the legal consequences generated and by the volitional sign. The actual (legal) composition.

## **3. List of references.**

### **Main:**

1. Kommentarij k Konstitucii Respubliki Kazahstan. [Commentary to the Constitution of the Republic of Kazakhstan.] – Astana, 2018 g. // [https://online.zakon.kz/Document/?doc\\_id=38623503#pos=4;-108](https://online.zakon.kz/Document/?doc_id=38623503#pos=4;-108)
2. Ibraeva A.S. i dr. Teorija gosudarstva i prava. Uchebnoe posobie [Theory of State and Law. Training manual]. – Almaty: Zhety zhargy, 2017. – 339 s.
3. Zakon «O pravovyh aktah». Prinjat 6 aprilja 2016 g. [The Law "On Legal Acts". Adopted on April 6, 2016.]
4. Programma «Ruhani zhangyru» – vzgljad v budushhee» ot 12 aprilja 2017 g. [The program "Spiritual Revival a look into the future" of April 12, 2017].
5. Jeticheskij kodeks gosudarstvennyh sluzhashhih ot 29 dekabrja 2015 g. [The Code of Ethics of Civil Servants of December 29, 2015].

6. Zakon Respubliki Kazahstan «O protivodejstvii korrupcii» ot 18 nojabrja 2015 g. [The Law of the Republic of Kazakhstan "On Combating Corruption" of November 18, 2015].
7. The concept of the legal policy of Kazakhstan until 2030 // <https://adilet.zan.kz/rus/docs/U2100000674>
8. Code of judicial ethics. Adopted November 21, 2016

#### **Additional:**

1. Matuzov N.I. Teorija gosudarstva i prava: Kurs lekcij. [Theory of state and law: a course of lectures] - 3izd.-M.: Jur.Norma,NIC INFRA-M,2020-640s.
2. Rasskazov L.P. Teorija gosudarstva i prava. Uglublennyj kurs: Uchebnik. [Theory of State and Law. Advanced course: Textbook.] / - M.:RIOR, INFRA-M,2019.-560 s.(P)
3. Internet resources: additional training materials, regulatory legal acts, other regulatory materials can be used from the sites [univer.kaznu.kz](http://univer.kaznu.kz); <https://www.zakon.kz/>; <https://prg.kz/>; [https://prg.kz/jurist\\_info](https://prg.kz/jurist_info)

### **List of examination topics Discipline "Civil law and civil procedure, labor law"**

#### **Topic 1. The concept of civil legal relationship. Legal entities as subjects of civil rights.**

Sources and principles of civil law; the main acts of civil legislation in force on the territory of the Republic of Kazakhstan.

Place of the Civil Code of the Republic of Kazakhstan in the system of civil legislation and the role of civil legislation in the implementation of human rights in the Republic of Kazakhstan.

Customs, business customs, international acts of recommendation in the civil law system; international treaties and civil legislation of the Republic of Kazakhstan.

Content of civil relations, subjects and objects of civil relations. Grounds for the emergence, change and termination of civil relations under the legislation of the Republic of Kazakhstan.

Correlation of the concepts of "citizens" and "individuals"; the concept and content of civil legal capacity, its beginning and end and the legal capacity of foreigners and stateless persons, limitation of legal capacity.

The concept of civil personality, its elements and the legal personality of citizens and legal entities. The concepts of limiting the legal capacity of citizens and the incapacity of citizens, a list of facts that must be established by the court when making a decision on limiting the legal capacity of a citizen and making a decision on recognizing a citizen as incapacitated.

The concept and characteristics of legal entities and the role of legal entities in civil circulation; legal capacity and capacity of a legal entity, individualization of legal entities in economic circulation, subsidiary legal entities, branches and representative offices of legal entities.

Reorganization of a legal entity. Bankruptcy, rehabilitation procedures in relation to a legal entity. Constituent documents of a legal entity. Liability of a legal entity. Grounds for liquidation of a legal entity and the procedure for liquidation of a legal entity.

#### **Topic 2. Objects of civil rights. The institution of the transaction in civil law. Legal Regulation of Contractual Relations".**

Concept and types of objects of civil rights; things as objects of civil rights, classification of things as objects of civil rights; movable and immovable property, divisible and indivisible property under the civil legislation of the Republic of Kazakhstan.

The institution of the transaction in civil law, the concept and types of transactions in civil law; unilateral, bilateral and multilateral transactions (agreements), conditional transactions.

The form of the transaction as a manifestation of the will of its participants outside; oral, explicit, written transactions and registration of transactions. Conditions for the validity of the transaction, the importance of compliance with the requirements for the parties to the transaction, to the form of the transaction, to the content of the transaction, as well as to the freedom of expression in the transaction.

Objects of civil rights, services and other actions as objects of civil rights. Money, foreign currency, securities as objects of civil rights.

Concept and system of the law of obligations; similarities and differences between the concept of obligation from other property legal relations; grounds for obligations, contractual and non-contractual obligations.

Legal regulation of contractual relations and improvement of legislation governing certain types of contractual obligations; similarities and differences between the donation agreement and the annuity agreement.

Agreement on the transfer of property for temporary possession and use (property lease, free use of property, rental housing). The content of the property lease agreement, the rights and obligations of the parties under the property lease agreement.

Contract, rights and obligations of the parties; responsibility of the parties for non-performance or improper performance of the work contract. Features of the contract for research, development and technological work.

The contract of carriage features of the contract for the carriage of goods and distinctive features of the contract for the carriage of passengers. Features of filing claims and legal defense under contracts of carriage.

Agreement on the provision of actual and legal services; the content of the commission agreement, commission agreement and storage agreement. Conclusions on the responsibility of the parties in the event of improper performance of these contracts.

The contract for the carriage of goods, types of carriage and their legal regulation. The contract for the carriage of passengers, its distinctive features.

Insurance contract. Grounds for terminating the insurance contract; insurance contracts in favor of a third party and the reasons for recognizing the insurance contract as invalid, indicating the legal consequences.

Agreement for banking services, concept and its types. Loan agreement, its form and content.

Purchase and sale agreement and its essential terms: retail sale versus delivery. The legal nature and basic elements of an energy supply contract, its concept. Contractual (agricultural procurement contract) agreement.

### **Topic 3: "Property rights and other property rights. Intellectual Property Law".**

Property rights in the system of civil rights and the main theories for determining property rights. The exercise of the right of ownership as the exercise of the right to one's own actions, the right to defense.

Property as an economic category. The powers of the owner and characteristics of the powers of possession, use, disposal. The main ways of the emergence of property rights.

Forms of ownership under the legislation of the Republic of Kazakhstan. Realization of property rights by non-state legal entities, specific characteristics of state property.

Inheritance of property of citizens, basic concepts of inheritance law. Inheritance by will, revocation of a will and execution of a will.

Intellectual Property Law and Industrial Property Law. Legal support of creative activity and methods of protection of exclusive rights.

Protection of copyright and related rights in modern conditions; copyright license agreement, obligations and responsibilities of the parties.

Legal support for the use of an invention, utility model, industrial design. Patent, conditions of patentability of an invention, utility model, industrial design.

Property trust agreement; powers of the manager under a property trust agreement; fulfillment and termination of obligations from the property trust agreement.

The franchise agreement, its content and legal features. Execution and termination of obligations from the franchise agreement.

Brand (company) name. Trademark and service marks, types and functions of trademarks. Exclusive right to a trademark.

**Topic 4: “Concept, subject and principles of civil procedural law. Alternative ways of resolving disputes (conflicts) in civil proceedings.**

The subject of civil procedural law as a branch of law; principles of civil procedural law and civil procedural legal relations.

Objectives, principles of civil proceedings; administration of justice only by the court. Equality of all before the law and court; respect for honor and dignity, business reputation of persons participating in the case under the legislation of the Republic of Kazakhstan.

Civil procedural legislation as one of the important institutions for the protection of personal property and non-property rights of citizens. Jurisdiction of civil cases to courts under the legislation of the Republic of Kazakhstan.

Composition of persons participating in the case; the concepts of civil procedural legal capacity and civil procedural legal capacity. Rights and obligations of persons participating in the case under the Civil Procedure Code of the Republic of Kazakhstan.

Civil proceedings and its objectives. Stages of civil procedure, procedural succession (concept and grounds); procedural rights and obligations of participants.

Forensic evidence: facts and information about evidence; facts not subject to proof.

Legal capacity in civil proceedings. Participants in the civil procedure. Rights and obligations of persons participating in the case.

Conciliation procedures in civil proceedings.

Conducting a case in court through representatives; persons who cannot be representatives in court. Registration of the representative's powers.

The concept of forensic evidence (facts and information about the means of evidence). Facts not subject to proof.

Terms of performance of procedural actions; restoration of procedural terms. Features of electronic legal proceedings.

Composition of the court and the procedure for resolving issues by the collegial composition of the court. Grounds for challenge (self-challenge) of a judge, prosecutor, expert, specialist, translator, consultant, court secretary in accordance with the civil procedural legislation of the Republic of Kazakhstan.

Development of the institution of conciliation procedures in Kazakhstan. Features of dispute settlement in the order of participatory procedure. Mediation as a way of reconciliation of the parties in civil proceedings.

**Topic 5: “Subject, method, system, labor law and general characteristics of individual institutions of labor law. Labor relations, social partnership. Collective agreement”.**

Modern policy of the Republic of Kazakhstan in the sphere of labor in New Kazakhstan.

Features of the formation and development trends of labor law and legislation of Kazakhstan.

General problems of the current Labor Code of the Republic of Kazakhstan. Ways to improve labor legislation at the present stage and during the pandemic.

Labor Code of the Republic of Kazakhstan and its structure. Actual problems of theory and practice of the application of labor legislation in modern conditions.

The main trends in the development of social and labor relations in the XXI century. Eurasian Economic Union in the field of labor and labor migration.

International standards for social dialogue in the world of work. Regulation of teleworking in the Republic of Kazakhstan in modern conditions.

Occurrence of labor disputes. The role of an employment contract in an employment relationship.

Actual problems of international labor law.

Liability in labor law and the difference between the material liability of the parties to the employment contract and civil liability.



Social partnership and collective relations in the world of work. Collective agreement. Consideration of individual and collective labor disputes.

Material and disciplinary liability of the parties to the employment contract. Grounds for termination, termination of the employment contract.

### 3. List of references.

#### Main:

1. The Civil Code of the Republic of Kazakhstan (General Part), adopted by the Supreme Council of the Republic of Kazakhstan on December 27, 1994 (with amendments and additions as of January 16, 2021). [https://online.zakon.kz/document/?doc\\_id=1006061](https://online.zakon.kz/document/?doc_id=1006061)

2. Civil Code of the Republic of Kazakhstan (Special Part) dated July 1, 1999 No. 409-I (with amendments and additions as of 01/02/2021). [https://online.zakon.kz/document/?doc\\_id=1013880](https://online.zakon.kz/document/?doc_id=1013880).

3. Civil Code of the Republic of Kazakhstan (General part). Comment (itemized). In 2 books. -3rd ed., Rev. and additional, using judicial practice / Ed. M.K. Suleimenov. - Almaty, 2007. Book 2. - 432 p.

4. Civil Code of the Republic of Kazakhstan (Special part). Comment (itemized). In two books. Book 2 / Managing Editors M.K. Suleimenov, Yu.G. Basin. - Almaty, 2006. - 800 p.

5. Basin Yu.G. The concept of civil law. [https://online.zakon.kz/Document/?doc\\_id=1015276#pos=6;-108](https://online.zakon.kz/Document/?doc_id=1015276#pos=6;-108). 6. Suleimenov M.K., Basin Yu.G. Civil law (textbook for universities, academic course, volume 1 (chapters 1-15). [https://online.zakon.kz/document/?doc\\_id=30002463#pos=2;-106](https://online.zakon.kz/document/?doc_id=30002463#pos=2;-106)

7. Civil law. T. 1.2. Textbook for universities (academic course). Ed. M.K.Suleimenov - Almaty, 2013.

8. Code of the Republic of Kazakhstan dated October 31, 2015 No. 377-V "Civil Procedure Code of the Republic of Kazakhstan" (with amendments and additions as of 02.01.2021).

9. Labor Code of the Republic of Kazakhstan dated November 23, 2015 No. 414-V (with amendments and additions as of 03/31/2021).

10. Beksultanova R.T. Civil procedural law of the Republic of Kazakhstan. Case technology: textbook. Benefit. - Astana: Tome, 2014. - 439 p.

11. Khamzina Zh.A. Labor law of the Republic of Kazakhstan (general and special parts): textbook. - Almaty: Zheti zhargy, 2014. - 414 p.

12. Zabih Sh.A. Theory of objects of civil rights: textbook. allowance. - Almaty: Kazakh University, 2021. - 193 p.

13. Abaydeldinov T.M. Separate legal aspects in the sphere of regulation of labor relations and social partnership: monograph. - Almaty: Kazakh un-ti, 2016. - 229 p.

#### Additional:

1. Civil law. T. 2. Property law. Obligations law. Textbook for universities (academic course). / Ed. M.K.Suleimenov - Almaty, 2013.

2. Civil law as a science: problems of history, theory and practice. / Otv. ed. M.K. Suleimenov. - Almaty, 2012.

3. Baymoldina Z.Kh. Civil procedural law of the Republic of Kazakhstan: Textbook in 2 volumes - Almaty: KazGYuA, 2001 - Vol.2: Special part (topics 16-30). - 468 p.

4. Nurmashev, U. U. Workshop on civil procedural law of the Republic of Kazakhstan - Almaty:, 2012. - 210 p.

5. Beksultanova R.T. Civil procedural law of the Republic of Kazakhstan. Casus technology: a textbook. - Foliant Publishing House, 2014. -- 440 p.

6. Uvarov V.N. Labor law of the Republic of Kazakhstan: Textbook. - Almaty, 2019

7. Atanelishvili T., Silagadze A. Formation of economic views in the ancient era // Bulletin of the Georgian National Sademenes - 2018. - Vol.2 (1). - P. 191-196.

8. Kozlov S.I. Medical and social examination: organization and procedure for passing.

Experience and new solutions - <http://www.garant.ru/ation/interview/10311>, 02/04/2020

9. Ryskaliev D.U., Orazgali Ə.D., Myrzambetova A., Belgibaev N.E. Labor relations. Conditions for the preparation, approval and appeal (contestation) of acts of the employer: on some issues of legal proceedings on the consideration of individual labor disputes // Kazakstannyň Gylymymen miri. - 2018. - No. 4 (60). - 273 p.

10. Chernyaeva D.V. International labor standards (international public labor law). - M. : KNORUS, 2013. - 229 p.

## Discipline "Criminal law (general and special parts)"

### Topic 1. Concept, tasks and system of criminal law

The concept of criminal law. The main stages of development of the criminal law of the Republic of Kazakhstan. Subject and specific features of criminal law. Criminal policy of the state. The content of criminal policy and its significance. Factors influencing the formation of the state's criminal policy. The importance of criminal law in crime prevention. Principles of criminal law.

The system of criminal law. General and Special parts, their relationship. Criminal law and related branches of law (criminal-executive, criminal-procedural, administrative).

Science of criminal law, its content and objectives. Sociology of criminal law. Methods of science of criminal law. The concept of criminal law, its main and specific features. Goals and objectives of the criminal law, and its meaning. Operation of criminal law in space, principles of territoriality and citizenship. Universal and real principles of the operation of criminal law in space. The concept of a crime scene. Features of the appointment of punishment to persons who have been punished for a crime committed abroad. Extradition of persons who have committed crimes.

Operation of the criminal law in time. Entry into force of the criminal law. The concept of the time of the crime. Retroactive force of criminal law. Termination of the criminal law.

Interpretation of Criminal Law. Types of interpretation of the criminal law by subjects of interpretation, by methods and by volume. Development of the concept of crime in the theory of law and criminal legislation. Formal and material definition of a crime under the current criminal legislation. Categories of crimes. The degree of public danger as a criterion for the classification of crimes. Offenses of minor severity. Moderate crimes. Serious crimes. Especially grave crimes.

### Topic 2. Criminal liability and its basis

Concept, basis and content of criminal liability. The difference between criminal liability and other types of legal liability. The concept of criminal punishment and its features. The nature and social functions of punishment. The difference between criminal punishment and other measures of state coercion. The system of punishments under the current criminal legislation, the main historical stages of its development. Types of punishment. Basic and additional punishments. The meaning of the punishment system. Institute of the Death penalty in the Criminal law of the Republic of Kazakhstan. International law on the abolition of the death penalty. An alternative to the death penalty. Circumstances mitigating and aggravating criminal liability and punishment, their types, classification and characteristics.

Concept of exemption from criminal liability. The concept of exemption from punishment. General and distinctive features of legal institutions and their socio-political and legal significance.

### Topic 3. Composition of a criminal offense

The concept of the composition of a criminal offense, its relationship with the concept of a crime. The theoretical and practical significance of the composition of a criminal offense.

Elements and signs of a criminal offense. The object of a criminal offense, the objective side of a criminal offense, the subject of a criminal offense, the subjective side of a criminal offense as elements of a criminal offense. Signs of a criminal offense. Basic (mandatory) and additional



(optional) signs of a criminal offense. Types of criminal offenses. Criteria for the classification of corpus delicti:

- 1) the nature and degree of public danger;
- 2) the way of description in the law;
- 3) legislative structure.

The concept of qualification of crimes. The value of signs of a criminal offense for the correct qualification. The concept of a plurality of criminal offenses, social and legal characteristics. Distinguishing plurality from a single crime.

#### **Topic 4. Criminal liability of minors**

Features of the criminal responsibility of minors, their socio-moral and legal justification. Types of punishment assigned to minors. Circumstances taken into account by the court when sentencing a minor. Release of minors from punishment. Conditional early release of minors from serving sentences. Features of calculating the statute of limitations for bringing minors to criminal responsibility. Terms of repayment of convictions of minors.

Compulsory measures of educational influence applied to a minor, their system, content, order of appointment and difference from punishment. The concept of compulsory medical measures. The grounds and purposes of their application. Types of compulsory medical measures under the legislation of the Republic of Kazakhstan.

Outpatient compulsory observation and treatment by a psychiatrist. The persons to whom this measure is applied, the conditions and the legal meaning of the application.

Compulsory treatment in a psychiatric hospital. Conditions for the application of this measure. Persons to whom such treatment is applied.

Extension, modification and termination of the use of compulsory medical measures. The imposition of punishment after the application of compulsory medical measures and the offset of the time of the application of compulsory medical measures. Compulsory medical measures combined with the execution of a sentence.

#### **Topic 5. Criminal offenses in the field of informatization and communications**

The concept and signs of informational criminal offenses, general characteristics of the compositions of informational criminal offenses contained in the Criminal Code of the Republic of Kazakhstan. The concept of information, computer information in criminal law. The concept and signs of informational criminal offenses. General characteristics of the composition of criminal offenses in the field of informatization and communications contained in the Criminal Code of the Republic of Kazakhstan. Types of criminal offenses in the field of informatization and communication. Legal regulation of computer criminal offenses in the Republic of Kazakhstan and abroad. The concept of computer criminal offenses, their place among information criminal offenses. Types of computer criminal offenses.

#### **Topic 6. Criminal offenses against the constitutional and other rights and freedoms of a person and citizen. Criminal offenses against the foundations of the constitutional system and the security of the state**

The concept, types and signs of crimes against the constitutional rights and freedoms of man and citizen. Crimes against the equality of citizens. Crimes against the procedure for the exercise of the right to vote by citizens of the Republic of Kazakhstan. Crimes against women's labor rights. Criminal liability for acts directed against the exercise of citizens' right to freedom of conscience. General characteristics and classification of crimes against the foundations of the constitutional order and the security of the State. Crimes that infringe on the external security of the State. Crimes that infringe on the political system of the State. Crimes that infringe on the security of information that constitutes state secrets. Diversion

#### **Topic 7. Criminal offenses in the sphere of economic activity. Criminal offenses against**

## **public safety and public order**

General characteristics of crimes in the sphere of economic activity. Criminal law analysis of obstruction of legitimate business activities. Criminal-legal characteristics of crimes in the field of business and other economic activities. Manufacture or sale of counterfeit money or securities. Tax crimes. Economic smuggling: concept, criminal law analysis. Criminal law analysis of consumer fraud. General characteristics of crimes against public safety and public order. Terrorism: the concept, criminal law analysis of the composition and differentiation from related compositions. Criminal-legal analysis of the composition of banditry. Criminal liability for mass riots. Criminally punishable hooliganism.

### **Topic 8. Criminal offenses against public health and morality**

The concept and types of crimes against public health and public morals. Illicit trafficking in narcotic drugs and psychotropic substances. Criminal and legal characteristics of other crimes against public health.

### **Topic 9. Corruption and other criminal offenses against the interests of the public service and public administration**

The concept and types of crimes against the interests of the public service. The concept of corruption, types and forms of its manifestation. Abuse of official authority. Abuse of power or official authority. Criminal-legal analysis of the composition of bribery.

### **Topic 10. Crimes against the peace and security of mankind**

Criminal-legal characteristics of crimes against the peace and security of mankind. The concept of crimes against the peace and security of mankind. Criminal liability for crimes against the peace and security of mankind under the current legislation of the Republic of Kazakhstan. Problems of combating crimes against the peace and security of mankind. Features of criminal liability of individuals for crimes against the peace and security of mankind. Responsibility of States for international crimes. Provision of legal assistance as a form of interaction between States in the fight against crimes against the peace and security of mankind.

## **3. List of references.**

### **Regulatory legal acts:**

1. The Constitution of the Republic of Kazakhstan: adopted on August 30, 1995 // [www.zakon.kz](http://www.zakon.kz), [www.jurist.kz](http://www.jurist.kz), [www.adilet.kz](http://www.adilet.kz)
2. Criminal Code of the Republic of Kazakhstan No. 226-V ZRK of July 3, 2014 (entered into force on January 1, 2015) (with amendments and additions as of 07.07.2020). // [Electronic resource]: [http://online.zakon.kz/Document/?doc\\_id=1006061](http://online.zakon.kz/Document/?doc_id=1006061)
3. The Universal Declaration of Human Rights, approved by the UN General Assembly on December 10, 1948 // Vashe pravo, 1997. 5 Dec.

### **Main:**

1. Commentary to the Criminal Code of the Republic of Kazakhstan. The general part. - Almaty, 2015 - 864 p.
2. Commentary to the Criminal Code of the Republic of Kazakhstan. General part / Ed. by A. K. Dauylbayev. - Almaty, 2015. - 500 p.
3. Borchashvili I. S. Commentary to the Criminal Code of the Republic of Kazakhstan. special part / Under the general editorship of Daulbayev A. K.-Almaty: Zhety Zhargy, 2015. - 500 p.
4. Rakhmetov S. M. Criminal law (general part). - Almaty, publishing house "Lantar Trade". - 2020 – 404 p.
5. Rogov I. I., Baltabaev K. Zh. Criminal law of the Republic of Kazakhstan (general part): Textbook. - Almaty: Zhety Zhargy, 2016 – - 448 p.

6. Rogov I. I., Baltabaev K. Zh. Criminal law of the Republic of Kazakhstan (special part): Textbook. - Almaty: Zhety Zhargy, 2017. - 548 p.
7. Criminal law of the Republic of Kazakhstan [Electronic resource]: electron. studies.handbook / Bekmagambetov A. B., Revin V. P., Revina V. V.-M.: Publishing House of the Academy of Natural Sciences, 2017. -396 p.

**Additional:**

1. Criminal law of foreign countries: an educational and methodological manual / N. E. Krylova, A.V. Maleshina, A.V. Serebrennikova-M.: Statute, 2019. - 351s.
2. Sundurov F. R., Talan M. V. Punishment in criminal law: textbook. manual. - M.: Statute, 2015 – 256 p.
3. Tapalova R. B., Dzhanarayeva R. E., Umirbayeva Z. A. Problems of combating environmental violations in Kazakhstan. Training manual. - Germany, Saarbrücken: Ed.: LAP LAMBERT Academic Publishing, 2016. - 90 p.

Discipline "**Land Law**"

**Topic 1. Concept, subject and system of land law.**

Functions of the earth. The concept and subject of land law. Land law methods and land law principles. The concept and content of land relations. Types of land relations, their subjects and objects. The emergence, change and termination of land relations.

**Topic 2. The legal regime of agricultural lands.**

Discuss the concept of land resources and the legal regime of certain categories of land. To reveal the goals and objectives of the protection of agricultural land. Analyze environmental requirements when using agricultural land plots.

**Topic 3. Ownership of land in the Republic of Kazakhstan.**

The concept and content of land ownership. Forms of ownership of natural objects and natural resources. Types of land ownership. Content of ownership. The emergence of ownership of the land. Ownership of land plots of citizens and legal entities. Ownership of agricultural land. Realization of private ownership. State ownership of land. Implementation of the right of state property

**Topic 4. The legal regime of industrial lands, transport, communications, for the needs of space activities, defense, national security and other non-agricultural purposes.**

The concept and composition of the lands of this category. Identify objects and subjects. To discuss the specifics of industrial lands, transport, communications, for the needs of space activities, defense, national security and other non-agricultural purposes.

**Topic 5. To reveal the state regulation of the use and protection of land. State control over the rational use and protection of land.**

State control over the rational use and protection of land. Land management. Land management process. Land monitoring. State land cadastre. Expand the concept, essence and form of payment for land. The system of tax and other obligatory payments for land. Standard price of land. The concept of the land process in the theory of land law. Land procedural norms and their types.

**Topic 6. Legal regime of lands of certain categories.**

The concept and composition of the lands of settlements. Discuss the legal regime of the lands of settlements. Analyze the environmental requirements for the use of land plots in settlements. The

legal regime of lands for industry, transport, communications, for the needs of space activities, defense, national security and other non-agricultural purposes. the legal regime of lands of specially protected natural areas, lands of health-improving, recreational and historical and cultural purposes. Legal regime of forest and water fund lands.

### **3. List of references.**

#### **Main:**

1. The Land Code of the Republic of Kazakhstan dated June 20, 2003 // Available as an electronic resource on the website of the IPS "Adilet" at: <http://adilet.zan.kz/rus/docs/K030000442>;
2. Environmental Code of the Republic of Kazakhstan dated January 9, 2007 No. 212. // Available as an electronic resource on the website of the IPS "Adilet" at: <http://adilet.zan.kz/rus/docs/K070000212>;
3. Erkinbaeva L.K., Aigarinova G.T. Kazakhstan Respublikasy Zher Kygy. Zhalpy zhane erekshe bulim - Almaty: Zheti Zhargy, 2010 .-- 326 b

#### **Additional:**

1. Aygarinova A.T., Dzhangabulova A.K. Kazakhstan Respublikasynynsy ekologialyq Kygy. Zhalpy zhane erekshe bulim: oju uraly - ul - Farabi atyn. Kazak ulttyk un-ti. - Almaty: Kazakh un-ti, 2018 .- 447 b
2. Internet resources: additional educational materials, regulatory legal acts, other regulatory materials can be used from the site [univer.kaznu.kz](http://univer.kaznu.kz); <https://www.zakon.kz/>; <https://prg.kz/>; [https://prg.kz/jurist\\_info](https://prg.kz/jurist_info)

### **Discipline "Tax Law"**

#### **Topic 1. The concept of tax law and its subject. Tax law system, its sources.**

Tax law concept. Scientific approaches to understanding tax law. The role and significance of tax law in the system of domestic law. Tax law as a science, industry and discipline. The relationship of tax law with other branches of law. Subject of tax law. Tax law methods. Tax law system. The main institutions of tax law and their general characteristics. Sources of tax law: scientific, regulatory and practical. Contract as a source of tax law: scientific controversy. International legal framework of tax law. Stages of development of tax law. Historical and legal stages of development of tax legislation.

#### **Topic 2. The concept of taxes and taxation. The concept and types of tax rules. Tax legislation of the Republic of Kazakhstan.**

The concept and specificity of tax rules. The structure of tax legal regulations. Classification of tax legal regulations. Substantive and procedural tax rules. Regulatory and reinforcing function of tax rules. Basic and derivative norms of tax law. The concept of tax legal relationship. Classification of tax legal relationship. Grounds for the emergence, change and termination of tax legal relationship. The structure of tax legal relations: the object of tax legal relations, the subject of tax legal relations, subjects of tax legal relations. The legal status of subjects of tax legal relations, normative legal consolidation. Rights and obligations of tax authorities and taxpayers.

#### **Topic 3. The concept of fiscal activity of the state. State management of fiscal activities.**

Tax concept. The history of taxes. The socio-political and socio-economic role of taxes. The public law nature of taxes. The role and importance of taxes in the life of modern society and the state. Financial and legal nature of taxes. Functions of taxes: concept, types, content. Functions of taxes. General characteristics of the types of taxes. Elements of the legal composition of the tax.

#### **Topic 4. The legal status of subjects of taxation.**

The concept and classification of subjects of tax relations. The legal status of payers of taxes, fees (duties). Legal entities as payers. The specifics of individuals as subjects of taxation. Tax residency. Tax agents as participants in tax legal relations. The legal nature of the institute of tax agents. Rights and obligations of tax agents. Representation in tax legal relations. Types of representatives. Powers of representatives. Tax authorities as participants in tax legal relations. The system of tax authorities. Rights and obligations of tax authorities and their officials.

#### **Topic 5. The concept of a tax liability.**

Fulfillment of a tax obligation. Fulfillment of a tax obligation upon liquidation (termination of activity) and reorganization of an organization. Fulfillment of the tax obligation of a deceased, declared deceased, missing or incapacitated individual. Pledge and surety as ways to ensure the fulfillment of the tax obligation. Penalties: the concept and procedure of accrual. Suspension of operations on bank accounts as a way to ensure the fulfillment of a tax obligation. The seizure of property as a way to ensure the fulfillment of a tax obligation. Collection of tax at the expense of funds on the accounts of the payer-organization and its cash. Collection of tax at the expense of the debtors of the payer-organization. Collection of tax at the expense of the payer's property. Offset and refund of the overpaid amount of taxes, fees (duties), stumps. Offset and refund of the excessively collected amount of taxes, fees (duties), penalties.

#### **Topic 6. Types of taxes.**

Taxes from legal entities. International corporation taxes. Individual taxes. Business taxes. Tax excise taxes, customs duties, state duties, land tax. Tax proceedings and tax procedures. Timing in tax proceedings.

#### **Topic 7. State coercion in the field of taxation.**

Criminal and administrative liability for violation of tax laws. The concept and specificity of legal enforcement in the field of taxation. State enforcement measures in the field of taxation. Legal responsibility for offenses in the field of taxation, classification, specificity. The powers of state bodies to apply measures of legal coercion in the field of taxation.

### **3. List of references.**

#### **Main:**

1. Porokhov D.S. Theoretical and practical aspects of the tax law of the Republic of Kazakhstan. Almaty, 2012
2. Alibekov S.T., Berdibaeva A.K. Tax law. A common part. Kazakh university. 2017.
3. Porokhov D.S. Tax law of the Republic of Kazakhstan. Latest legislation. Tutorial. Almaty, 2011
4. Elizarova N.V. Tax law : textbook / Elizarova N.V. — Moscow : AI Pi Ar Media, 2021. — 200 p. — ISBN 978-5-4497-0838-0. — Access mode: for authorization. users. - DOI: <https://doi.org/10.23682/101735>

#### **Additional:**

1. Code of the Republic of Kazakhstan dated December 25, 2017 No. 120-VI "On taxes and other obligatory payments to the budget (Tax Code)"
2. Internet resources: additional educational materials, regulatory legal acts, other regulatory materials can be used from the site [univer.kaznu.kz](http://univer.kaznu.kz); <https://www.zakon.kz/>; <https://prg.kz/>; [https://prg.kz/jurist\\_info](https://prg.kz/jurist_info)

**Topic 1. The essence and content of the customs business. History of customs. The structure of the customs business.**

The concept, goals and objectives of customs activities. Customs territory and customs border. Customs policy as an integral part of domestic and foreign policy. Types of customs policy. The main directions of the customs policy of the Republic of Kazakhstan at the present stage.

**Topic 2. The concept and features of customs law.**

Stages of development of customs law. The subject of customs law. Method of legal regulation of customs law. The system of customs law. General and Special parts of customs law. Ways of further development of Kazakhstani customs law. The action of customs law in time, in space and in the circle of persons. Correlation of customs law with other branches of law.

**Topic 3. The concept of customs legal relations.**

Signs and types of customs legal relations. Grounds for the emergence, change and termination of customs legal relations. Goods and vehicles as objects of customs legal relations. The concept and types of subjects of customs law. Customs authorities as subjects of customs law. The system of customs authorities. Legal entities and individuals as subjects of customs law.

**Topic 4. Customs border control**

The concept and types of control at the customs border. Phytosanitary control at the customs border. Radiation control at the customs border. Transport control at the customs border. Currency control at the customs border. Veterinary control at the customs border.

**Topic 5. General characteristics of the customs procedure.**

The concept of the customs procedure (regime). Classification of customs procedures. The concept and types of customs payments. Types of rates of customs payments. Customs duties. Terms, procedure for calculation and payment. Customs duties. Terms, procedure for calculation and payment.

**Topic 6 Legal status of a customs carrier.**

A customs carrier role in the implementation of customs activities. Requirements for the activities of a customs carrier. Obligations of the customs carrier. The concept and features of temporary storage in the field of customs activities. Temporary storage places. Requirements for places of temporary storage. Terms of temporary storage.

**Topic 7. Customs declaration.**

Types of customs declaration. The concept of a customs representative, his rights and obligations. Register of customs representatives. Customs clearance specialist. The concept of customs control. Customs control zones. The procedure for conducting customs control. Customs clearance. The procedure for the production of customs clearance. Features of customs clearance of certain types of goods.

**3. List of references.**

**Main:**

1. Agreement on the Customs Code of the Eurasian Economic Union (TC EAEU) dated April 11, 2017.
2. Code of the Republic of Kazakhstan dated December 26, 2017 No. 123-VI "On customs regulation in the Republic of Kazakhstan"
3. Alibekov S.T. Customs law in the Republic of Kazakhstan. (General and Special parts). Textbook. The Republic of Kazakhstan. Almaty, 2013 .-- 1897 p.
4. Aidarkhanova K.N. Customs authorities of the Republic of Kazakhstan. - Almaty: Kazakh



**Additional:**

1. Baysalova G.T. Legal foundations of customs in the Republic of Kazakhstan: General part: Textbook. allowance / G. T. Baysalova. - Almaty: Kazakh un-ti, 2015 .-- 248 p.
2. Kurmanbaev S.K. and others. Organization of customs control, customs clearance of goods and vehicles in the Republic of Kazakhstan. - Almaty, 2011.

Discipline «**International Law**»

**Topic 1. General issues of public international law and the law of international treaties**

Legal facts and international legal relations legal facts and the concept of international legal consequences. The concept and features of an international legal act. Features of international legal relations. Subjects of international law. The object of international legal regulation and the objective boundaries of international law. The concept and classification of international treaties. Stages of the conclusion of an international agreement. Invalidity of international treaties.

**Topic 2. Principles of international law.**

The principle of the sovereign equality of States. The principle of non-interference in the internal affairs of States. The principle of non-use of force and threat of force. The principle of the settlement of international disputes by peaceful means. The principle of the territorial integrity of States. The principle of inviolability of state borders. The principle of good faith implementation of international obligations. The principle of good faith implementation of international obligations. The principle of State cooperation. The principle of respect for human rights and freedoms.

**Topic 3. Responsibility in international law. International criminal law.**

Cooperation of states in the fight against crime. Combating terrorist activities carried out using global communication networks. Types and forms of international legal responsibility. Objective (absolute) material liability in international law. Circumstances precluding State responsibility. Features of the international criminal liability of individuals.

**Topic 4. Diplomatic law and consular law**

Sources of the law of external relations. The status and functions of a diplomatic mission. Legal status of employees of a diplomatic mission. The legal status of State representations to international organizations. Formation and development of modern consular law.

**Topic 5. International humanitarian law and human rights**

Legal regulation of the beginning and end of the war. The legal status of participants in armed conflicts. Analyze the international legal protection of war victims. Prohibited means and methods of warfare. The concept and sources of international protection of human rights. Modern models of human rights in international law. International mechanisms for ensuring human rights. Legislation of the Republic of Kazakhstan and international standards in the field of human rights.

**Topic 6. Legal support of international security**

The concept of international security. Military-political and other aspects of international security. The concept and sources of international security law. The objective need for international cooperation in solving global problems of our time.

The concept of universal and regional security, their relationship. A mechanism for maintaining security at a universal level. The role and place of the UN and its bodies in maintaining international peace and security. The course of action of the Security Council in cases of threat to international peace. United Nations peacekeeping operations. The system of maintaining regional security. Mechanism for maintaining security within the framework of the CIS.

Legal regulation of disarmament. The principle of disarmament as a sectoral principle of international security law. Confidence Building Measures and Safeguard Measures: General Description. Nuclear aspect of international security.

Contractual practice of the Republic of Kazakhstan in the field of maintaining international security at the universal and regional levels.

### **Topic 7. Law of international organizations**

The concept and sources of law of international organizations. The concept and classification of international organizations. The main features of an international organization. The functional nature of the international legal capacity of international organizations.

Membership in an international organization. Organs of an international organization. The order of activity, structure and competence of the international organization.

Legal nature of decisions of international organizations. Participation of international organizations in the process of international law-making.

1. The concept and sources of law of international organizations. The concept of an international organization, its main features. Types of international organizations.

2. Membership in an international organization. The order of functioning of the international organization.

3. Legal nature of decisions taken by international organizations.

### **Topic 8. International criminal law**

The objective need for cooperation between states in the fight against crime. The concept and sources of international criminal law.

The concept and types of international crimes and crimes of an international character. Correlation of national and international criminal jurisdiction. International legal struggle against slavery, drugs, counterfeiting, piracy and terrorism.

Organizational and legal forms of the international fight against crime. The activities of the UN Congresses on the prevention of crime and the treatment of offenders. Legal status and functions of Interpol. Participation of the Republic of Kazakhstan in the activities of Interpol.

International legal regulation of the institution of legal assistance. The content of legal aid. The concept and basic principles of extradition. Regional agreements on legal assistance. Model Extradition Agreement. Legal assistance within the CIS.

## **3. List of references.**

### **Main:**

1. Aidarbaev S.Zh., Shumilov V.M. International public law. Tutorial. - Almaty, 2012.
2. Bekyashev K.A. - International public law. Textbook - Prospect, 2019 - 1048 p.
3. Menshenina, N. N. International law: [proc. allowance] / N. N. Menshenina; Ministry of Education and Science Ros. Federation, Ural. feder. un-t. - Yekaterinburg: Ural Publishing House. un-ta, 2016. - 100 p.
3. Getman-Pavlova, I. V. International law: textbook / I. V. Getman-Pavlova, E. V. Postnikova. - 3rd ed., revised. and additional - Moscow: Yurayt Publishing House, 2019. - 560 p.

### **Additional:**

1. Kalamkaryan, R. A. International law: textbook for bachelors / R. A. Kalamkaryan, Yu. I. Migachev. - 5th ed., revised. and additional - Moscow: Yurayt Publishing House, 2019. - 632 p.
2. Internet resources: additional educational materials, regulatory legal acts, other regulatory materials can be used from the site [univer.kaznu.kz](http://univer.kaznu.kz); <https://www.zakon.kz/>; <https://un.org/>