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RSE "A.Baitursynov Kostanai State University"

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BASICS OF LAW

Practicum

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The "Basics of Law" is a systematic course that covers the basics of legal theory, the legislation of the Republic of Kazakhstan. The subject of the study of the "Basics of law" are the foundations of the theory of state and law, revealing the concepts, principles and laws of the origin and development of the state and law in their interrelation as well as the concepts and principles of the leading branches of Kazakhstan law.

The purpose of the practicum is to help students to learn better, systematize and consolidate the material covered, acquire knowledge and skills necessary to make legally right decisions. The practicum is focused on the sectors any individual and citizen encounter most frequently in their life: family, labor, civil and other legal relations.

The "Basics of Law". Practicum is intended for students of non-legal specialties.

Арргоved and recommended by the Educational and methodic council of the A.Baitursynov Kostanai State University, «20» января 2017 г, протокол № 1

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Preface

The "Basics of Law" is a systematic course that covers the basics of legal theory, the legislation of the Republic of Kazakhstan, intended for students of non-legal professions.

The system of learning the basics of law objects includes the rules of law as well as educational, monographic, special and regulatory literature necessary for the basic knowledge about the state and law.

The subject of the study of the "Basics of law" are the foundations of the theory of state and law, revealing the concepts, principles and laws of the origin and development of the state and law in their interrelation as well as the concepts and principles of the leading branches of Kazakhstan law.

Basics of law play a significant role in forming the knowledge of the Kazakhstan legislation system and students' outlook, this course allows to systematically study the state and legal phenomena in their regulatory and legal form and law enforcement.

The purpose of the practicum is to help students to learn better, systematize and consolidate the material covered, acquire knowledge and skills necessary to make legally right decisions.

The practicum is focused on the sectors any individual and citizen encounter most frequently in their life: family, labor, civil and other legal relations.

A necessary condition for an effective work of students with the practicum is to provide them with bilingual extracts from major sector sources of the Republic of Kazakhstan legislation. Due to the creative tasks included in the practicum a student will be able to learn to work with legal acts included in Kazakhstan's legislation, i.e. to understand the essence of law, understand the logical connection between the rules of law and know how to apply the abstract rule of law in practice.

The practicum includes practical tasks, tests for individual work and answer keys for self-check to consolidate the material and prepare for the final assessment.

TOPIC 1

THE MAIN CONCEPTS ABOUT THE STATE, LAW AND STATE-AND-LEGAL PHENOMENA

The main message: One of major achievements of human development is a creation of state and law. In fact, these two mutually complementary phenomena have given a huge boost to the development of human society on the path of civilization, giving it good organization and order. Therefore, study of basic concepts and categories of state and law is a theoretical and methodological basis for all subsequent branches of the law.

1. Read the text below and decide whether these statements are true or false. If the statement is false, correct it.

The concept of "state" in its modern sense was introduced in science with the beginning of the XVI century by Italian philosopher Niccolo Machiavelli (1469-1527 years). He used the word «stato» (from Lat. Status - position, status). to identify state.

The communicative approach. According to this approach, when trying to determine the state the focus is given to public-power nature of the state, considering it according to Aristotle, as "a natural form of communication," as the universal organization of society, created for the gaining common good.

Further confirmation of the present approach is in the works of Roman orator and philosopher Mark Tullius Cicero (106-43 years. BC.), who considered the state as a compound in a single unit, in the civil community of all the components of its citizens.

Organizational and structural approach highlights state from society and associates it with a centralized group which monopoles power functions and relies on a implementation of hierarchical administrative apparatus and provision of law. The founder of this approach in understanding the nature of state was a French jurist Jean Bodin (1529-1596 years.), who treated state as a special organization of supreme political power, possessing sovereignty.

Achieving of harmony, balance of private and public interests can be performed by reaching a compromise between interests of social groups, their alignment and formation on the basis of shared goals, and also by suppressing interests of one group by another. In the first case state acts as an embodiment of social solidarity, mechanism for reconciliation of diverse interests. This thesis is based on the theory of solidarity, which came into state from political science. Its author is a French political scientist L.Dvugi (1859-1929 years).



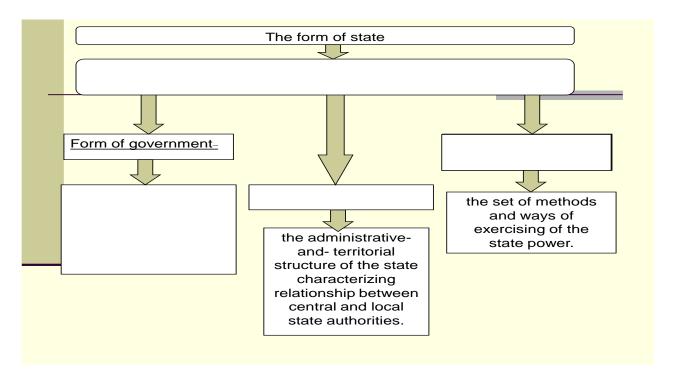
- 1. The concept of "state" in its modern sense was introduced in science by Aristotle.
- 2. Mark Tullius Cicero used the word «stato» (from Lat. Status position, status). to identify state.
- 3. Aristotle determined the state as the universal organization of society, created for the gaining common good.
- 4. Mark Tullius Cicero considered the state as a compound in a single unit, in the civil community of all the components of its citizens.
- 5. French political scientist L.Dyugi treated state as a special organization of supreme political power, possessing sovereignty
- 6. The thesis "state is associated with a centralized group which monopoles power functions and relies on a implementation of hierarchical administrative apparatus and provision of law." is based on the theory of solidarity.
- 7. The thesis "A natural form of communication," means the universal organization of society, created for the gaining common good.
- 8. The author of the theory of solidarity, which came into state from political science is a French political scientist L.Dyugi.

2. Match the line.

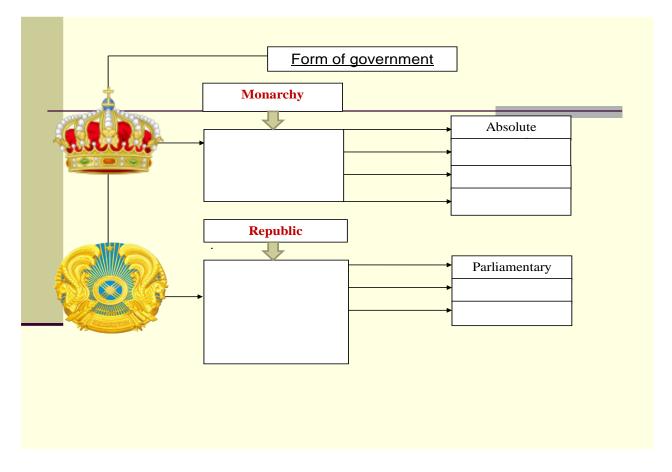
| CHARACTE | CRISTIC FEATURES OF THE STATE |
|------------------------------|---|
| Sovereignty | ➤ The mass of population living within the state |
| People | Represent the cultural heritage and natural treasures of each state, and usually are represented in the forms of flag, emblem and anthem |
| State Symbols | This term does not meet in the functioning legislation, but usually it means the set of government authorities, law enforcement agencies and courts. |
| Taxes | A demarcated area that rightly belongs to the population |
| Citizenship | The supreme power of the state to command and enforce obedience to its will from the people within its jurisdiction corollary to have freedom from foreign control |
| Territory | The system of obligatory for all rules of the behavior established and authorized by the state, expressing common and individual interests of the population and acting as the state regulator of the social relationships |
| Enforcing authorities | Obligatory monetary payments to the budget as established by the state through legislation in a unilateral procedure, which are paid in certain amounts, which are irrevocable and non-refundable |
| Law | The link between a person and a state |

3. Add the scheme with missing elements.

3.1 The form of state.



3.2 The form of government.



4. Fill empty lines in the table.

| Functions of the state | |
|------------------------|--------------------|
| Internal functions | External functions |
| | |
| - | - |
| | - |
| -providing law order | - |
| - | -peacekeeping; |
| - | - |
| - | |
| -social | |
| - | |

5. Make a table.

| ha | | LAW |
|----|---|-----|
| 1 | Define a concept "Law" | |
| 2 | List the law features | |
| 3 | List the principles of the law | |
| 4 | Define a concept "common law system" | |
| 5 | Define a concept "civil law system" | |

Continue an English-Russian glossary. **6.**

THE MAIN CONCEPTS ABOUT THE STATE, LAW AND STATE – AND - LEGAL PHENOMENA

| 20 | TED 16 | |
|----|-------------|---|
| No | TERM | DEFINITION |
| 1 | The state | a unified political organization of society which extends the power to all territory of the country and its population, enacts binding commands for all, has for this purpose administrative machinery and possesses the sovereignty |
| | Государство | Единая политическая организация общества, которая распространяет свою власть на всю территорию страны и её население, издает обязательные для всех веления, располагает для этого аппаратом управления и обладает суверенитетом. |
| 2 | The law | system of obligatory for all rules of the behavior established and authorized by the state, expressing common and individual interests of the population and acting as the state regulator of the social relationships |
| | Право | Система общеобязательных правил поведения, установленных и санкционированных государством, выражающие общие и индивидуальные интересы населения и выступающие государственным регулятором общественных отношений. |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |
| 10 | | |



7. Check test.

| 1.1A unified political organization of society which extends the power to all territory of the country and its population, enacts binding commands for all, has for this purpose administrative machinery and possesses the sovereignty – |
|---|
| A) society |
| B) law |
| C) state |
| D) political party |
| E) country |
| **************** |
| 1.2 One of the characteristic features of state is: |
| A) division of the powers (authorities) |
| B) citizenship |
| C) advanced civil society, |
| D) supremacy of the constitution, |
| E) mutually advantageous trade *********************************** |
| 1.3 The supreme power of the state to command and enforce obedience to its will |
| from the people within its jurisdiction corollary to have freedom from foreign control |
| : |
| A) sovereignty |
| B) people |
| C) territory, |
| D) state symbols, |
| E) taxes |
| ************* |
| 1.4 The mass of population living within the state: |
| A) sovereignty |
| B) people |
| C) territory, |
| D) state symbols, |
| E) taxes |
| *************** |
| 1.5 Find one of the internal functions of the state: |
| A) peacekeeping; |
| B) mutually advantageous trade; C) protection of the country against attack from the outside |
| C) protection of the country against attack from the outside D) conducting aggressive wars (approvation wars) |
| D) conducting aggressive wars (annexation wars), E) protection of the rights and freedoms of the person and citizen |
| E) protection of the rights and freedoms of the person and citizen ************************************ |

- 1.6 Find one of the external functions of the state:
- A) peacekeeping;
- B) providing law order;
- C) development of scientific- and- technical progress
- D) taxation.

| E) social function ************************************ |
|---|
| 1.7 The structural organization of society expressed in the form of government in the form of state structure and in the form of a political regime:A) form of governmentB) form of state structure; |
| C) form of a political regime |
| D) form of the state |
| E) form of the society ************************************ |
| 1.8 The structure of the highest agency of state power, the order of their creation and distribution of powers between them:A) form of government |
| B) form of state structure; |
| C) form of a political regime |
| D) form of the state |
| E) form of the society ************************************ |
| 1.9 The administrative- and- territorial structure of the state characterizing relationship between central and local state authorities: A) form of government B) form of state structure; C) form of a political regime |
| D) form of the state |
| E) form of the society |
| ************** |
| 1.10 The set of methods and ways of exercising of the state power: |
| A) form of government |
| B) form of state structure; |
| C) form of a political regime D) form of the state |
| E) form of the society *********************************** |
| 1.11 A form of government in which sovereignty is actually or nominally embodied in a single individual: |
| A) monarchy |
| B) republic; |
| C) presidential republic |
| D) unitary state |
| E) federation |
| 1.12 A form of government in which the offices of state are subsequently directly or indirectly elected or appointed rather than inherited: A) monarchy |

| B) republic; C) presidential republic D) unitary state E) federation ************************************ |
|---|
| 1.13 The organization of the political power, creating conditions for the fullest ensuring the rights and freedoms of the person and the citizen, and also for the consecutive restriction by means of the law of the government for prevention of offenses: A) legal state B) absolute monarchy; C) dual monarchy D) presidential republic E) parliamentary republic ************************************ |
| 1.14 Find one of the features of the legal state: A) peacekeeping; B) mutually advantageous trade; C) protection of the country against attack from the outside D) the advanced civil society; E) providing law order; ************************************ |
| 1.15 The Republic of Kazakhstan is a: A) monarchy B) dual monarchy; C) presidential republic D) parliamentary republic E) parliamentary republic ************************************ |
| 1.16 The Republic of Kazakhstan is a: A) monarchy B) dual monarchy; C) confederation D) unitary state E) federation ************************************ |
| 1.17 System of rules of behavior obligatory for all, established and authorized by the state, expressing common and individual interests of the population and being the state regulator of the social relationships.: A) society B) law C) state D) political party |
| E) country |

- 1.18 One of the principles of the law is:
- A) division of the powers (authorities)
- B) legal equality of citizens before the law and court
- C) the advanced civil society,
- D) supremacy of the constitution,
- E) rules of law

- 1.19 Republic in which the government is formed by in common the president and parliament -....:
- A) constitutional monarchy
- B) mixed republic;
- C) dual monarchy
- D) presidential republic
- E) parliamentary republic

- 1.20 On the first level of the Hierarchy of the Kazakhstan Law is:
- A) Orders of ministries and other heads of central state organs
- B) Decrees of the President
- C) Acts of local representative and executive authority
- D) Laws and decrees of the President, having the force of laws and acts of Parliament and its Chambers,
- E) Constitution of the Republic of Kazakhstan

TOPIC 2

BASICS OF THE CONSTITUTIONAL LAW OF THE REPUBLIC OF KAZAKHSTAN

The main message: The constitutional system means a way of organizing the state, providing its subordination to the law and describing it as a constitutional state. The Constitution establishes the fundamental principles of the constitutional order of the Republic of Kazakhstan: democracy, addressing the most important issues of state by democratic methods, Unitarianism, state sovereignty, the principle of the division of powers, the supremacy of law.

1. Read the section 1 "General provisions" of the Constitution and make a table "Principles of the constitutional order of the Republic of Kazakhstan".

| Principle | Characteristic of the principle | Article of the Constitution |
|---|---|-----------------------------|
| Sovereignty | the supreme power of the state to command and enforce obedience to its will from the people within its jurisdiction corollary to have freedom from foreign control | It.2 art.2 CRK |
| Republican form of government | MILL | |
| People power | 37 1/2 | |
| Ideological diversity | | |
| Secular character of the state | Manual Sal | |
| Political diversity | | |
| Economical diversity | Canal Park | |
| The supreme value - the rights and freedoms of the individual and the | | |
| citizen | | |

2. Read the section 2 "The Individual and Citizen" of the Constitution and add the scheme with missing elements.

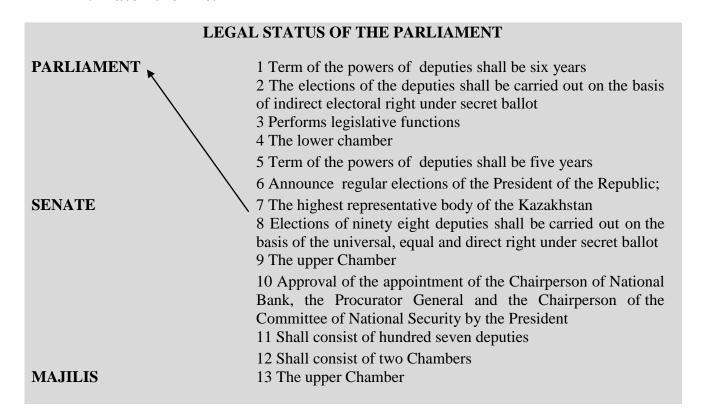
| | RIGHTS AND FREEDOM INDIVIDUAL AND CIT | |
|---------------------------------------|---------------------------------------|--|
| PERSONAL RIGHTS AND FREEDOMS | POLITICAL RIGHTS AND FREEDOMS | SOCIAL-AND- ECONOMIC RIGHTS AND FREEDOMS |
| the right to life | | the right to property |
| the right to freely move | the right to public service | |
| | | the right to education |
| the right to inviolability of dignity | | |

3. Read the section 3 "The President" of the Constitution and decide whether these statements are true or false. If the statement is false, correct it.



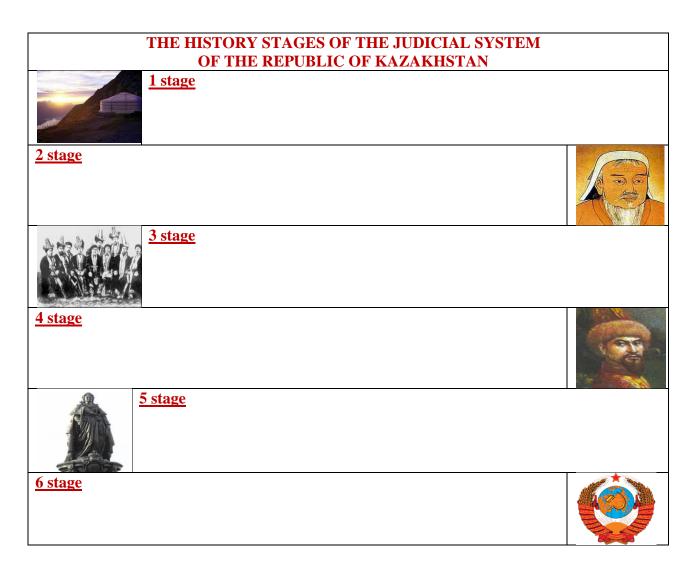
- 1 Shall be the head of state, its highest official determining the main directions of the domestic and foreign policy of the state and representing Kazakhstan within the country and in international relations.
- 2 Shall be elected by on the basis of indirect electoral right under secret ballot
- 3 Regular elections of the President shall be held on the first Sunday of December and shall not coincide with the election of a new Parliament of the Republic.
- 4 A citizen of the Republic shall be eligible for the office of the President if he is by birth not younger than thirty and has a perfect command of the state language and has lived in Kazakhstan last ten years.
- 5 Shall take office from the moment of swearing to the people the following oath: "I solemnly swear that I will faithfully serve the people of Kazakhstan, strictly observe the Constitution and the laws of the Republic of Kazakhstan, guarantee the rights and freedoms of the citizens, honestly perform the high duties of the President of the RK entrusted to me."
- 6 Shall be elected for a seven-year term
- 7 Shall have the right to be a deputy of a representative body, hold other paid offices and engage in entrepreneurial-activity.
- 8 Annually address the people of Kazakhstan with a message on the state of the country and main directions of the domestic and foreign policy of the Republic of Kazakhstan

4. Match the line.

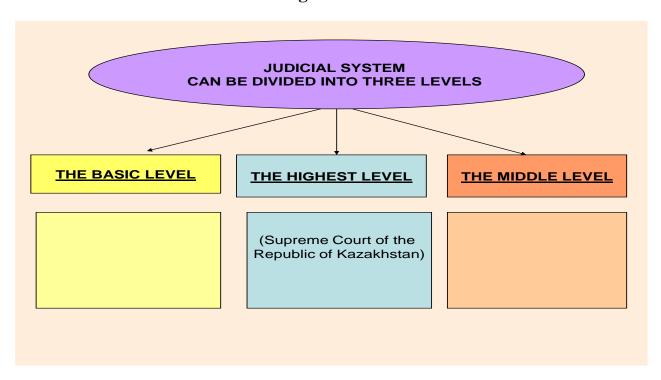


5 Read the text below and make a table below.

Kazakh courts date back to ancient times when folklore and traditions and religious rules performed the function of the laws in the Kazakh steppe. One of the founders of the law codes in the Kazakh khanate was the outstanding diplomat and statesman, Maiki bi, the adviser of Chingiskhan. The consolidation of the state is also associated with the name of Kasym khan, the son of Az Zhanibek khan. Under his rule the legal norms and traditions of that time were consolidated into a book called «The Truth of Kasym khan». At the end of XVII Az Tauke, Tole bi, Kazbek bi, Aiteke bi created the «Zheti Zhargi», which became the code of laws and of court proceedings. However, as this code has reached us only in verbal form, the society did not regard it as official legislation. The last quarter of the 17th century became an important historical turning point in the establishment of the official court system in Kazakhstan. On the 23rd of December 1786 Ekaterina II issued a decree on establishing a border court in Kyrgyz (Kazakh) steppe pursuant to the proposal of Igelstrom, the governor-general of Orenburg. In 1918 - 1923 at the height of the civil war some areas of Kazakhstan were held by the White Guard who cancelled the revolutionary tribunals. In order to restore the tribunals, on 12 April 1919 the Kazakh military-revolutionary committee issued the Regulations of the revolutionary tribunals, and on 31 December 1922 a decree was signed on the formation of the Union of Soviet Socialist Republics. On 11 April of the 1923 year the All-Union Central Executive Committee issued a resolution on the establishment of the Supreme court of the Kyrgyz (Kazakh) region of the RSFSR.



6 Add the scheme with missing elements.



7 Continue an English-Russian glossary.

| | THE CONSTITUTIONAL LAW OF THE REPUBLIC OF KAZAKHSTAN | |
|----|--|--|
| No | TERM | DEFINITION |
| 1 | The President of the Republic of Kazakhstan | the head of state, its highest official determining the main directions of the domestic and foreign policy of the state and representing Kazakhstan within the country and in international relations. |
| | Президент Республики Казахстан | является главой государства, его высшим должностным лицом, определяющим основные направления внутренней и внешней политики государства и представляющим Казахстан внутри страны и в международных отношениях |
| 2 | Parliament of the Republic of Kazakhstan | the highest representative body of the Republic performing legislative functions. |
| | Парламент Республики Казахстан | высший представительный орган Республики, осуществляющий законодательные функции |
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| 9 | | |
| 10 | | |



8. Check test.

| 2.1 Republic of Kazakhstan proclaims itself a: |
|--|
| A) democratic state |
| B) antidemocratic state |
| C) federative state |
| D) illegal state |
| E) monarchy state |
| ******* |
| 2.2 Republic of Kazakhstan proclaims itself a: |
| A) secular state |
| B) antidemocratic state |
| C) federative state |
| D) illegal state |
| E) monarchy state |
| ************ |
| 2.3 Republic of Kazakhstan proclaims itself a: |
| A) federative state |
| B) antidemocratic state |
| C) legal state |
| D) illegal state |
| E) monarchy state |
| ************ |
| 2.4 The right to freely move is type of the : |
| A) political duties |
| B) social-and-economic rights and freedoms |
| C) political rights and freedoms |
| D) social-and-economic duties |
| E) personal rights and freedoms |
| ********** |
| 2.5 The right to qualified legal assistance is type of the : |
| A) political duties |
| B) social-and-economic rights and freedoms |
| C) political rights and freedoms |
| D) social-and-economic duties |
| E) personal rights and freedoms |
| ********* |
| 2.6 The right to rest is type of the : |
| A) political duties |
| B) social-and-economic rights and freedoms |
| C) political rights and freedoms |
| D) social-and-economic duties |
| E) personal rights and freedoms *********************************** |
| |
| 2.7 The right to education is type of the : |

- A) political duties
- B) social-and-economic rights and freedoms
- C) political rights and freedoms
- D) social-and-economic duties
- E) personal rights and freedoms

- 2.8 The right to participation in state administration is type of the :
- A) political duties
- B) social-and-economic rights and freedoms
- C) political rights and freedoms
- D) social-and-economic duties
- E) personal rights and freedoms

- 2.9 The right to public service is type of the :
- A) political duties
- B) social-and-economic rights and freedoms
- C) political rights and freedoms
- D) social-and-economic duties
- E) personal rights and freedoms

- 2.10 The President of the Republic shall be elected:
- A) for a five-year term
- B) for a fore-year term
- C) for a six-year term
- D) for a seven-year term
- E) for a ten-year term

- 2.11 Find the mistake. The President of the Republic of Kazakhstan shall:
- A) appoint regular and extraordinary elections to the Parliament of the Republic and its Chambers;
- B) adopt a resolution on conducting the all-nation referendum
- C) exercise pardon of citizens
- D) act as the Commander-in-Chief of the Armed Forces of the Republic, appoint and replace the highest command of the Armed Forces
- E) manage the activity of ministries, state committees, other central and local executive bodies.

- 2.12 The Parliament of the Republic of Kazakhstan shall consist of:
- A) two Chambers
- B) three Chambers
- C) four Chambers
- D) one Chamber
- E) five Chambers

| 2.13 A deputy of the Majilis may be a citizen of the Republic of Kazakhstan who has |
|---|
| reached: |
| A) 20 years of age |
| B) 25 years of age |
| C) 21 years of age |
| D) 30 years of age |
| E) 35 years of age |
| *********************** |

- 2.14 A deputy of the Senate may be a person, who has reached:
- A) 20 years of age
- B) 25 years of age
- C) 21 years of age
- D) 30 years of age
- E) 35 years of age

- 2.15 What state body shall implement the executive power of the Republic of Kazakhstan, head the system of executive bodies and exercise supervision of their activity:
- A) Government
- B) Parliament
- C) President
- D) Majilis
- E) Senate

- 2.16 Who have the right to be life-long members of the Constitutional Council:
- A) ex-Prime minister
- B) ex-Speaker of Parliament
- C) ex-President
- D) ex-deputy of Majilis
- E) ex-deputy of Senate

- 2.17 The set of the courts constructed according to their competence and tasks, which are predetermined by the purposes of their activity is...:
- A) a judicial system
- B) a system of state bodies
- C) a system of republic state bodies
- D) a system of local state bodies
- E) a system of law enforcement agencies

- 2.18 Justice in the Republic of Kazakhstan shall be administered only by:
- A) a President
- B) a Government
- C) a court
- D) a Supreme Court

- E) a law enforcement agency
- **********
- 2.19 One of the Kazakhstan specialized court is:
- A) a Social court
- B) a Contract court
- C) an Environmental court
- D) a Court of labor disputes
- E) a Juvenile court

- 2.20 Find the mistake. The grounds for termination of the powers of a judge are as follows:
- A) judge's retirement;
- B) termina'ion of citizenship of the Republic of Kazakhstan
- C) entering into legal force of a court decision recognizing the judge as legally incapable or restrictedly incapable, or applying compulsory measures of a medical nature to him
- D) appointment, election of the judge to another position or his transfer to another job
- E) divorcing with spouse

The main message: Administrative law is the branch of law that regulates the social relations arising in the process of government, during the formation of the executive power, to establish its competence, responsibilities, rights and responsibilities of civil servants, as well as in the implementation of public order, life, rights and freedoms of citizens. Administrative rules is set by the state and a code of conduct that guide actions in accordance with laid down in the normal pattern of behavior and overbearing regulations.

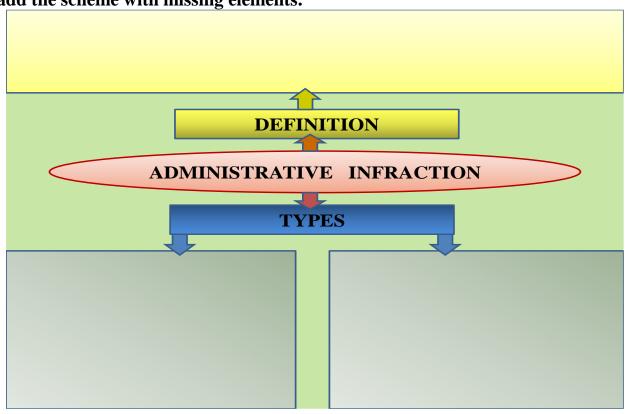
The main source of administrative law is the Code of the Republic of Kazakhstan On Administrative Infractions, dated 05.07.2014.

1. Read the chapter 2 "Tasks and principles of the legislation on administrative infractions" of the Code and decide whether these statements are true or false. If the statement is false, correct it.

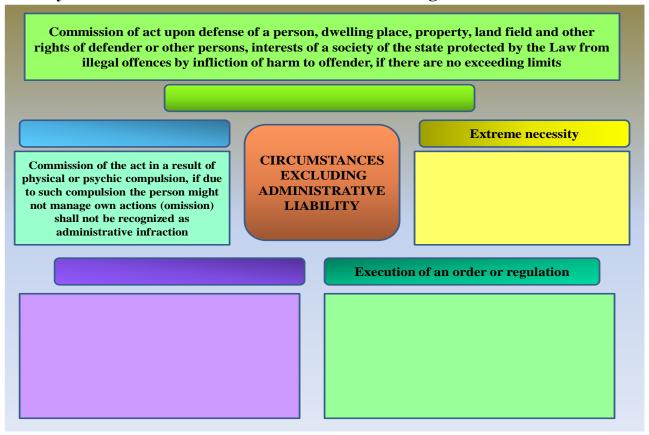


- Decisions of courts and bodies (civil servants) being authorized to consider the cases on administrative infractions based on the Law or another regulatory legal act recognized as unconstitutional shall not be subject to execution.
- In the course of proceeding on the cases on administrative infractions, all are equal before the Law and court
- Individual that committed the act intentionally or carelessly shall be recognized guilty in administrative infraction
- Everyone is obliged to prove own guiltless
- Everyone may be brought to administrative infraction twice for one and the same infraction
- Administrative arrest as a measure of administrative sanction may be imposed only under decree of a judge in cases and in the manner established by Code On Administrative Infractions.
- Administrative sanction applied to a person that committed infraction may be aimed at infliction of physical sufferings or abasement of human dignity
- Court, bodies (civil servants) being authorized to consider the cases on administrative infractions shall carry out the proceeding on these cases on a closed-door basis
- Person participating in a case shall have the right to review the decrees on the cases on administrative infractions in the manner established by this Code.
- Everyone shall be obliged to give testimonies against oneself, husband (wife) and own close relatives, the circle of which is determined by the Law
- Private life, personal, family, commercial and other secret protected by the Law shall be under the protection of the Law
- Person participating in a case shall have the right to review the decrees on the cases on administrative infractions in the manner established by the Code On Administrative Infractions
- No one may be deprived of own property other than under the court decision.

2. Read the chapter 3 "Administrative infraction" of the Code and add the scheme with missing elements.



3. Read the chapter 5 "Circumstances excluding administrative liability" of the Code and add the scheme with missing elements.



4. Read the text below and make a table.

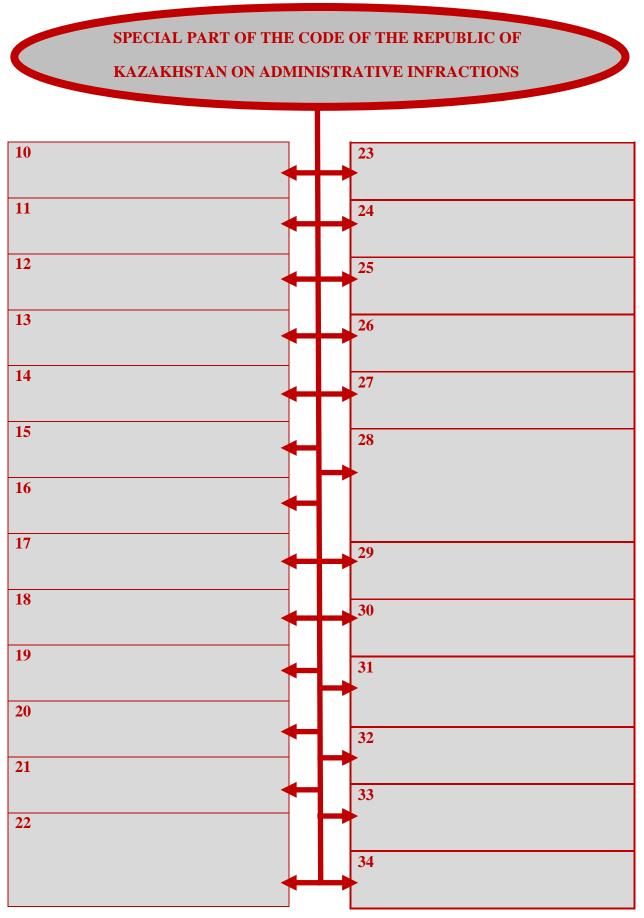
THE CIRCUMSTANCES MITIGATING OR AGGRAVATING LIABILITY FOR ADMINISTRATIVE INFRACTIONS

- commission of administrative infraction by group of persons
- commission of administrative infraction in conditions of natural disaster or upon other cases of emergency;
- penitence of a guilty person;
- involvement of a minor in administrative infraction;
- commission of administrative infraction in respect of a person or his (her) close relatives due to performance of official, professional or public duty by this person;
- commission of administrative infraction under the influence of intense emotional excitement or upon coincidence of grave personal or family circumstances;
- commission of administrative infraction by a minor;
- continuation of offending behavior in spite of explanation of the Law by a prosecutor and (or) requirement of the authorized persons to terminate it;
- prevention of harmful consequences of an infraction by a person that committed the administrative infraction, voluntary compensation for harm or elimination of inflicted harm;
- involvement of persons that knowingly for a guilty person suffer from severe mental disease, or the persons that did not attain the age of administrative liability in commission of administrative infraction;
- commission of administrative infraction based on national, racial and religion hatred or enmity, based on revenge for legal actions of other persons, as well as for the purpose of hiding other infraction or simplify its commission;
- commission of administrative infraction by a pregnant woman or woman having a child at the age up to fourteen years;
- commission of administrative infraction in a result of physical or psychic compulsion;
- repeated commission of homogeneous administrative infraction within a year, for which the person was already subject to administrative sanction, on which the term provided by Article 61 of this Code is not expired;
- commission of administrative infraction carelessly for the first time;
- commission of administrative infraction in respect of a woman being pregnant knowingly for a guilty person, as well as in respect of an infant, other defenceless or helpless person or a person being in dependence from the guilty person;
- commission of administrative infraction upon violation of conditions of the legality of necessary defence, detention of a person that committed illegal offence, execution of an order or regulation.

THE CIRCUMSTANCES **MITIGATING LIABILITY** AGGRAVATING LIABILITY FOR ADMINISTRATIVE FOR ADMINISTRATIVE **INFRACTIONS INFRACTIONS**



5. Read the content of Special part of the Code of the Republic of Kazakhstan On Administrative Infractions and add the scheme.



6. Complete the sentences with words and phrases from the box.



compensation, an offender, material status,
fulfillment, sanction, administrative infraction,
main, mitigating, guilty person,
administrative sanction, aggravating,
obligation, supplementary

General rules of imposing a sanction for administrative infraction

| 1 | for administrative |
|--|--|
| infraction shall be imposed within the this section for this | ne limits provided in Article of the Special part of |
| in a precise conformance to provisio | |
| | shall be fair, conforming to the character of an |
| infraction, circumstances of its co | ommission, personality of |
| 3. Upon imposition of administ | rative sanction on an individual, the character of |
| committed administrative infraction | , personality of a, |
| | and after commission of the infraction, |
| , circumstances mitiga | ting and aggravating liability shall be considered. |
| | rative sanction on a legal entity, the character of |
| administrative infraction, material | status, circumstances and |
| | liability shall be considered. |
| 5. Imposition of administrati | ve sanction shall not release a person from |
| of the | , for non-fulfillment of which |
| | osed, elimination of committed violations and |
| for harn | n. |
| | in and administrative |
| sanction may be imposed for a | one administrative infraction. |



7. Continue an English-Russian glossary.

| THE ADMINISTRATIVE LAW OF THE REPUBLIC OF KAZAKHSTAN | | | |
|--|---------------------|--|--|
| No | TERM | DEFINITION | |
| 1 | Administrative | an illegal, guilty (intentional or careless) action or | |
| | infraction | omission of an individual or illegal action or omission | |
| | mituetion | of a legal entity for which this Code provides the | |
| | | administrative liability. | |
| | A | <u>*</u> | |
| | Административное | противоправное, виновное (умышленное или | |
| | правонарушение | неосторожное) действие либо бездействие | |
| | | физического лица или противоправное действие | |
| | | либо бездействие юридического лица, за которое | |
| | | настоящим Кодексом предусмотрена | |
| | | административная ответственность. | |
| 2 | Administrative fine | a money recovery imposed for administrative | |
| | | infraction in cases and limits provided in Articles of | |
| | | the Special part of this section, in amount being | |
| | | relevant to particular quantity of MCI established in | |
| | | accordance with the Law acting up to the date of | |
| | | | |
| | | initiation of a case on administrative infraction | |
| | Административный | денежное взыскание, налагаемое за | |
| | штраф | административное правонарушение в случаях и | |
| | | пределах, предусмотренных в статьях Особенной | |
| | | части настоящего раздела, в размере, | |
| | | соответствующем определенному количеству | |
| | | МРП, устанавливаемого в соответствии с законом, | |
| | | действующим на момент возбуждения дела об | |
| | | административном правонарушении | |
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8. Check test

- 3.1 Main branches' source of administrative law is:
- A) Civil Code of RK
- B) Code of the RK about marriage (matrimony) and family
- C) Code of RK on administrative infractions
- D) Criminal Code of RK
- E) Labor Code of RK

- 3.2 Commission of the act containing all signs of component elements of the infraction provided in the Special part of the Code of RK On Administrative Infractions
- A) administrative infraction
- B) criminal infraction
- C) administrative liability
- D) basis for administrative liability
- E) administrative sanction

- 3.3 Find the mistake. The legislation on administrative infractions shall:
- A) establish the grounds and principles of administrative infraction
- B) determine which acts are administrative infractions
- C) determine the types of sanctions imposed for the commission of the administrative infraction
- D) determine the administrative sanction, by which state body (civil servant) and in which manner may be imposed on a person that committed the administrative infraction
- E) provide for punishment and other measures of criminal and legal effect for the criminal infraction

- 3.4 Forms of guilt are:
- A) intent and negligence
- B) self-reliance and negligence
- C) intent and self-reliance
- D) intent, self-reliance and negligence
- E) sanity and intent

- 3.5 Administrative sanction applied to a person that committed infraction may not be aimed at infliction of physical sufferings or abasement of human dignity
- A) Principle of legality
- B) Principle of humanism
- C) Principle of guilt
- D) Principle of personal immunity
- E) Principle of equality before the Law and court

- 3.6 An illegal, guilty (intentional or careless) action or omission of an individual or illegal action or omission of a legal entity for which the Code of RK On Administrative Infractions provides the administrative liability
- A) administrative infraction
- B) criminal infraction
- C) disciplinable offense
- D) civil offence
- E) crime

- 3.7 Persons subjected to administrative liability:
- A) mentally competent natural person that up to the date of completion or suppression of an administrative infraction attained eighteen years and legal entity B) legal entities only
- C) mentally competent natural person that up to the date of completion or suppression of an administrative infraction attained sixteen years and legal entity
- D) mentally competent natural person that up to the date of completion or suppression of an administrative infraction attained sixteen years only
- 3.8 Individual that during commission of illegal action could not realize actual character and danger of own actions (omission) or manage by them due to chronicle mental disease, temporary mental disorder, feeblemindedness or other diseased mental state.
- A) sanity
- B) intent
- C) negligence
- D) self-reliance
- E) legal insanity

- 3.9 Find the mistake. Circumstances excluding administrative liability
- A) necessary defence
- B) extreme necessity
- C) physical or psychic compulsion
- D) commission of infraction in the conditions of emergency situation, emergency situation, as well as in the course of mass disorders
- E) execution of an order or regulation

- 3.10 Find the mistake. Types of administrative sanctions
- A) notification
- B) deprivation of a special right
- C) imprisonment
- D) administrative arrest
- E) suspension or prohibition of the activity

- 3.11 The term for deprivation of the right to operate transport vehicles may not be: less than six months and more than ten years
- A) less than three months and more than five years
- B) less than six months and more than ten years
- C) less than six months and more than five years
- D) less than six months and more than five years
- E) less than six months and more than fifteen years

- 3.12 Refusal in representation of information to an natural person (individual) is one of the administrative infractions:
- A) infringing on personal rights
- B) in the field of entrepreneurship activity
- C) encroaching on public safety and health of population
- D) encroaching on public order and morality
- E) in the field of informatization and communication

- 3.13 Violation or failure to perform the requirements of fire security is one of the administrative infractions:
- A) infringing on personal rights
- B) in the field of entrepreneurship activity
- C) encroaching on public safety and health of population
- D) encroaching on public order and morality
- E) in the field of informatization and communication

- 3.14 Harassment in public places is one of the administrative infractions:
- A) infringing on personal rights
- B) in the field of entrepreneurship activity
- C) encroaching on public safety and health of population
- D) encroaching on public order and morality
- E) in the field of informatization and communication

- 3.15 Violation of silence is one of the administrative infractions:
- A) infringing on personal rights
- B) in the field of entrepreneurship activity
- C) encroaching on public safety and health of population
- D) encroaching on public order and morality
- 3.16 Impeding to obtainment of a citizenship of the Republic of Kazakhstan is one of the administrative infractions:
- A) infringing on personal rights
- B) in the field of entrepreneurship activity
- C) encroaching on public safety and health of population

- D) encroaching on public order and morality
- E) in the field of informatization and communication

- 3.17 False bankruptcy is one of tIe administrative infractions:
- A) infringing on personal rights
- B) in the field of entrepreneurship activity
- C) encroaching on public safety and health of population
- D) encroaching on public order and morality
- E) in the field of informatization and communication

- 3.18 Participation, involvement or access to gambling games is one of the administrative infractions:
- A) infringing on personal rights
- B) in the field of entrepreneurship activity
- C) encroaching on public safety and health of population
- D) encroaching on public order and morality
- E) in the field of informatization and communication

- 3.19 Destruction of special signs is one of the administrative infractions:
- A) infringing to property
- B) in the field of entrepreneurship activity
- C) encroaching on public safety and health of population
- D) encroaching on established control procedure
- E) in the field of informatization and communication

- 3.20 Violation of the emergency situation is one of the administrative infractions:
- A) infringing to property
- B) in the field of entrepreneurship activity
- C) encroaching on public safety and health of population
- D) encroaching on established control procedure
- E) in the field of informatization and communication

BASICS OF THE CIVIL LAW OF THE REPUBLIC OF KAZAKHSTAN

The main message: Civil law is the branch of law, which is representing the rules of governing the commodity-money and the other participants in the property relations based on the equality, as well as related to property and personal non-property relations. Participants regulated by civil law relations are citizens, legal entities, the state, as well as administrative units.

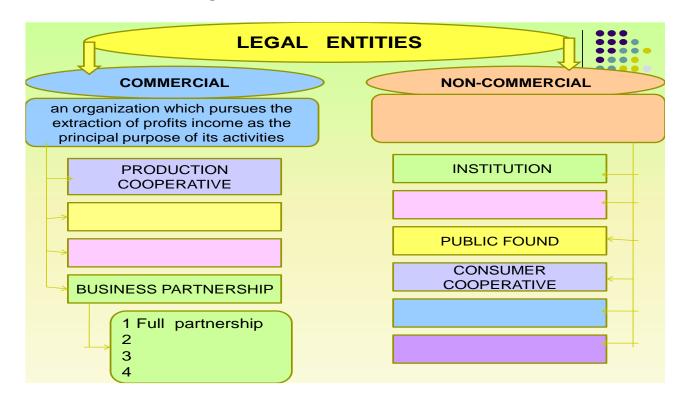
The main source of civil law is the Civil Code of the Republic of Kazakhstan, which is composed of the General Part of the December 27, 1994 and the Special Part of the July 1, 1999.

1. Read the §1 "Citizens of the Republic of Kazakhstan and other natural persons" chapter 2 of the Civil Code and decide whether these statements are true or false. If the statement is false, correct it.



- 1 The capability to possess the civil rights and to perform duties (the civil passive capacity) shall be recognized as equally due to all the citizens.
- 2 The citizen's passive capacity shall arise'with the citizen's coming of age, i.e., upon hi' reaching the age of 18 years and shall cease with his death
- 3 The place of his residence is the place of the citizen's registration.
- 4 The capa'ility of the citizen to acquire and exercise by his actions the civil rights, to create for himself the civil duties and to discharge them (the civil active capacity)
- 5 The civil active capacity shall arise at the moment of the citizen's birth
- 6 A minor who has re'ched the age of 14 may be declared emancipated if he (she) works under an employment contract or without the consent of his (her) legal representatives is engaged in entrepreneurial activities.
- 7 Minors under the age of fourteen years shall have the right to independently enter only into petty daily transactions
- 8 A citizen who, as a result of psychiatric disease or mental disability, cannot understand the meaning of his (her) acts or direct them, may be restricted by the court with regard to his active capacity
- 9 Minors at the age from fourteen to eighteen shall enter into transactions with the consent of their legal representatives.
- 10 A citizen who consequential to the abuse of alcoholic drinks or narcotic substances puts his (her) family into a difficult financial position may be recognized by the court as incapable

2. Read the § 2 "Legal entities" chapter 2 of the Civil Code and add the scheme with missing elements.



3. Read the text below and answer the questions.

The right to property is recognized and protected by the legislative acts of the subject right in its sole discretion to possess, using and disposing of its assets. The right to possess is legally providing an opportunity to carry out the actual possession of the property. The right to use is providing a legal possibility to extract from the estate of its natural beneficial properties as well as its benefits in the form of income of increasing of fetus, litter size and other forms. The right of disposal is legally secured to define the legal fate of the property.

Private property appears as a property of the citizens and non-state -owned legal entities and their associations. The number and value of property in private ownership is not limited.

The state property shall be recognized in the form of the Republic's property and communal property. Communal property shall consist of the local treasury and assets which are entrusted to the communal legal entities in accordance with legislative acts.

The resources of the local budget and any other communal properties which are not attached to state owned legal entities, shall constitute the local treasury.

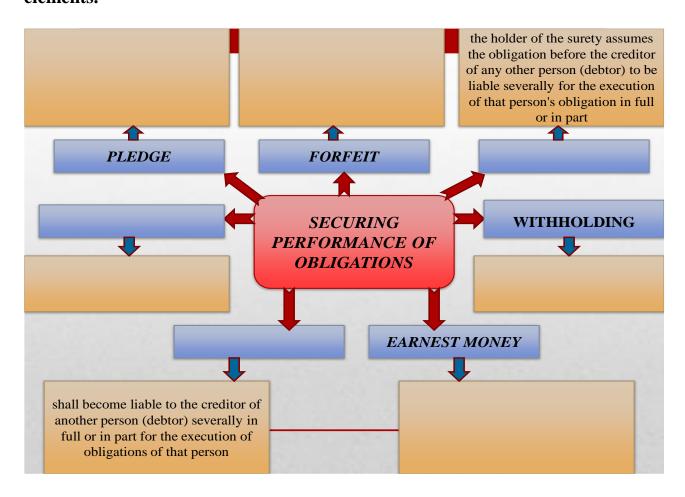
Land, its subsurface, water, flora, and fauna, and other natural resources, shall be in the state ownership. Land may also be in private ownership on the grounds, conditions, and within the limits, stipulated by legislative acts/

- 1. What does the "right to property" / "right to ownership" mean?
- 2. What proprietary rights do you know?
- 3. What does the "right to possess" mean?
- 4. What does the "right to use" mean?
- 5. What does the "right to dispose" mean?
- 6. How many forms of ownership are in the Republic of Kazakhstan? What are they?
- 7. Who may be a private owner in accordance with the Civil Code of the Republic of Kazakhstan?
- 8. What types of state property are in the Republic of Kazakhstan?
- 9. What the Republic's property consists of?
- 10. What the communal property consists of?
- 11. What does the "exclusive property" mean?

4. Read the subsection 2 "General provisions concerning contracts" of the Civil Code of the Republic of Kazakhstan and make a table.

| | | CONTROL OF |
|---|---|------------|
| | | CONTRACT |
| 1 | Define a concept "Contract" | |
| 2 | List the types of contract conditions | |
| 3 | What does the "contract of adhesion" means? | |
| 4 | Define a concept "preliminary contract" | |
| 5 | Who is an offerer? | |
| 6 | Who is an acceptor? | |
| 7 | List the consequences of dissolving and amending a contract? | |
| 8 | Whether the unilateral refusal of the contract is provided by the Civil code? | |

5. Read the chapter 18 "Securing performance of obligations" of the Civil Code of the Republic of Kazakhstan and add the scheme with missing elements.



6. Match the line.

| The participants of civil relations | Recognition of rights |
|---|------------------------------|
| | Production cooperative |
| The basic principles of civil legislation | Natural persons |
| | Forfeit |
| The ways of protecting the civil rights | B usiness partnership |
| | Freedom of contract |
| The commercial organization | Compensation of losses, |
| | damages |
| | Legal entities |
| The non-commercial organization | Private property |
| | State property |
| The forms of ownership / property | Pledge |
| | Inviolability of ownership |
| The ways of securing performance of | Consumer cooperative |
| obligations | • |
| | Religions association |
| | |

7. Continue an English-Russian glossary.

| | THE CIVI | L LAW OF THE REPUBLIC OF KAZAKHSTAN |
|----|------------------------|---|
| No | TERM | DEFINITION |
| 1 | The legal capacity | The capability to possess the civil rights and to perform duties (the civil legal capacity) shall be recognized as equally due to all the citizens. |
| | Правоспособность | Способность иметь гражданские права и нести обязанности (гражданская правоспособность) признается в равной мере за всеми гражданами |
| 2 | The Active Capacity | The capability of the citizen to acquire and exercise by his actions the civil rights, to create for himself the civil duties and to discharge them (the civil active capacity) shall arise in full volume with the citizen's coming of age |
| | Дееспособность | Способность гражданина своими действиями приобретать и осуществлять гражданские права, создавать для себя гражданские обязанности и исполнять их (гражданская дееспособность) возникает в полном объеме с наступлением совершеннолетия |
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8. Check test.

- 4.1 What types of relations are regulated by the civil law?
- A) only the property relations;
- B) only the non-property relations
- C) the non-property and commodity-and-money relations
- D) the property and non-property relations
- 4.2 What type of relation does arise concerning material values and have the economic substance?
- A) only the property relations;
- B) only the non-property relations
- C) only the commodity-and-money relations
- D) the property and non-property relations
- 4.3 What type of relation does arise concerning the non-material values and inseparably linked with the person?
- A) only the property relations;
- B) only the non-property relations
- C) only the commodity-and-money relations
- D) the property and non-property relations
- 4.4 What is the main branches source of the civil law?
- A) Labor Code of the RK;
- B) Civil Procedural Code of the RK
- C) Civil Code of the RK
- D) Tax Code of the RK
- E) Code of the Republic of Kazakhstan about Marriage (Matrimony) and Family of the RK

- 4.5 What participants of the civil relations do you know?
- A) only natural persons;
- B) only legal entities;
- C) only state:
- D) natural persons and legal entities;
- E) natural persons, legal entities and state

- 4.6 Who are the natural persons?
- A) only the citizens;
- B) only the foreigners
- C) only the stateless persons

- D) the citizens, foreigners and stateless persons E) the citizens and foreigners ********** 4.7 Find the commercial organization: A) economic partnership B) consumer cooperative C) public organization D) religious organization E) association or union of commercial organizations ********* 4.8 Find the commercial organization: A) production cooperative B) consumer cooperative C) public organization D) religious organization E) association or union of commercial organizations ********* 4.9 Find the non-commercial organization: A) state enterprise B) joint-stock company C) public organization D) production cooperative E) economic partnership *********** 4.10 Find the non-commercial organization: A) state enterprise B) joint-stock company C) consumer cooperative D) production cooperative E) economic partnership ********** 4.11 "The right of ownership and other rights of estate" is one of the sections of: A) Labor Code of the RK; B) Civil Procedural Code of the RK C) Civil Code of the RK D) Tax Code of the RK E) Code of the Republic of Kazakhstan about Marriage (Matrimony) and Family of the RK **********
- 4.12 What forms of ownership are in the Republic of Kazakhstan?
- A) state and municipal;
- B) republic and local;
- C) local and private;
- D) state and private;

| E) republic and municipal ************************************ |
|--|
| 4.13 The capability to possess the civil rights and to perform duties: A) a legal personality; B) an active capacity; C) a legal capacity; D) a deal (transaction) capacity; E) a delictual dispositive capacity ************************************ |
| 4.14 - The right to own shall be a recognised and protected by legislative acts the right of a person at his discretion to own, use and dispose of the property which belongs to him: A) a legal personality; B) an active capacity; C) a right to property; D) a contract; E) a forfeit ************************************ |
| 4.15 It shall be recognized as the agreement, concluded by two or by several persons on the institution, modification or termination of the civil rights and duties. A)a legal personality; B) an active capacity; C) a right to property; D) a contract; E) a forfeit ************************************ |
| 4.16 The capability of the citizen to acquire and exercise by his actions the civil rights, to create for himself the civil duties and to discharge them A) a legal personality; B) an active capacity; C) a right to property; D) a contract; E) a forfeit |
| ************************************** |
| |

4.18 The creditor, in whose custody is the thing, subject to the transfer to the debtor or to the person, named by the debtor, shall have the right, in case the debtor fails to discharge in time the obligation on the payment for this thing or on the compensation to the creditor of the expenses and of the other losses he has borne in connection with it, to retain it until the corresponding obligation is discharged.

A) a pledge;

- B) an earnest money;
- C) a withholder / retention;
- D) a contract;
- E) a forfeit

- 4.19 It received by the addressee, shall not be revoked in the course of the term, fixed for its acceptance, unless otherwise stipulated in the offer itself or follows from the substance of the proposal, or from the setting, in which it has been made
- A) a pledge;
- B) an earnest money;
- C) a withholder / retention;
- D) a contract;
- E) an offer

- 4.20 By such contract, the parties shall assume an obligation to conclude in the future a contract on the transfer of the property, on the performance of works or on rendering services (the basic contract) on the terms, stipulated by such contract.
- A) a pledge;
- B) a preliminary contract;
- C) a withholder;
- D) a contract;
- E) an offer

BASICS OF THE FAMILY LAW OF THE REPUBLIC OF KAZAKHSTAN

The main message: Family Law is the branch of the Kazakhstan legal system that regulates the following matters: (a) conclusion of marriage; (b) invalidation of marriage; (c) termination of marriage; (d) rights and duties of family members; (f) the forms and procedure for placing children left without parental care into a family; and (g) order of the state civil registration

The main source of the family law is the Code of the Republic of Kazakhstan On marriage (matrimony) and family, signed by the Head of the State of the Republic of Kazakhstan on the 26th of December 2011.

1. Read the Article 1 of the Code of the Republic of Kazakhstan about marriage (matrimony) and family and match the line.

alimony

marriage (matrimony)

close relatives

marriage,

childhood

trusteeship

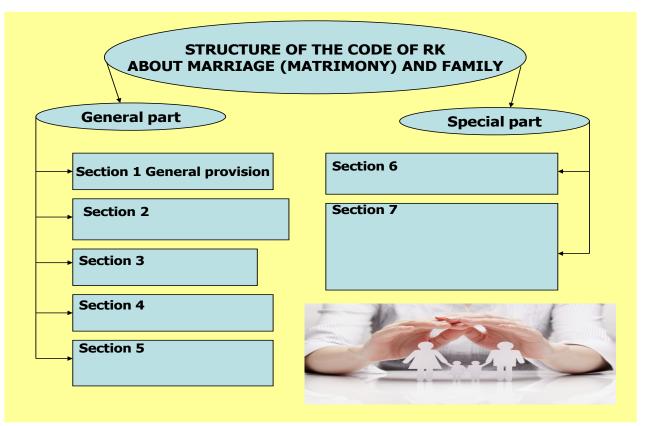
abandoned child/children family

an orphan children

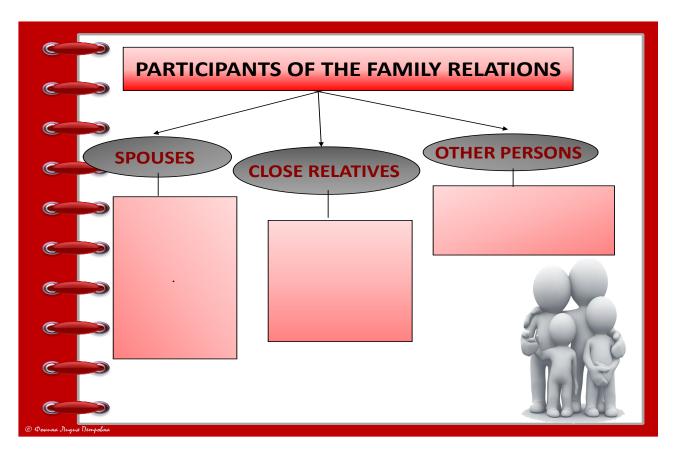
guardianship

- The set of persons connected by the property and personal non- property rights and obligations arising from marriage (matrimony), relationship, quality, adoption or other forms of adoption of children to upbringing and to contribute to strengthening and development of family relationships
- The agreement of persons getting married, or the agreement of spouses determining property rights and commitments of the spouses in the marriage (matrimony) and (or) in case of its dissolution
- A child whose parents (parent) refused from his further upbringing, education, material support through the registration of relevant legal documents
- Legal forms of protection of the rights and interests of the child at the age of fourteen to eighteen years, as well as adults, restricted by the court legally incapable as a result of the abuse of alcohol or drugs
- An equal union between a man and a woman, concluded with the free and full consent of the parties in the manner prescribed by law start a family causing property and personal non-property rights and obligations between spouses
- Financial or material allowance which must be granted by one person to another one who has the right to receive it
- Parents (parent), children, adoptive parents, adopted children, full and half brothers and sisters, grandfather, grandmother, grandchildren
- The legal status of persons under the age of an adult
- Legal form of protection of the rights and interests of children under the age of fourteen years, and persons found legally incapable
- A child/children, whose both or single parent has died

2. Add the scheme with missing elements.



3. Add the scheme with missing elements.

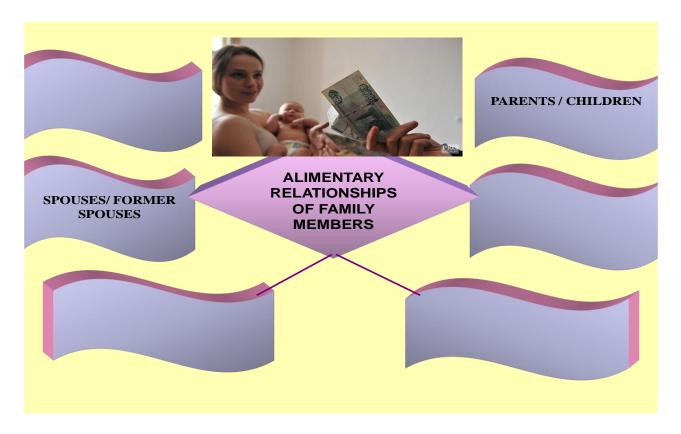


4. Read the section 2 "Marriage (matrimony)" of the Code and decide whether these statements are true or false. If the statement is false, correct it.

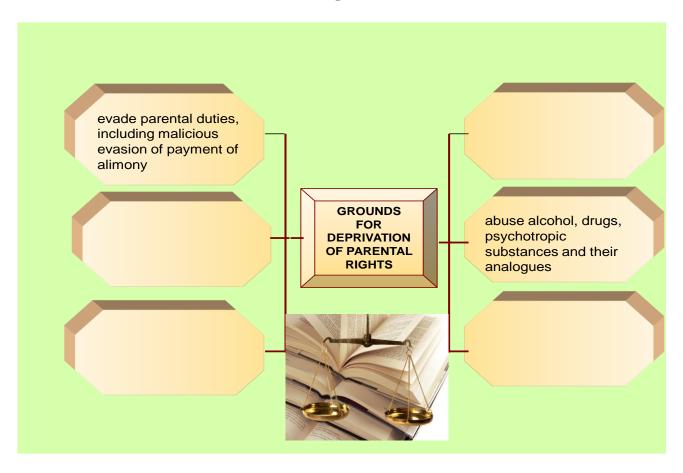


- 1 To get married it is required free and complete consent of man and woman getting married as well as marriage age.
- 2 Marriage (marital) age for man and woman is sixteen years old
 - 2) Marriage (matrimony) is not allowed between close relatives
 - 2) Marriage (matrimony) is allowed between persons of the same sex
- 5 Results of the surveying the person getting married are medical secrecy and can be reported to the future husband (wife), without the consent of the surveyed person.
- 6 Marriage (matrimony) is carried out after one month from the date of presenting the application to intend to marry to the Bureau of civil registry of the territorial justice agency
- 7 Marriage (matrimony) termination is the termination of legal relations between spouses due to the circumstances independent from them (death, declaration of death or recognition of missing) or due to the actions of individual intention of two as well as one spouse by termination of marriage (matrimony) in order determined by the Code
- 8 Marriage (matrimony) can be terminated by its dissolution upon the application of both spouses only.
- 9 Irrespective of the fact if spouses have joint minor children, the marriage (matrimony) is dissolved in the bureaus of civil registration of the territorial justice agency upon the application of one of the spouses if another husband/wife is: 1) determined by the court as missing; 2) convicted for the crime for 3 years imprisonment.
- 10 Marriage (matrimony) dissolution in a judicial proceeding is implemented in the following cases: 1) if the spouses have common minor children; 2) if one of the spouses does not give the consent for marriage (matrimony) dissolution; 3) if one of the spouses having no objections deviates from marriage (matrimony) dissolution by his actions or inactivity: 4) if the spouses have property or other claims to each other.
- 11 At marriage (matrimony) dissolution in a judicial proceeding the spouses can't submit the agreement to the court on child's living with one of the spouses, the manner of means payments for taking care of children and/or the disabled, indigent husband (wife), on the amount of these payments or the division of spouses' joint property.
- 12 Marriage (matrimony) is invalidated by the court under the violation of conditions determined by the Articles 9-11 of the Code as well as in the following cases:
- 1) at the conclusion of fictitious marriage (matrimony); 2) at the conclusion of marriage (matrimony) under constraint; 3) if one of the persons getting married concealed the existence of diseases threatening the member families, personal and public security.

5. Add the scheme with missing elements.



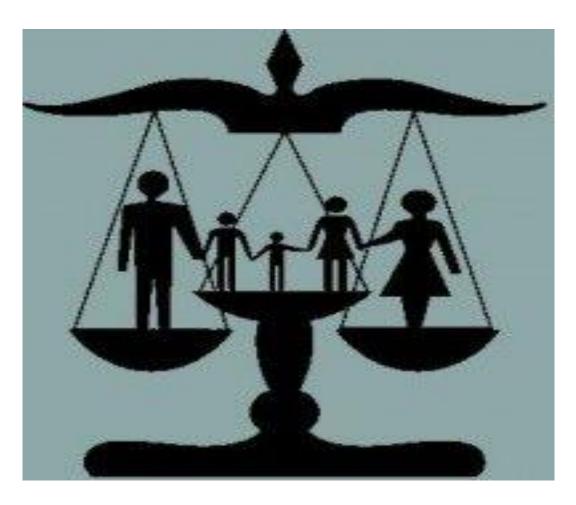
6. Add the scheme with missing elements.



7. Read the Chapter 13 "Child adoption" of the Code and answer the questions.



- 1 What does the "adoption" mean?
- 2 What children allowed to be adopted?
- 3 What is the difference between the Persons Wishing to Adopt the Children and the Adoptive Parents?
- 4 What are the legal features of adoption procedure?
- 5 Who can be an adoptive parent?
- 6 What is the age difference between the adoptive parent and the adopted child?
- 7 Is the consent of legal representatives to child adoption necessary?
- 8 Is it possible to adopt the child without consent of his (her) parents (parent)?
- 9 Can the Date and Place of Birth of the Adopted Child be changed?
- 10 What are the legal consequences of the child adoption?
- 11 What is the difference between the adoption annulment and cancellation of child adoption?



8. Continue an English-Russian glossary.

| | THE FAMILY LAW OF THE REPUBLIC OF KAZAKHSTAN | | |
|----|--|--|--|
| Nº | TERM | DEFINITION | |
| 1 | Alimony | financial or material allowance which must be granted by one person to another one who has the right to receive it | |
| | Алименты | денежное или материальное содержание, которое одно лицо обязано предоставить другому лицу, имеющему право на его получение | |
| 2 | Childhood Детство | The legal status of persons under the age of an adult правовое состояние лиц, не достигших совершеннолетия | |
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9. Check test.

- 5.1 The relation on terms and the procedure for entering into a marriage, for the termination of the marriage and for recognizing it as invalid is one of the:
- A) civil relation;
- B) family relation;
- C) constitutional relation;
- D) criminal relation;
- E) labor relation;

- 5.2 The relation establishes the rights and duties of the family members: the spouses, the parents and the children (the adopters and the adoptees), and in the cases and within the limits stipulated by the family legislation, between other relatives and other persons is one of the:
- A) civil relation;
- B) family relation;
- C) constitutional relation;
- D) criminal relation;
- E) labor relation;

- 5.3 The relation define the forms and procedure for placing children, left without parental care into a family is one of the:
- A) civil relation;
- B) family relation;
- C) constitutional relation;
- D) criminal relation;
- E) labor relation;

- 5.4 What is the main branches source of the family law?
- A) Labor Code of the RK;
- B) Civil Procedural Code of the RK
- C) Civil Code of the RK
- D) Tax Code of the RK
- E) Code of the Republic of Kazakhstan about Marriage (Matrimony) and Family of the RK

- 5.5 Persons (the man and the woman) entering into a marriage in the order, established by the law are the:
- A) spouses
- B) adopters
- C) guardians,
- D) trustees
- E) half-brothers/sisters

- 5.6 Find one of the close relatives (near of kin):
- A) parents and children
- B) spouses
- C) stepmother, stepfather
- D) trustees
- E) guardians

- 5.7 Find one of the close relatives (near of kin):
- A) adopters and adoptees
- B) spouses
- C) stepmother, stepfather
- D) trustees
- E) guardians

- 5.8 Find one of the chief principles of the family legislation of the Republic of Kazakhstan:
- A) the inviolability of property
- B) the equality of spouses' rights in the family;
- C) the freedom of agreement (contract)
- D' the inadmissibly of anybody's arbitrary interference into the private affairs
- E) the necessity to freely exercise the civil rights

- 5.9 Find one of the chief principles of the family legislation of the Republic of Kazakhstan:
- A) the inviolability of property
- B) the voluntary conjugal union between a man and a woman;
- C) the freedom of agreement (contract)
- D) the inadmissibly of anybody's arbitrary interference into the private affairs
- E) the neces'ity to freely exercise the civil rights

- 5.10 Find one of the chief principles of the family legislation of the Republic of Kazakhstan:
- A) the inviolability of property
- B) the resolving internal family problems by mutual consent;
- C) the freedom of agreement (contract)
- D) the inadmissibly of anybody's arbitrary interference into the private affairs
- E) the neces'ity to freely exercise the civil rights

- 5.11 "Guardianship and trusteeship" is one of the sections of:
- A) Labor Code of the RK;
- B) Civil Procedural Code of the RK
- C) Civil Code of the RK
- D) Tax Code of the RK

E) Code of the Republic of Kazakhstan about Marriage (Matrimony) and Family of the RK

- 5.12 "Acts of civil status" is one of the sections of:
- A) Labor Code of the RK;
- B) Civil Procedural Code of the RK
- C) Civil Code of the RK
- D) Tax Code of the RK
- E) Code of the Republic of Kazakhstan about Marriage (Matrimony) and Family of the RK

- 5.13 The legal form of placing the child/children under upbringing in the family according the court decision which resulted in having personal non- property and property rights and obligations equated with the rights and obligations of the relatives by birth
- A) trusteeship;
- B) foster care
- C) guardianship
- D) family
- E) adoption

- 5.14 Marriage (marital) age for man and woman is
- A) sixteen years old;
- B) fourteen years old
- C) eighteen years old
- D) twenty years old
- E) twenty one years old

- 5.15 Find the mistake. Marriage (matrimony) is terminated due to the:
- A) death of one of the spouses;
- B) recognition by court decision of the death of one of the spouses
- C) recognition by court decision of one of the spouses missing
- D) fictitious marriage (matrimony)
- E) marriage (matrimony) dissolution

- 5.16 Find the mistake. Marriage (matrimony) is invalidated by the court in the following cases:
- A) at the conclusion of fictitious marriage (matrimony);
- B) at the conclusion of marriage (matrimony) under constraint
- C) recognition by court decision of one of the spouses missing
- D) if one of the persons getting married concealed the existence of diseases threatening the member families, personal and public security

- 5.17 Find the mistake. Parent (parents) are deprived of parental rights if they:
- A) evade parental duties, including malicious evasion of payment of alimony;);
- B) abuse parental rights;
- C) decline, without good excuse, to take the child from maternity hospital, orphan asylum, organization for children left without the parents' custody and other organizations;
- D) concealed the existence of diseases threatening the member families, personal and public security
- 5.18 Age difference between the adoptive parent and the adopted child shall not be:
- A) than 16 years and more than 45 years;
- B) than 18 vyears and more than 45 years;
- C) than 15 years and more than 30 years;
- D) than 10 years and more than 40 years;
- E) than 10 years and more than 25 years; ************
- 5.19 If there is no alimony payment agreement, the alimony to support minor children is recovered from their parents (parent) in a judicial procedure on a monthly basis in the amount: for one child:
- A) 1/2 of salary and/or other income of parents (parent);
- B) 1/3 of ½ lary and/or other income of parents (parent);
- C) 2/3 of salary and/or other income of parents (parent);
- D) 1/4 of salary and/or other income of parents (parent);
- 5.20 The state authority which carries out the state civil registration is the:
- A) court;
- B) prosecutor's office;
- C) civil registration department;
- D) notariat;
- E) law enforcement agencies

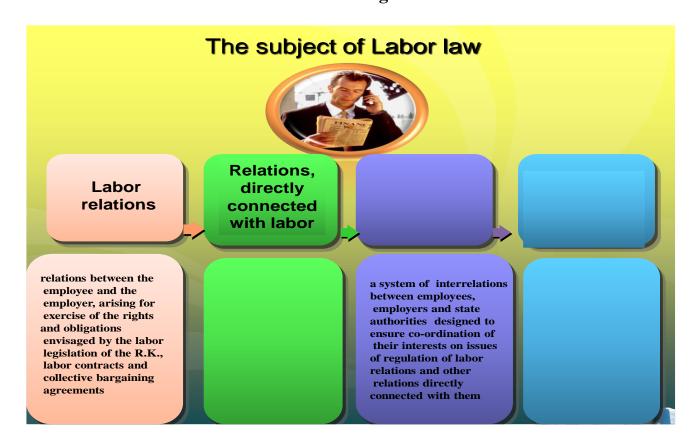
The main message: Labor law - is the branch of law that regulates labor relations arising in the implementation of the citizens' constitutional right to freedom of labor between the employer and the employee regarding the implementation of certain parties to work on the basis of individual, collective and other agreements. The tasks of the labor legislation of the Republic of Kazakhstan consist in creating the requisite legal conditions for achieving a balance of the interests of the parties to the labor relations, economic growth, higher production efficiency and human welfare.

The main source of labor law is the Labor Code of the Republic of Kazakhstan, signed by the Head of the State of the Republic of Kazakhstan on the 23d of November 2015.

1. Read the Article 1 of the Labor Code of the Republic of Kazakhstan and match the line.

proper 53ulfillment by the employer and employees of their obligations established by regulatory and legal acts of the R.K., as well as agreements, employment contracts, collective bargaining labor agreements, acts of the employer, and constituent documents; remuneration for labour depending on the qualifications of the employee, the complexity, amount, quality and conditions of the job duties work performed, as well as payments of a compensatory and incentive nature: a person's activities geared to creating material, spiritual and other values necessary for life and satisfaction of personal and social rest time requirements obligations of the employee and of the employer, deriving from the regulatory and legal acts of the R.K., an act of the employer, labor discipline employment contracts and collective bargaining agreements; disagreements between the employee and the employer on issues of application of the labor legislation of the R.K., 53ulfillment or amendment of the terms and conditions agreements, labor and (or) wage collective bargaining agreements, and acts of the employer; time during which the employee is free from fulfilling his job labor dispute duties and which may be used at the employee's own discretion

2. Read the Articles 1 and 9 of the Labor Code of the Republic of Kazakhstan and add the scheme with missing elements.



3. Read the text below and answer the questions.

Working time - the time during which the employee, in accordance with acts of the employer and the terms and conditions of the employment contract fulfils his job duties. Normal duration working time shall not exceed 40 hours a week.

Reduced duration working time for employees under the age of eighteen years, employees engaged in heavy work, work under harmful (particularly harmful) and (or) hazardous working conditions, group one and two disabled

Part-time work shall consists of working time shorter than the normal duration established by the Code, including: a part-time working day, that is, a reduction in the standard duration of the working day (work shift); a part-time working week, that is, a reduction in the number of working days in the working week; a simultaneous reduction in the duration of the working day (work shift) and in the number of working days in the working week.

Rest time - a person's activities geared to creating material, spiritual and other values necessary for life and satisfaction of personal and social requirements

The types of rest time are:

1) breaks during the working day (work shift) – rest and meal breaks; shift and special breaks; 2) daily (inter-shift) rest; 3) days off (weekly continuous rest); 4) official holidays; 5) leave.

- 1. What does the "working time" mean?
- 2. What types of working time do you know?
- 3. What is the length of normal duration working time?
- 4. For whom the reduced duration working time is determined?
- 5. What does the "part-time work" mean?
- 6. What types of part-time work do you know?
- 7. What does the "rest time" mean?
- 8. What types of rest time do you know?
- 9. What does the "breaks during the working day" mean?
- 10. What does the "shift and special breaks" mean?
- 11. What does the "leave" mean?
- 12. What does the "daily (inter-shift) rest" mean?

4. Add the names of official holidays.



What other types of holidays do you know? Give some examples.

5. Read the section chapter 4 "The employment contract" of the Code and decide whether these statements are true or false. If the statement is false, correct it.

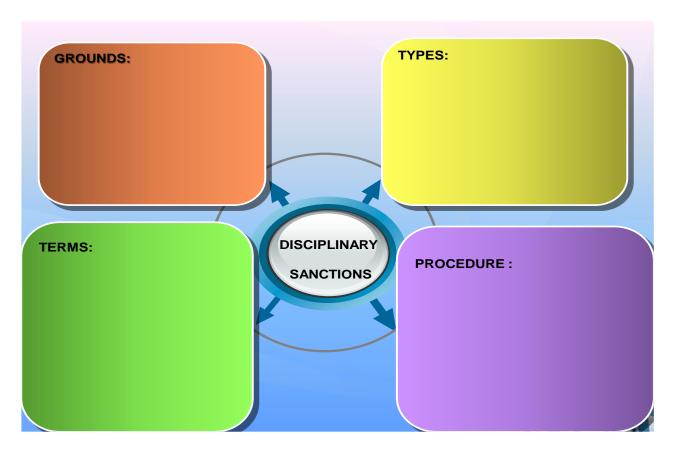


- 1 The employer natural person (individual) or legal entity with which the employee maintains labor relations
- 2 The employee natural person (individual) maintaining labor relations with the employer and directly performing work under an employment contract
- 3 It is allowed to violate equality of rights and opportunities in concluding an employment contract
- 4 An employment contract may be concluded: for an indefinite period only.

5The features distinguishing an employment contract from other types of agreement consist in inclusion of the following conditions: performance of obligations personally in observance of the internal labor regulations; receipt by the employee of a wage for labor.

- 6 It is permitted to conclude employment contracts with citizens who have reached the age of sixteen years.
- 7 An employment contract shall be concluded in oral as well, as in written form in at least three copies and shall be signed by the parties. One copy of the employment contract shall be kept by the employee, one by the employer and one by the labor tribunal.
- 8 It is permitted to conclude employment contracts with citizens who have reached the age of sixteen years.
- 9 In an employment contract, a condition may be established on a probationary period, which can't be more than six years .
- 10 The transfer of the employee to another job is change of the work (labor function) of the employee only, that is, performance of work in another position, specialty, profession or qualifications
- 11 An employment contract might be cancelled by agreement between the parties, on the initiative of the employer, on the initiative of the employee and in connection with transfer by the employee to an elected job(position) or appointment to the position.
- 12 The employee shall have the right to notify the employer in writing of non-performance by the employer of the terms and conditions of the employment contract. In the event that, on expiry of a period of seven days, non-performance by the employer of the terms and conditions of the employment contract continues, the employee shall have the right to cancel the employment contract by serving at least three working days' written notice on the employer.
- 14 The employer shall issue the work book or other document confirming the labor activities performed by the employee within three days from the moment of termination of the employment contract

6. Read the chapter 5 "Labor regulations. Labor discipline" of the Code and make a scheme.



7. Complete the phrases with words from the box.

Child; remuneration; health; forced; wage; freedom; rest; safety; hygiene; life; restrictions

The principles of the labor legislation of the R.K. are as follows:

| 1) inadmissibility of | on human | and civil rights in the sphere of |
|---|---------------|-----------------------------------|
| labor; | | |
| 2) o f labor; | | |
| 3) prohibition of discrimination, labor; | | labor and the worst forms of |
| 4) guaranteed right to working con- | ditions meeti | ng the safety and |
| requirements; | | |
| 5) priority of the | and | of the employee over the |
| results of production activities; | | |
| 6) guaranteed right to a fair | | for labor not below the minimum |
| ; | | |
| 7) guaranteed right to; | | |
| 8) state regulation of labor protectiand others principles. | on and labor | ; |

8. Continue an English-Russian glossary.

| | THE LA | ABOR LAW OF THE REPUBLIC OF KAZAKHSTAN |
|----|------------------------|---|
| Nº | TERM | DEFINITION |
| 1 | The labor | A person's activities geared to creating material, spiritual and other values necessary for life and satisfaction of personal and social requirements |
| | Труд | Деятельность человека, направленная на создание материальных, духовных и других ценностей, необходимых для жизни и удовлетворения потребностей человека и общества |
| 2 | The working conditions | The conditions of payment, work time standard setting, working and rest time regime, procedure for combining professions (jobs), expansion of the servicing zone, fulfillment of the duties of a temporarily absent employee, labor protection and safety, technical, production and living conditions, as well as other working conditions on agreement between the parties |
| | Условия труда | Условия оплаты, нормирования труда, выполнения трудовых обязанностей, режима рабочего времени и времени отдыха, порядок совмещения профессий (должностей), расширения зон обслуживания, выполнения обязанностей временно отсутствующего работника, безопасности и охраны труда, технические, производственно-бытовые условия, а также иные по согласованию сторон условия труда |
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| 8 | | |
| 9 | | |
| 10 | | |

9. Check test.

- 6.1 Law deals with issues related to employment assistance and placement:
- A) Law of RK "On Trade Unions"
- B) Code of RK "On People's Health and the System of Healthcare"
- C)'Law of RK "On Compulsory Social Insurance"
- D) Law of RK "On the Population's Employment"

- 6.2 Law provides rules with respect to the establishment, functioning and competences of employee associations:
- A) Law of RK "On Trade Unions"
- B) Code of RK "On People's Health and the System of Healthcare"
- C)'Law of RK "On Compulsory Social Insurance"
- D) Law of RK "On the Population's Employment"

- 6.3 Law regulates the order of conducting mandatory prophylactic medical examination of employees:
- A) Law of RK "On Trade Unions"
- B) Code of RK "On People's Health and the System of Healthcare"
- C)'Law of RK "On Compulsory Social Insurance"
- D) Law of RK "On the Population's Employment"
- E) Law of RK "On Migration"

- 6.4 Law requires the employer to make payments to mandatory social insurance covering cases of pregnancy and childbirth (or adoption of a newborn child) as well as the loss of the ability to work by employees:
- A) Law of RK "On Trade Unions"
- B) Code of RK "On People's Health and the System of Healthcare"
- C)'Law of RK "On Compulsory Social Insurance"
- D) Law of RK "On the Population's Employment"
- E) Law of RK "On Migration"

- 6.5 Law governs of migratory labor movements:
- A) Law of RK "On Trade Unions"
- B) Code of RK "On People's Health and the System of Healthcare"
- C)'Law of RK "On Compulsory Social Insurance"
- D) Law of RK "On the Population's Employment"
- E) Law of RK "On Migration"

- 6.6 Main branches' source of labor law is:
- A) Law of RK "On Trade Unions"
- B) Code of RK "On People's Health and the System of Healthcare"

- C)'Law of RK "On Compulsory Social Insurance"
- D) Law of RK "On the Population's Employment"
- E) Labor Code of RK

- 6.7 What types of relations are regulated by the labor law?
- A) labor relations
- B) property relations
- C) non-property relations
- D) family relation
- E) commodity-and-money relations
- *********
- 6.8 What types of relations are regulated by the labor law?
- A) relations, directly connected with labor
- B) property relations
- C) non-property relations
- D) family relation
- E) commodity-and-money relations

- 6.9 Individual or legal entity with which the employee maintains labor relations is:
- A) employee
- B) employer
- C) civil servant
- D) public labor safety inspector
- E) employers' representatives

6.10 An individual maintaining labor relations with the employer and directly performing

work under an employment contract is:

- A) employee
- B) employer
- C) civil servant
- D) public labor safety inspector
- E) employers' representatives

- 6.11 Find one of the chief principles of the Kazakhstan labor legislation:
- A) the inviolability of property
- B) social partnership;
- C) the freedom of agreement (contract)
- D) the inadmissibly of anybody's arbitrary interference into the private 'ffairs
- E) the necessity to freely exercise the civil rights

6.12 Written agreement between the employee and the employer, in accordance with which the employee undertakes personally to perform specific work (labor function), to observe labor regulations, while the employer undertakes to provide the

employee with work involving the agreed labor function, to ensure the working conditions envisaged by the Labor Code and other regulatory and legal acts of the Republic of Kazakhstan, the collective bargaining agreement, acts of the employer, and to pay the employee wages in a timely manner and in full:

- A) multi-jobbing
- B) job placement
- C) acts of the employer
- D) labor safety
- E) employment contract

- 6.13 Find the employees' duty based on the employment contract:
- A) personally to perform specific work (labor function)
- B) to provide the employee with work involving the agreed labor function
- C) to ensure the working conditions envisaged by the labor legislation of the Republic of Kazakhstan, the collective bargaining agreement, acts of the employer
- D) to pay the employee wages in a timely manner and in full;
- E) to pay the tax

- 6.14 Find the employees' duty based on the employment contract:
- A) to observe labor regulations
- B) to provide the employee with work involving the agreed labor function
- C) to ensure the working conditions envisaged by the labor legislation of the Republic of Kazakhstan, the collective bargaining agreement, acts of the employer
- D) to pay the employee wages in a timely manner and in full;
- E) to pay the tax

- 6.15 An employment contract may be concluded for a specific period of not less than:
- A) three years
- B) five years
- C) one year
- D) ten years;
- E) six months

- 6.16 The time during which the employee, in accordance with acts of the employer and the terms and conditions of the employment contract fulfils his job duties:
- A) worktime standard setting
- B) official holidays
- C) working time
- D) rest time
- E) overtime work

- 6.17 Normal duration working time shall not exceed:
- A) 45 hours a week

- B) 46 hours a week
- C) 42 hours a week
- D) 40 hours a week
- E) 48 hours a week

- 6.18 Reduced duration working time is established:
- A) only for employees under the age of eighteen years
- B) only for employees engaged in heavy work, work under harmful (particularly harmful) and (or) hazardous working conditions
- C) only for group one and two disabled
- D) for employees under the age of eighteen years, for employees engaged in heavy work, work under harmful (particularly harmful) and (or) hazardous working conditions and for group one and two disabled
- E) only for employees under the age of eighteen years and for group one and two disabled

- 6.19 The time during which the employee is free from fulfilling his job duties and which may be used at the employee's own discretion:
- A) worktime standard setting
- B) official holidays
- C) working time
- D) rest time
- E) overtime work

- 6.20 Labor relations consist of:
- A) labor relations and relations directly connected with labor
- B) labor relations and social partnership
- C) labor relations, relations directly connected with labor, social partnership and labor protection and labor safety
- D) labor relations, social partnership and labor protection and labor safety
- E) labor relations, relations directly connected with labor and labor protection and labor safety

TOPIC 7

BASICS OF THE ENVIRONMENTAL AND LAND LAW OF THE REPUBLIC OF KAZAKHSTAN

The main message: Environmental law - is an independent branch of Kazakhstan law, which is designed to study the activity of the state in the field of legal regulation of natural resources and environmental protection. The subjects of environmental law are the social relations in the sphere of interaction between society and nature. Ecological and legal control method is shown through mandatory and permissive approaches to establish responsibilities and the legal status of entities.

The main source of environmental law is the Environmental Code of the Republic of Kazakhstan, signed by the Head of the State of the Republic of Kazakhstan on the 9th of Jenuary 2007.

The subject land law is not a legal regulation of all relations over land, but only those that have some economic content. In these respects an object of land ownership and its use is a universal territorial spatial basis of production and economic and social activities and in agriculture and forestry, the condition of the main means of production. With all the multiplicity of land running of economic, social and other functions of its objective characteristics it needs a comprehensive, coordinated legal regulation of land relations. Contents of land relations depend on the types and forms of ownership of land which is held in the society 's economic and social transformation, spec'fic goals, objectives, land policy.

The main source of land law is the Land Code of the Republic of Kazakhstan, signed by the Head of the State of the Republic of Kazakhstan on the 20 of June 2003.



1. Complete the sentences with words and phrases from the box.

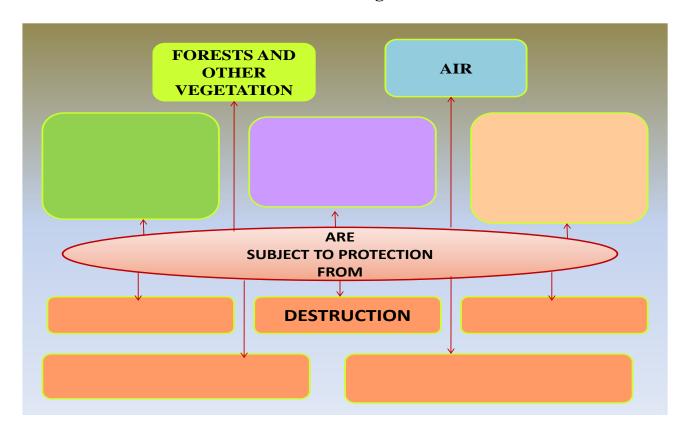


Earth's ecosystem, environment, natur'l production, supportive resources, environment, consumption, environmental regulation, sustainable development, environmental damage, serious, irreversible, biodiversity, human health, future generations, environmental information, environment protection

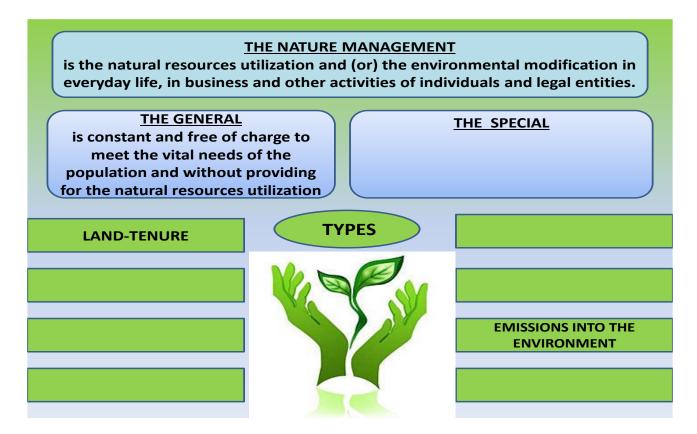
Ecological basis of sustainable development of the Republic of Kazakhstan:

| 1) objectives achieving to provide a | for |
|---|---------------|
| human life and health by government; | |
| 2) environment protection and conservation of | ; |
| 3) provision and implementation of the right of the Republic of Ka | zakhstan for |
| the development of its ar | nd the |
| assertion of national interests in the natural resources utilization and th | ie |
| environmental modification; | |
| 4) equitable repletion of needs of present and | |
| ; | |
| 5) development of sustainable and | ; |
| 6) compliance with the | |
| conditions of social and economic development in view of the | |
| ; | |
| 7) the loyalty of every individual to have access to | |
| and the full participation of the public in matt | ers of |
| environment protection and | • |
| 8) the ensuring of transparency of measures, taken in the scope of | |
| ; | |
| 9) a global partnership in aid of conservation, protection and rehab | ilitation the |
| health and integrity of the | ; |
| 10) the promotion of development of international Law, relating to; | liability for |
| 11)an inhibition, prevention the transfer and transfer to other States | s of any |
| activities and substances that cause severe damage to the environment | or to be |
| harmful to, as well as preca | utions in |
| cases, where there are threats of or | |
| to the environment | |

2. Read the Articles 7 of the Environmental Code of the Republic of Kazakhstan and add the scheme with missing elements.



3. Read the Articles 10 of the Environmental Code of the Republic of Kazakhstan and add the scheme with missing elements.



4. Read the Article 13 of the Environmental Code of the Republic of Kazakhstan and match the line.

RIGHTS



- to receive from government bodies and organizations with well-timed, complete and reliable environmental information;
- on favorable environment for their lives and health
- to carry out its activities in accordance with environmental Laws of the Republic of Kazakhstan
- to conserve the environment, treat with due care for natural resources:
- to implement measures to protect and improve the environment;
- to promote the implementation of measures, aimed at the rational use of nature, environment protection and ecological safety;
- to apply to the government bodies with letters, complaints, requests and suggestions on the issues of environment protection and to require their consideration
- to submit proposals for public environmental expert review and take part in it
- to prevent threats to environmental security, which may occur through their own fault:

DUTIES



5. Make a table using words and phrases from the box.



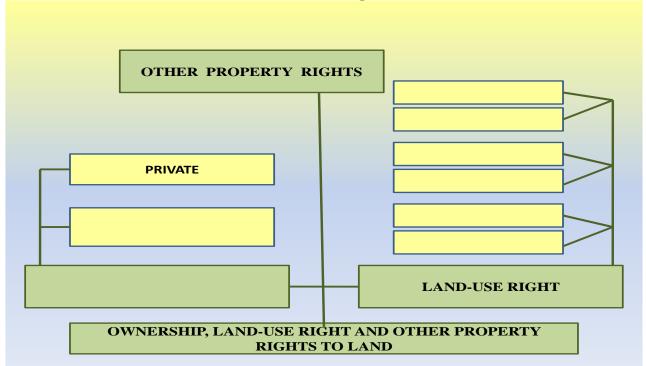
- biodiversity,
- biological resources,
- genetically modified products,
- environment,
- environmental damage,
- environment protection,
- environmental conditions (habitat),
- natural resources,
- ecological system (ecosystem),
- ecological safety

| a set of natural and cultural objects, including open air, the |
|--|
| ozone layer of the Earth, surface and underground water, |
| land, minerals, flora and fauna, as well as the climate in their |
| interaction |
| the variety of flora and fauna objects within the framework |
| of one specie, between species and in the ecological systems |
| natural objects with customer value: land, minerals, water, |
| flora and fauna |
| an interconnected set of organisms and non-living |
| environment of their habitat, interacting as a functional unit |
| the type of locality or place of the natural habitat of a |
| particular organism or population |
| genetic resources, organisms or their parts, populations or |
| any other biotic component of ecosystems with actual or |
| potential use or value for humanity |
| pollution of the environment or the harvesting of natural |
| resources over the established limits, causing or inducing the |
| degradation and depletion of natural resources, or the death |
| of living organisms |
| the security of vital interests and rights of the individual, |
| society and the state from threats arising as a result of |
| anthropogenous and natural impacts on the environment |
| plant products and (or) ingredients of animal origin, made by |
| using genetic engineering methods, containing nonliving |
| genetically modified organisms or their components; |
| a system of government and public measures, aimed at the |
| preservation and restoration of the environment, prevention |
| of adverse effects of economic and other activities on the |
| environment and the elimination of its consequences |
| |

6. Read the Article 1 "Land Fund of the Republic of Kazakhstan" of the Land Code of the Republic of Kazakhstan and add the scheme with missing elements.



7. Read the Section 2 of the Land Code of the Republic of Kazakhstan and add the scheme with missing elements.



8. Continue an English-Russian glossary.

| | THE ENVIR | RONMENTAL AND LAND LAW OF THE REPUBLIC OF KAZAKHSTAN |
|----|-------------------------|---|
| No | TERM | DEFINITION |
| 1 | The environment | a set of natural and cultural objects, including open air, the ozone layer of the Earth, surface and underground water, land, minerals, flora and fauna, as well as the climate in their interaction |
| | Окружающая среда | совокупность природных и искусственных объектов, включая атмосферный воздух, озоновый слой Земли, поверхностные и подземные воды, земли, недра, растительный и животный мир, а также климат в их взаимодействии |
| 2 | Arable land | land that systematically processed and used for sowing of crops, including perennial grasses, as well as fallow. |
| | Пашня | земельный участок, систематически обрабатываемый и используемый под посевы сельскохозяйственных культур, включая посевы многолетних трав, а также чистые пары |
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9. Check test.

- 7.1 Main branches' source of the environmental law of the republic of Kazakhstan is:
- A) Civil Code of RK
- B) Code of the RK about marriage (matrimony) and family
- C) Code of RK On Administrative Infractions
- D) Environmental Code of RK
- E) Labor Code of RK

- 7.2 Main branches' source 'f the land law of the republic of Kazakhstan is:
- A) Civil Code of RK
- B) Code of the RK about marriage (matrimony) and family
- C) Code of RK On Administrative Infractions
- D) Land Code of RK
- E) Labor Code of RK

- 7.3 Find the mistake. Environmental Code of the RK shall regulate relations:
- A) in the scope of environment protection
- B) in the scope of reclamation of the environment
- C) in the scope of conservation of the environment
- D) in the scope of the natural resources utilization and restoration of natural resources in the implementation of business and other activities, related to the natural resources utilization and the environmental modification
- E) in the scope of Land Fund management

- 7.4 What are subject to special protection?:
- A) natural area of preferential protection and objects of the state nature reserve fund;
- B) the gene pool of living organisms, natural ecological systems;
- C) the land, mineral resources, surface and ground water, air;
- D) the climate and ozone layer;
- E) the forests and other vegetation, animal life.

- 7.5 Find the mistake. The types of nature management shall include:
- A) the use of wildlife;
- B) the use of air space;
- C) the plant life use;
- D) emissions into the environment;
- E) forest use.

- 7.6 Find the mistake. Environmental monitoring shall include the following types:
- A) monitoring of open air state;
- B) soil monitoring;
- C) radiation monitoring;

- D) monitoring of the quality state of water resources;
- E) monitoring of the plant world

- 7.7 Find the mistake. Monitoring of natural resources shall include the following:
- A) background monitoring;
- B) monitoring of forests;
- C) monitoring of water bodies and their use;
- D) monitoring of wildlife;
- E) monitoring of mineral resources;

- 7.8 Find the mistake. Special types of monitoring are:.
- A) monitoring of military test sites;
- B) sanitary and epidemiological monitoring;
- C) monitoring of the climate and the ozone layer of the Earth;
- D) monitoring of "Baikonur" space-r"cket complex;
- E) monitoring of protected areas;

- 7.9 The environmental situation, which arose in the area where as a result of economic and other activities or natural processes have place stable negative changes in the environment that threaten to the public health, the natural ecological systems, genetic foundations of plants and animals .
- A) environmental disaster
- B) ecological hazard;
- C) ecologically destructive object
- D) environmental emergency situation
- E) ecologically destructive technologies

- 7.10 The environmental situation that arose in the area where as a result of economic and other activities or natural processes have taken places profound irreversible environmental changes that led to a significant deterioration of the population health, the destruction of natural ecosystems, degradation of flora and fauna -:
- A) environmental emergency situation;
- B) ecological hazard;
- C) environmental disaster
- D) ecologically destructive object
- E) ecologically destructive technologies

- 7.11 Find the mistake. Land Fund of the Republic of Kazakhstan in accordance with the purpose divided into the following categories:
- A) desert:
- B) reserve lands:
- C) land health, recreational, historical and cultural destination;
- D) agricultural land;

| E) ground water resources. *********************************** |
|--|
| 7.12 Find the mistake. On the territory of the Republic of Kazakhstan on natural conditions, divided into the following areas: A) desert; B) central asian mountain; C) steppe; D) ground water resources; E) subtropical desert. ************************************ |
| 7.13 One of the objectives of the land legislation of the Republic of Kazakhstan is: A) preserve the land as a natural resource, basic life and work of the people of the Republic of Kazakhstan; B) the protection and rational use of land; C) public support for the use and protection of land; D) proper use of land; E) establishment of foundations, the conditions and limits of, modification and termination of ownership of land and land-use rights. ************************************ |
| 7.14 The right of limited use other people's trust 'and, including the passage, transportation, installation and maintenance of necessary communications, hunting and other purposes: A) land ownership B) object relations of land C) land registry D) condominium E) easement ************************************ |
| 7.15 All lands not granted to property or land under the jurisdiction of the district executive: A) reserve lands; B) lands protected areas; C) lands recreational purposes; D) lands of industry; E) land of the suburban areas. ************************************ |
| 7.16 Land outside the city limits that make the city a single social, environmental and economic territory: A) reserve lands; B) lands protected areas; C) lands recreational purposes; D) lands of industry; E) land of the suburban areas. |

- 7.17 Lands that are intended and used for organized public recreation and tourist population:
- A) reserve lands;
- B) lands protected areas;
- C) lands recreational purposes;
- D) lands of industry;
- E) land of the suburban areas.

- 7.18 Lands of state natural reserves, national natural parks, state natural reserves, national regional natural parks, public zoological parks, public botanical gardens, public parks and public dendrological natural monuments:
- A) reserve lands;
- B) lands protected areas;
- C) lands recreational purposes;
- D) lands of industry;
- E) land of the suburban areas.

- 7.19 Lands provided for the deployment and operation of industrial facilities, including their health and safety and other areas:
- A) reserve lands;
- B) lands protected areas;
- C) lands recreational purposes;
- D) lands of industry;
- E) land of the suburban areas.

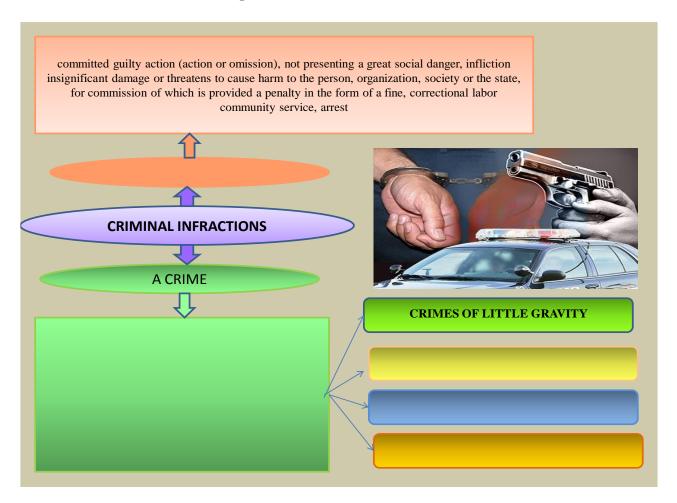
- 7.20 Territorial space within which established the sovereignty of the Republic of Kazakhstan, natural resource, all common means of production and the territorial basis of any process of employment:
- A) object relations of land
- B) land ownership
- C) land
- D) special land fund
- E) state land

BASICS OF THE CRIMINAL LAW OF THE REPUBLIC OF KAZAKHSTAN

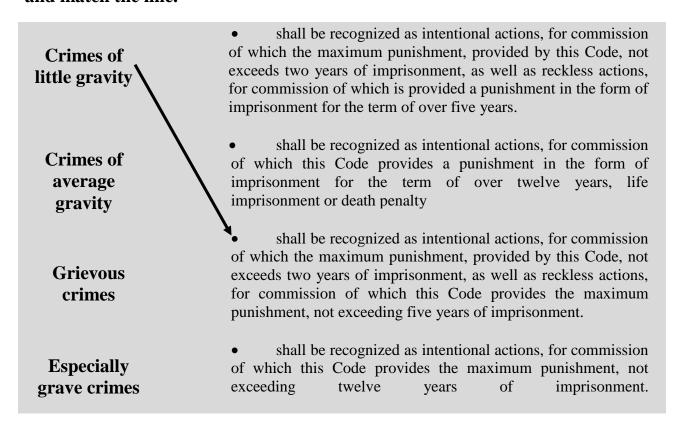
The main message: Criminal law is the branch of law, which defines: the concept and attributes of crime, the grounds and limits of criminal liability for the commission of a crime as well as the conditions necessary for an exemption from criminal liability and punishment. The objectives of the criminal law are: the protection of the rights, freedoms and legitimate interests of citizens, property, rights and legitimate interests of organizations, public order and safety, the environment, and the constitutional order and territorial integrity of the Republic of Kazakhstan, the legally protected interests of society and the state from criminal protection of the peace and security of mankind, and the prevention of crime.

The main source of criminal law is the Criminal Code of the Republic of Kazakhstan, signed by the Head of the State of the Republic of Kazakhstan on the 3d of July 2014.

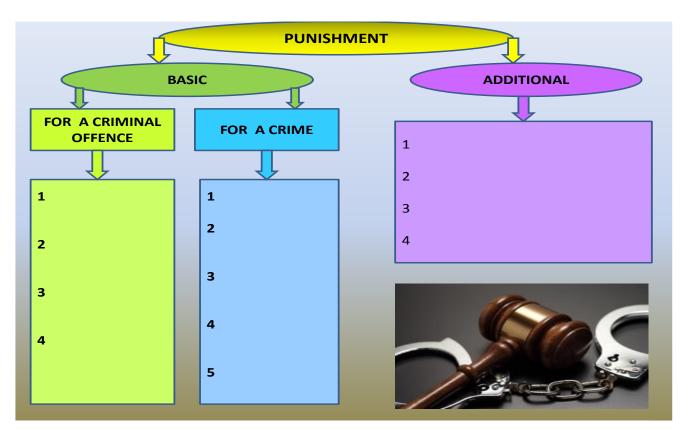
1. Read the section 2 "Criminal infractions" of Criminal Code and add the scheme with missing elements.



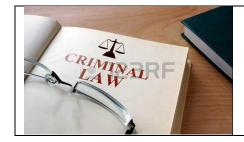
2. Read the Article 11. "Categories of crimes" of the Criminal Code and match the line.



3. Read the Article 40. "Types of punishments" of Criminal Code and add the scheme with missing elements.



4. Complete the sentences with words and phrases from the box.



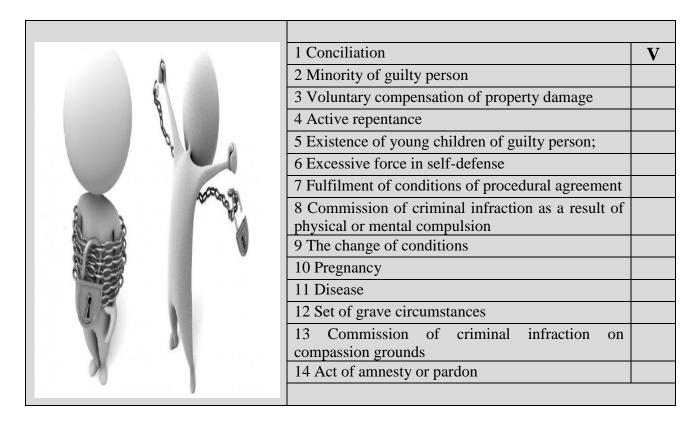
1.

Criminal, necessary defence, order, sane, repeated, insane, instruction, mental, repetition, physical, substantiated risk, sixteen

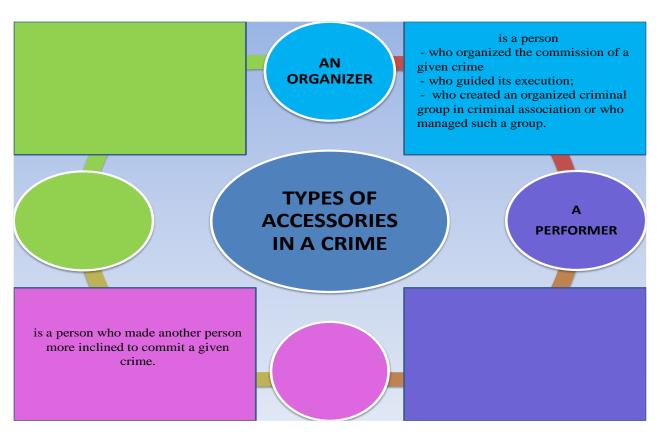
Criminal Infractions

| | criminal infractions sh | nall be recognized as commission of |
|------------------------|---------------------------------|--|
| two or more actions, | provided by the same Articl | le or part of Article of Special part of |
| the Criminal Code. | | |
| 2 | of crimes sh | nall be recognized as commission of |
| | | son is convicted to imprisonment for |
| commission of griev | ous. Crime. | |
| 3. Compulsor | y measures of a medical nat | ture, provided by the Criminal Code |
| may be applied to th | e person, recognized by cour | rt as |
| 4. A person s | hall subject to a criminal re | responsibility only for those socially |
| dangerous actions (| actions or omission) and s | socially dangerous consequences in |
| relation of which his | fault is established. | |
| 5 | | shall be recognized as lawful |
| protection of persor | nality and rights of defender | er and other persons, as well as the |
| interests of society a | and the state protected by the | e Law, from socially assault, as well |
| as by infliction of ha | rm to an attacker. | |
| | | rotected by the Criminal Code upon |
| | | for achievement of the |
| socially useful objec | tive shall not be a criminal in | nfraction. |
| | | cted by the Criminal Code by person, |
| acted in pursuance of | of or _ | , compulsory for |
| him (her) shall not b | e a criminal infraction. | |
| 8. Infliction of | f harm to the interests, protec | cted by the Criminal Code as a result |
| of | or coercion, if in co | onsequence of such coercion a person |
| could not manage hi | s (her) actions (omission) sha | all not be a criminal infraction. |
| 9 | individual, reach | ned the age of |
| at the tim | e of the commission of a cri | riminal infraction shall subject to the |
| | responsibility. | |

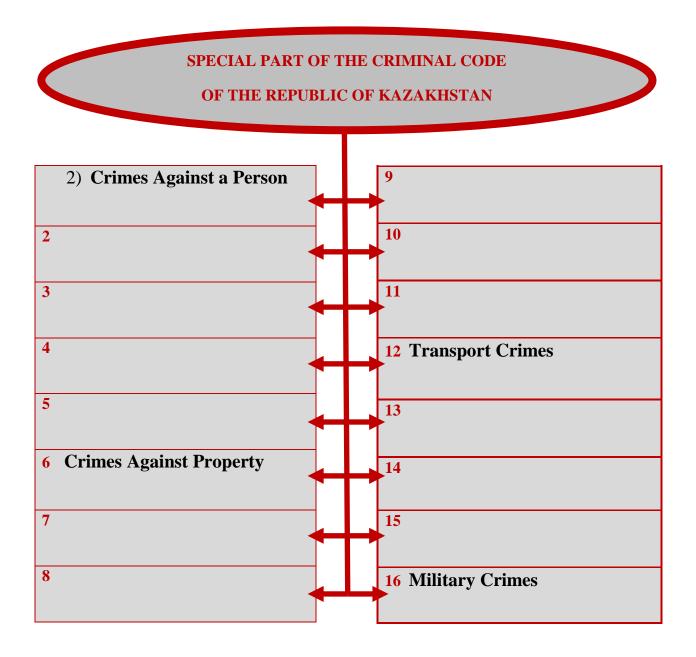
5. Read the Section 5 of the Criminal Code and find the bases of release from criminal responsibility and punishment.



6. Read the articles 27, 28 of Criminal Code and add the scheme with missing elements.



7. Read the content of Special part of the Criminal Code of the Republic of Kazakhstan and add the scheme.





8. Continue an English-Russian glossary.

| | THE CRIMI | NAL LAW OF THE REPUBLIC OF KAZAKHSTAN |
|----|--|--|
| No | TERM | DEFINITION |
| 1 | A complicity in criminal infraction | an intentional joint participation of two or more persons in commission of intentional criminal infraction |
| | Соучастие в уголовном правонарушении | умышленное совместное участие двух или более лиц в совершении умышленного уголовного правонарушения |
| 2 | Fine | is a monetary penalty, inflicted within provided by this Code, in the amount, relevant to the definite quantity of monthly calculation indices, established by the legislation of the Republic of Kazakhstan and acted at the moment of commission of criminal infraction, or in the amount of multiple sum or cost of bribe |
| | Штраф | денежное взыскание, назначаемое в пределах, предусмотренных настоящим Кодексом, в размере, соответствующем определенному количеству месячных расчетных показателей, установленных законодательством Республики Казахстан и действовавших на момент совершения уголовного правонарушения, либо в размере, кратном сумме или стоимости взятки. |
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9. Check test.

- 8.1 Main branches' source of the criminal law of the republic of Kazakhstan is:
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- B) Code of the RK about marriage (matrimony) and family
- C) Code of RK On Administrative Infractions
- D) Criminal Code of RK
- E) Labor Code of RK

- 8.2 Commission of criminal infraction, in other words the action that contains all the signs of component element of the crimes or criminal offence, provided by the Criminal Code of the RK
- A) administrative infraction
- B) basis for administrative liability
- C) criminal infraction
- D) basis for criminal liability
- E) criminal sanction

- 8.3 Find the mistake. The Criminal code of the RK shall:
- A) establish the grounds and principles of administrative infraction B) determine which of the actions, dangerous for the individual, society and the state shall be criminal actions
- C) determine which of the actions, dangerous for the individual, society and the state shall be criminal offences
- D) determine the punishment and other measures of criminal and legal effect for the commission of criminal infractions
- E) establish the grounds of criminal responsibility ************

0.4.5

- 8.4 Forms of guilt are:
- A) intent and negligence
- B) self-reliance and negligence
- C) intent and self-reliance
- D) intent, self-reliance and negligence
- E) sanity and intent

- 8.5 A criminal infractions shall be divided into
- A) crimes and administrative infraction
- B) criminal offences and disciplinable offenses
- C) crimes and criminal offences
- D) crimes and civil offences
- E) criminal offences and civil offences

- 8.6 The crimes shall be divided into crimes of:
- A) crimes of little gravity and crimes of average gravity

- B) grievous crime and especially grave crimes
- C) crimes of average gravity, grievous crime and especially grave crimes
- D) crimes of little gravity, crimes of average gravity and grievous crime
- E) crimes of little gravity, crimes of average gravity, grievous crime and especially grave crimes

- 8.7 Accomplices of criminal infraction shall be recognized as:
- A) abettor and accomplice
- B) perpetrator, organizer, abettor and accomplice
- C) organizer and abettor
- D) organizer and accomplice
- E) organizer, abettor and accomplice

- 8.8 Individual that during commission of illegal action could not realize actual character and danger of own actions (omission) or manage by them due to chronicle mental disease, temporary mental disorder, feeblemindedness or other diseased mental state.
- A) legal insanity
- B) intent
- C) negligence
- D) self-reliance
- E) sanity

- 8.9 Find the mistake. Circumstances excluding criminal liability
- A) necessary defence
- B) extreme necessity
- C) physical or psychic compulsion
- D) execution of an order or regulation
- 8.10 Find the mistake. The following basic punishments may be applied to the person, recognized as a guilty in commission of criminal offence:
- A) fine;
- B) corrective labors:
- C) imprisonment
- D) community service;
- E) arrest.

- 8.11 The killing by a mother of her newborn child is one of the criminal infractions:
- A) Against persons
- B) Against the family and minors
- C) Against peace and human security

- D) Against the health of population and morality
- E) Against public security and public order

- 8.12 Cruelty to animals is one of the criminal infractions:
- A) Against persons
- B) Against the health of population and morality
- C) Against peace and human security
- D) Against the family and minors
- E) Against public security and public order

- 8.13 Taking of hostage is one of the criminal infractions:
- A) Against persons
- B) Against the family and minors
- C) Against public security and public order
- D) Against the health of population and morality
- E) Against peace and human security

- 8.14 An act of terrorism is one of the criminal infractions:
- A) Against persons
- B) Against the family and minors
- C) Against peace and human security
- D) Against the health of population and morality
- E) Against public security and public order

- 8.15 Threat is one of the criminal infractions:
- A) Against persons
- B) Against the family and minors
- C) Against peace and human security
- D) Against the health of population and morality
- E) Against public security and public order

- 8.16 Trafficking in minors is one of the criminal infractions:
- A) Against persons
- B) Against the family and minors
- C) Against peace and human security
- D) Against the health of population and morality
- E) Against public security and public order

- 8.17 Illegal removal of organs or body tissues of dead body is one of the criminal infractions:
- A) Against persons
- B) Against the family and minors
- C) Against peace and human security
- D) Against the health of population and morality

E) Against public security and public order

- 8.18 Leaving in danger is one of the criminal infractions:
- A) Against persons
- B) Against the family and minors
- C) Against peace and human security
- D) Against the health of population and morality
- E) Against public security and public order ************
- 8.19 Substitution of child is one of the criminal infractions:
- A) Against persons
- B) Against the family and minors
- C) Against peace and human security
- D) Against the health of population and morality
- E) Against public security and public order **************
- 8.20 Kidnapping is one of the criminal infractions:
- A) Against persons
- B) Against the family and minors
- C) Against peace and human security
- D) Against the health of population and morality
- E) Against public security and public order

Answer keys for self-check

| 1 THI | 1 THE MAIN CONCEPTS ABOUT THE STATE, LAW AND STATE-AND- LEGAL PHENOMENA | | | | | | | | | |
|---------|---|---------|----------|---------|---------|---------|---------|--------|------|--|
| 1.1 | 1.2 | 1.3 | 1.4 | 1.5 | 1.6 | 1.7 | 1.8 | 1.9 | 1.10 | |
| С | В | A | В | Е | A | D | A | В | С | |
| 1.11 | 1.12 | 1.13 | 1.14 | 1.15 | 1.16 | 1.17 | 1.18 | 1.19 | 1.20 | |
| A | В | A | D | C | D | В | В | В | Е | |
| | 2 BASICS OF THE CONSTITUTIONAL LAW OF THE REPUBLIC OF KAZAKHSTAN | | | | | | | | | |
| 2.1 | 2.2 | 2.3 | 2.4 | 2.5 | 2.6 | 2.7 | 2.8 | 2.9 | 2.10 | |
| A | A | С | Е | Е | В | В | С | С | A | |
| 2.11 | 2.12 | 2.13 | 2.14 | 2.15 | 2.16 | 2.17 | 2.18 | 2.19 | 2.20 | |
| Е | A | В | D | A | С | A | С | Е | Е | |
| 3 BASIC | 3 BASICS OF THE ADMINISTRATIVE LAW OF THE REPUBLIC OF KAZAKHSTAN | | | | | | | | | |
| 3.1 | 3.2 | 3.3 | 3.4 | 3.5 | 3.6 | 3.7 | 3.8 | 3.9 | 3.10 | |
| C | D | Е | Е | В | A | C | Е | D | С | |
| 3.11 | 3.12 | 3.13 | 3.14 | 3.15 | 3.16 | 3.17 | 3.18 | 3.19 | 3.20 | |
| В | A | C | D | D | A | В | D | A | D | |
| 5 B | SASICS O | F THE C | TIVIL LA | W OF TI | HE REPU | BLIC OI | F KAZAI | KHSTAN | | |
| 4.1 | 4.2 | 4.3 | 4.4 | 4.5 | 4.6 | 4.7 | 4.8 | 4.9 | 4.10 | |
| D | A | В | C | Е | D | A | A | С | С | |
| 4.11 | 4.12 | 4.13 | 4.14 | 4.15 | 4.16 | 4.17 | 4.18 | 4.19 | 4.20 | |
| C | D | C | C | D | В | Е | C | Е | В | |
| 5 F | 5 BASICS OF THE FAMILY LAW OF THE REPUBLIC OF KAZAKHSTAN | | | | | | | | | |
| 5.1 | 5.2 | 5.3 | 5.4 | 5.5 | 5.6 | 5.7 | 5.8 | 5.9 | 5.10 | |
| В | В | В | Е | A | A | A | В | В | В | |
| 5.11 | 5.12 | 5.13 | 5.14 | 5.15 | 5.16 | 5.17 | 5.18 | 5.19 | 5.20 | |
| Е | Е | Е | C | D | C | D | A | D | C | |
| 6] | 6 BASICS OF THE LABOR LAW OF THE REPUBLIC OF KAZAKHSTAN | | | | | | | | | |
| 6.1 | 6.2 | 6.3 | 6.4 | 6.5 | 6.6 | 6.7 | 6.8 | 6.9 | 6.10 | |
| D | A | В | С | Е | Е | A | Α | В | A | |
| 6.11 | 6.12 | 6.13 | 6.14 | 6.15 | 6.16 | 6.17 | 6.18 | 6.19 | 6.20 | |
| В | E | A | A | C | C | D | D | D | C | |

7 BASICS OF THE ENVIRONMENTAL AND LAND LAW OF THE REPUBLIC OF KAZAKHSTAN

| 7.1 | 7.2 | 7.3 | 7.4 | 7.5 | 7.6 | 7.7 | 7.8 | 7.9 | 7.10 |
|------|------|------|------|------|------|------|------|------|------|
| D | D | Е | A | В | Е | A | Е | D | C |
| 7.11 | 7.12 | 7.13 | 7.14 | 7.15 | 7.16 | 7.17 | 7.18 | 7.19 | 7.20 |
| Α | D | Е | Е | Α | Е | С | Α | D | С |

8 BASICS OF THE CRIMINAL LAW OF THE REPUBLIC OF KAZAKHSTAN

| 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 8.7 | 8.8 | 8.9 | 8.10 |
|------|------|------|------|------|------|------|------|------|------|
| D | D | A | A | C | Е | В | A | Е | C |
| 8.11 | 8.12 | 8.13 | 8.14 | 8.15 | 8.16 | 8.17 | 8.18 | 8.19 | 8.20 |
| A | В | С | Е | A | В | D | A | В | A |

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