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NOTARIES

Practicum

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The "Notaries" is the basic course. Its study will help students master the profession of a notary. This course is aimed at training of highly qualified specialists in theoretical and practical issues of notarial activity, ready to meet the complex challenges posed to them by practice and capable of effectively protecting the legitimate rights and interests of the persons who addressed them.

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 "Notaries". Practicum is intended for students of legal specialty.

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Preface

"Notaries of the Republic of Kazakhstan" is the basic elective course. In modern conditions, the role of notaries was increasing markedly. Reforming of property relations and other contractual relations was an objective factor of modern allocation of role and importance of notaries in Kazakhstan. The notaries in legal system, certainly, carries out as one of the main function of rendering legal aid to many categories of citizens, and also legal entities. The theoretical understanding of place and role of notaries in legal system of Kazakhstan, its communication and interaction with law enforcement and other government bodies in the sphere of administration of justice, the rights and freedoms of citizens has basic value in creation of the constitutional state in our country.

The legislative base of national model of notaries answers to the fundamental principles of Latin type of notaries. The notary in Latin notaries – the highly professional lawyer, prestige of this profession is very high therefore requirements to the candidates in notaries are great. Therefore, the main purpose of teaching students is not only to form their knowledge of the current legislation on notarial issues, but also to develop skills in performing notarial actions [1].

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.

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

1 English-Russian glossary.

ORGANIZATION AND LEGAL BASIS OF NOTARIAL ACTIVITY ОРГАНИЗАЦИОННЫЕ И ПРАВОВЫЕ ОСНОВЫ ДЕЯТЕЛЬНОСТИ НОТАРИАТА		
№	TERM	DEFINITION
1	The Kazakhstan Notary Profession	a legal institution providing qualified legal assistance and protection of rights and legal interests of individuals and legal entities by carrying out notarial activities.
	Нотариат в Республике Казахстан	правовой институт по оказанию квалифицированной юридической помощи, обеспечивающий защиту прав и законных интересов физических, юридических лиц путем совершения нотариальных действий.
2	Notarial activity	is carrying out of notarial activities provided for by this Law and other Kazakh legislative acts, by the notary.
	Нотариальная деятельность	совершение нотариусом нотариальных действий, предусмотренных настоящим Законом и иными законодательными актами Республики Казахстан.
3	The unified notarial information system	a hardware and software complex, intended for automation of notarial activities and interaction of judicial bodies and notary associations.
	Единая нотариальная информационная система	аппаратно-программный комплекс, предназначенный для автоматизации нотариальной деятельности и взаимодействия органов юстиции и нотариальных палат.
4	The International Union of Notaries (UINL)	is a non-governmental organization established to promote, co-ordinate and develop the duties and activities of Notaries in the whole world.
	Международный союз латинского нотариата	является неправительственной организацией, созданной для продвижения, координации и развития обязанностей и деятельности нотариусов во всем мире.

5	Notary in private practice	a citizen, involved in notarial activities without establishing a legal entity on the basis of a license, who insured his civil liability for obligations arising from harm resulting from notarial acts, and became a member of the notarial chamber.
	Нотариус, занимающийся частной практикой	гражданин, осуществляющий нотариальную деятельность без образования юридического лица на основании лицензии, застраховавший свою гражданско-правовую ответственность по обязательствам, возникающим вследствие причинения вреда в результате совершения нотариальных действий, вступивший в члены нотариальной палаты.
6	State notary office	a structural subdivision of the territorial body of justice without legal entity rights, and shall act on the basis of the Provisions confirmed by this body.
	Государственная нотариальная контора	структурное подразделение территориального органа юстиции, не имеет прав юридического лица и действует на основании Положения, утвержденного этим органом.
7	Notarial district	shall be recognized as a territory of one region, city of national significance or the capital city, in accordance with the administrative territorial division of the Republic of Kazakhstan.
	Нотариальный округ	в соответствии с административно-территориальным делением Республики Казахстан признается территория одной области, города республиканского значения и столицы.
8	Disciplinary commission	the body for considering appeals, complaints about violation by members of the notarial chamber of the requirements of the legislation of the Republic of Kazakhstan, the Notary Code of Ethics, the charter of the notarial chamber, the conditions for membership in the notarial chamber
	Дисциплинарная комиссия	орган по рассмотрению обращений, жалоб о нарушении членами нотариальной палаты требований законодательства Республики Казахстан, Кодекса

		этики нотариуса, устава нотариальной палаты, условий членства в нотариальной палате.
9	Notary association / chamber	an uncommercial professional self-financing organization, created for expressing and protecting the rights and legal interests of notaries in private practice and monitoring observance of legislation on notaries in provision of notarial activities.
	Нотариальная палата	Некоммерческая профессиональная самофинансируемая организация, создаваемая для выражения и защиты прав и законных интересов нотариусов, занимающихся частной практикой, а также для осуществления контроля за соблюдением законодательства о нотариате при совершении нотариальных действий.
10	The Republican notarial chamber	a non-profit, professional, self-financing organization uniting territorial notarial chambers based on their mandatory membership.
	Республиканская нотариальная палата	некоммерческая профессиональная самофинансируемая организация, объединяющая территориальные нотариальные палаты, основанная на их обязательном членстве.
11	The general meeting of members	the supreme body of the notary association / chamber
	Общее собрание членов нотариальной палаты	высший орган управления нотариальной палаты.
12	The audit commission of the notarial chamber	the body that exercises control over the financial and economic activities of the notarial chamber
	Ревизионная комиссия нотариальной палаты	орган, осуществляющий контроль за финансово-хозяйственной деятельностью нотариальной палаты.

13	The private notarial archive	a branch of the territorial notary association, which shall accumulate, store and use of notarial documents in accordance with Kazakh legislation concerning national funds and archives.
	Частный нотариальный архив	филиал территориальной нотариальной палаты, осуществляющий функции по накоплению, хранению и использованию нотариальных документов в соответствии с законодательством Республики Казахстан о Национальном архивном фонде и архивах.
14	Civil liability of a private notary	the obligation of a private notary to compensate the damage caused by notarial actions, established by the civil legislation of the Republic of Kazakhstan
	Гражданско-правовая ответственность частного нотариуса	установленная гражданским законодательством Республики Казахстан обязанность частного нотариуса возместить вред, причиненный в результате совершения нотариальных действий
15	Policyholder	a private notary who has concluded a contract of compulsory civil liability insurance of a private notary with the insurer [2]
	Страхователь	частный нотариус, заключивший со страховщиком договор обязательного страхования гражданско-правовой ответственности частного нотариуса
16	Third party	a person who is not a party to the contract of compulsory insurance of civil liability of a private notary, property interests of which are damaged in the performance of professional duties by a private notary, related to the performance of notarial acts, for the implementation of which the private notary in accordance with the legislation of the Republic of Kazakhstan on the notary shall be obliged to conclude a contract of compulsory insurance of civil liability of a private notary
	Третье лицо	лицо, не являющееся стороной договора обязательного страхования гражданско-правовой ответственности частного нотариуса, имущественным интересам которого причинен вред при выполнении частным нотариусом

		<p>профессиональных обязанностей, связанных с совершением нотариальных действий, для осуществления которых частный нотариус в соответствии с законодательством Республики Казахстан о нотариате обязан заключить договор обязательного страхования гражданско-правовой ответственности частного нотариуса</p>
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2 English-Russian glossary.

NOTARIAL ACTIVITIES AND RULES FOR ITS PROVISION НОТАРИАЛЬНЫЕ ДЕЙСТВИЯ И ПРАВИЛА ИХ СОВЕРШЕНИЯ		
№	TERM	DEFINITION
1	Production of certificate of acknowledgments	certificates of acknowledgment shall be produced upon issue of duplicates of materially certified documents and certification of accuracy of copies of documents and extracts from them, accuracy of translation of documents from one language to another, upon certification of time of presentation of documents on relevant documents.
	Совершение удостоверительных надписей	удостоверительные надписи совершаются при удостоверении сделок и выдаче дубликатов нотариально удостоверенных документов, свидетельствовании верности копий документов и выписок из них, подлинности подписи на документах, верности перевода документов с одного языка на другой, при удостоверении времени предъявления документов на соответствующих документах.
2	Issue of certificates	relevant certificates shall be issued for acceptance of inheritance, right of property, certification of facts of a citizen being alive and in a particular place, transfer of applications from individuals and legal entities to other individuals and legal entities, and acceptance of documents for safe storage.
	Выдача свидетельств	в подтверждение права наследования, права собственности, удостоверения фактов нахождения гражданина в живых и в определенном месте, передаче заявления физических и юридических лиц другим физическим и юридическим лицам, принятии на хранение документов выдаются соответствующие свидетельства.

3	Pronouncement of regulations	relevant regulations shall be pronounced when an inheritance trust manager is appointed.
	Вынесение постановлений	при назначении доверительного управляющего наследством нотариусом выносится соответствующее постановление.
4	Transactions	the actions of citizens and legal entities which are aimed at establishing, changing or terminating civil rights and obligations, shall be recognized as transactions.
	Сделки	действия граждан и юридических лиц, направленные на установление, изменение или прекращение гражданских прав и обязанностей.
5	A will	an expression of will of a person with regard to disposition of property belonging to him/her in the case of his/her death.
	Завещание	волеизъявление гражданина по распоряжению принадлежащим ему имуществом на случай смерти.
6	A power of attorney	a written authorization by one person (the grantor) for representation on his behalf, which is issued to another person (the trustee).
	Доверенность	письменное уполномочие одного лица (доверителя) для представительства от его имени, выдаваемое им другому лицу (поверенному).
7	Protest of a bill	protest of a bill in non-payment, non-acceptance and failure to date shall be performed by the notary in accordance with Kazakh legislative acts concerning exchange and promissory bills.
	Протест векселя	протест векселя в неплатеже, неакцепте и недатировании акцепта производится нотариусом в соответствии с законодательными актами Республики Казахстан о переводном и простом векселе.
8	Fulfillment of executive notes	in order to collect money or claim other movable property from the debtor, the notary shall make an executive note on the document establishing the debt, or issue a relevant resolution.

	Совершение исполнительных надписей	для взыскания денег или истребования иного движимого имущества от должника нотариус совершает исполнительную надпись на документе, устанавливающем задолженность, или выдает соответствующее постановление.
9	Issue of certificate of right of inheritance	certificates of right of inheritance shall be issued to heirs accepting the inheritance, in accordance with Kazakh civil legislation regulations.
	Выдача свидетельства о праве на наследство	свидетельство о праве на наследство выдается наследникам, принявшим наследство, в соответствии с нормами гражданского законодательства Республики Казахстан
10	Issue of certificate of right of inheritance of share in joint property	the notary shall issue a certificate of right to inheritance to the person(s) with jointly owned property and wishing the certificate of right to inheritance on such share following the joint written application of persons, having a property or right of joint property.
	Выдача свидетельства о праве собственности на долю в общей совместной собственности	нотариус по совместному письменному заявлению лиц, имеющих имущество на праве совместной собственности, выдает лицу или лицам, пожелавшим получить долю в общем имуществе, свидетельство о праве собственности на такую долю.
11	Issue of certificate of right to inheritance of a share in common property on application of surviving spouse	certificates of right to inheritance of a share in common property shall be issued by the notary at the location of opening of inheritance following the written application of surviving spouse, with notification of heirs accepting the inheritance.
	Выдача свидетельства о праве собственности на долю в общем имуществе супругов по заявлению пережившего супруга	в случае смерти одного из супругов свидетельство о праве собственности на долю в общем имуществе супругов выдается нотариусом по месту открытия наследства по письменному заявлению пережившего супруга, с извещением наследников, принявших наследство.

12	Certification of accuracy of copy of document issued by citizen	accuracy of copies of documents issued by citizens shall be certified by the notary in cases where the accuracy of a citizen's signature is certified on a document by the notary or civil servant authorized by this Law to carry out notarial activities.
	Свидетельствование верности копии документа, выданного гражданином	верность копии документа, выданного гражданином, свидетельствуется нотариусом в тех случаях, когда подлинность подписи гражданина на документе засвидетельствована нотариусом или должностным лицом, уполномоченным настоящим Законом совершать нотариальные действия.
13	Certification of accuracy of copy from copy of document	accuracy of copies from copy of document shall be certified by the notary provided the accuracy of the copy is notarially certified or the copy document is issued by the legal entity that issued the original document. In the latter case the copy document shall be made on this legal entity's headed paper and sealed and mention that the legal entity holds the original document.
	Свидетельствование верности копии с копии документа	верность копии с копии документа свидетельствуется нотариусом при условии, если верность копии засвидетельствована в нотариальном порядке или копия документа выдана юридическим лицом, от которого исходит подлинный документ. В последнем случае копия документа должна быть изготовлена на бланке данного юридического лица, скреплена печатью и иметь отметку о том, что подлинный документ находится у юридического лица.
14	Certification of authenticity of signature on document	notaries shall certify authenticity of signature on documents provided that their content does not contradict legislative acts and the exposition of transaction is not certified. Remember that shall not certificate the facts shown in the documents, and instead only confirm that the signature is made by the particular person.
	Свидетельствование подлинности	нотариус свидетельствует подлинность подписи на документе, содержание которого не противоречит законодательным актам, и не представляет собой

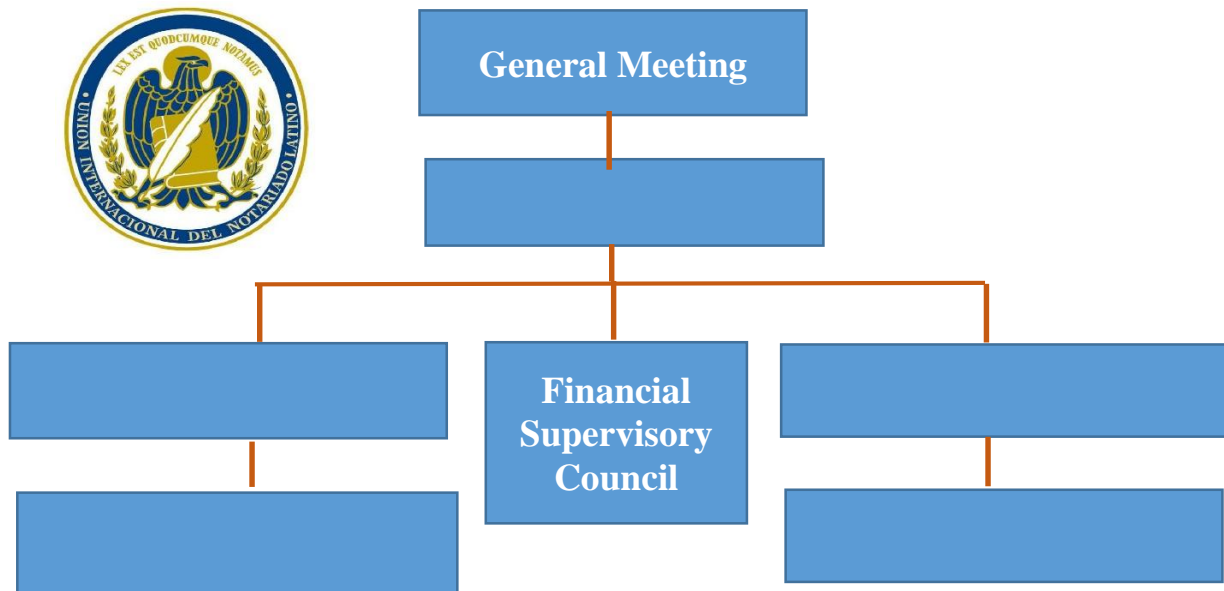
	подписи на документе	изложение сделки. Следует помнить нотариус не удостоверяет фактов, изложенных в документе, а лишь подтверждает, что подпись сделана определенным лицом.
15	Certification of accuracy of translation	a notary shall certify accuracy of translation from one language to another if the notary speaks the relevant language. If a notary does not speak the relevant language, a translation may be made by a translator, and then certified as authentic by the notary.
	Свидетельствование верности перевода	нотариус свидетельствует верность перевода с одного языка на другой, если нотариус владеет соответствующими языками. Если нотариус не владеет соответствующими языками, перевод может быть сделан переводчиком, подлинность подписи которого свидетельствует нотариус.
16	Certification of fact	a notary shall certify the fact that a citizen is alive, the fact that a citizen is in a particular place at that citizen's request, the time of presentation of document to him/her.
	Удостоверение факта	нотариус удостоверяет факт нахождения гражданина в живых, по просьбе гражданина удостоверяет факт нахождения его в определенном месте, время предъявления ему документа.
17	Transfer of declarations	transfer of declarations of individuals and legal entities to other individuals and legal entities shall be personally carried out by the notary on receipt or by post with return notification. Declarations may also be transferred by fax machine, computer network or other technical facilities.
	Передача заявлений	передача заявлений физических и юридических лиц другим физическим и юридическим лицам осуществляется нотариусом лично под расписку или по почте с обратным уведомлением. Заявления могут передаваться также с использованием телефакса, компьютерных сетей и иных технических средств.
18	Acceptance of money on deposit	a notary shall receive money on deposit from a debtor for transfer to a creditor in cases provided for by legislation.

	Принятие в депозит денег	нотариус в случаях, предусмотренных законодательством, принимает от должника в депозит деньги для передачи их кредитору.
19	Acceptance of documents and security papers for storage	a notary shall accept documents and security papers listed in an inventory for storage. One copy of the inventory shall be remained by the notary, another copy shall be issued to the person surrendering the documents and security papers for storage.
	Принятие на хранение документов и ценных бумаг	нотариус принимает на хранение документы и ценные бумаги по описи. Один экземпляр описи остается у нотариуса, другой экземпляр выдается лицу, сдавшему документы и ценные бумаги на хранение.
20	Declaration of marine protest	a notary shall accept a declaration by a ship's captain of an event occurring while the ship is sailing or in dock, if this is a basis for specifying the ship owner's property requirements in order to provide evidence for protection of the ship holder's rights and legal interests.
	Заявление о морском протесте	нотариус принимает в целях обеспечения доказательств для защиты прав и законных интересов судовладельца заявление капитана судна о происшествии, имевшем место в период плавания или стоянки судна, которое может явиться основанием для предъявления к судовладельцу имущественных требований.
21	Provision of evidence	a notary shall provide the evidence necessary in a case arising in a court or other component body at the request of the interested persons, if there are grounds for considering that presentation of the evidence will be impossible or difficult in the future. A notary shall question citizens, inspect documents and other <i>Items</i> , and if necessary commission an expert examination, in order to provide evidence.
	Обеспечение доказательств	по просьбе заинтересованных лиц нотариус обеспечивает доказательства, необходимые в случае возникновения дела в суде или другом компетентном органе, если имеются основания полагать, что представление доказательств


		<p>впоследствии станет невозможным или затруднительным. В порядке обеспечения доказательств нотариус опрашивает граждан, производит осмотр вещественных, письменных и электронных доказательств, при необходимости назначает экспертизу.</p>
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Topic 1 The main world notary systems. The International Union of Notaries [3].

1. Add the scheme with missing elements.



2. Read the topic “Concept, mission and structure of the International Union of Notaries” from Lecture 1 and decide whether these statements are true or false. If the statement is false, correct it.

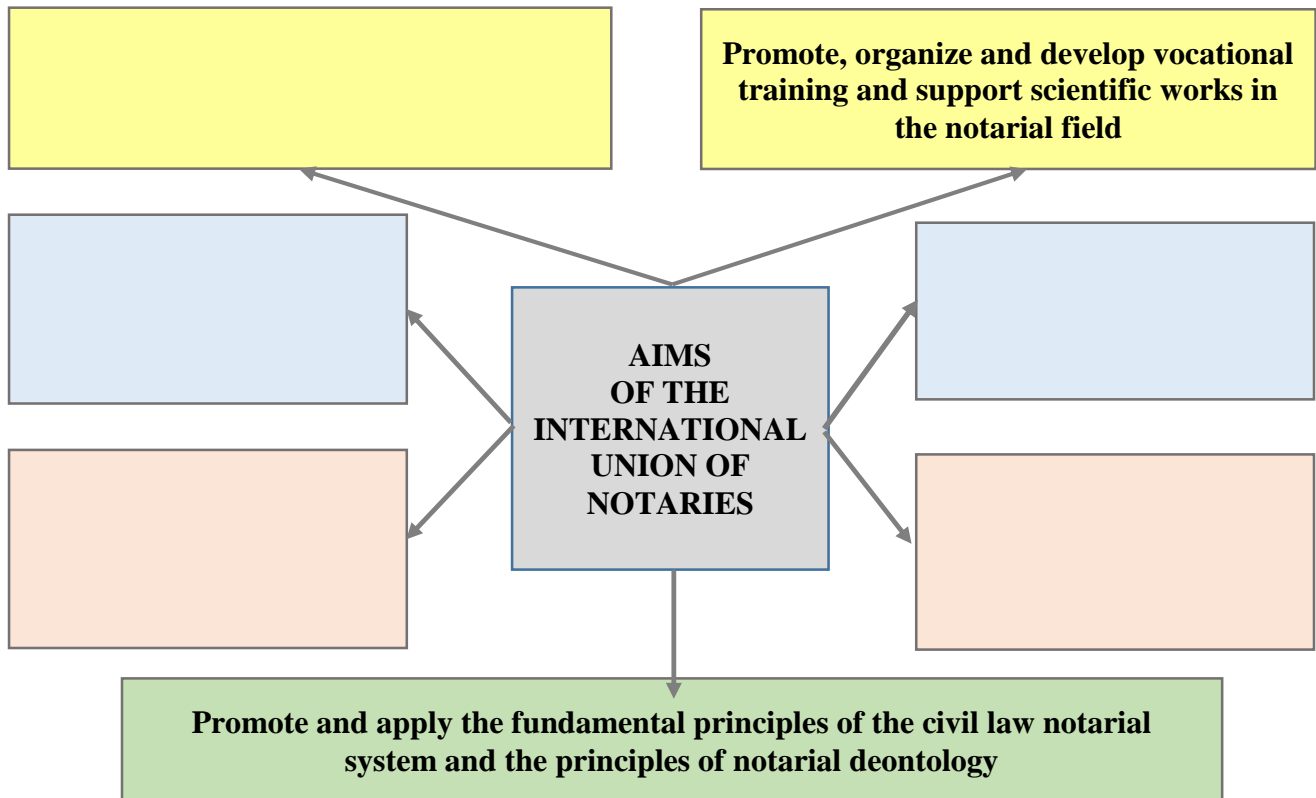
	1. The International Union of Notaries retains its original logo and acronym “UINL”	True
	2. The International Union of Notaries established at the first International Congress held in New York on 2nd October 1948	
	3. The International Union of Notaries is a non-governmental organization	
	4. The International Union of Notaries is established to promote, co-ordinate and develop the duties and activities of Lawyers in the whole world.	
5. The statutory office of the International Union of Notaries is in New York (USA)		
6. The administrative office of the International Union of Notaries is in Rome (Italy).		
7. The General Meeting is the supreme body of the International Union of Notaries.		
8. The President is the official representative of the International Union of Notaries as well as the guarantor of its unity.		
9. The Financial Supervisory Council is the executive and governing body of the International Union of Notaries as well as the guarantor of its unity.		
10. One of the aims of the International Union of Notaries is promote and apply the fundamental principles of the civil law notarial system and the principles of notarial deontology		

3. Match the line.

**THE COMMISSIONS OF THE UINL
ARE BROKEN DOWN INTO:**

CONTINENTAL COMMISSIONS	<ul style="list-style-type: none"> 1 International Notarial Co-operation Commission 2 Advisory Commission 3 African Affairs Commission 4 Themes and Congresses Commission 5 Notarial Social Security Commission
INTERCONTINENTAL COMMISSIONS	<ul style="list-style-type: none"> 6 Asian Affairs Commission 7 Notarial Deontology Commission 8 Human Rights Commission 9 European Affairs Commission 10 American Affairs Commission

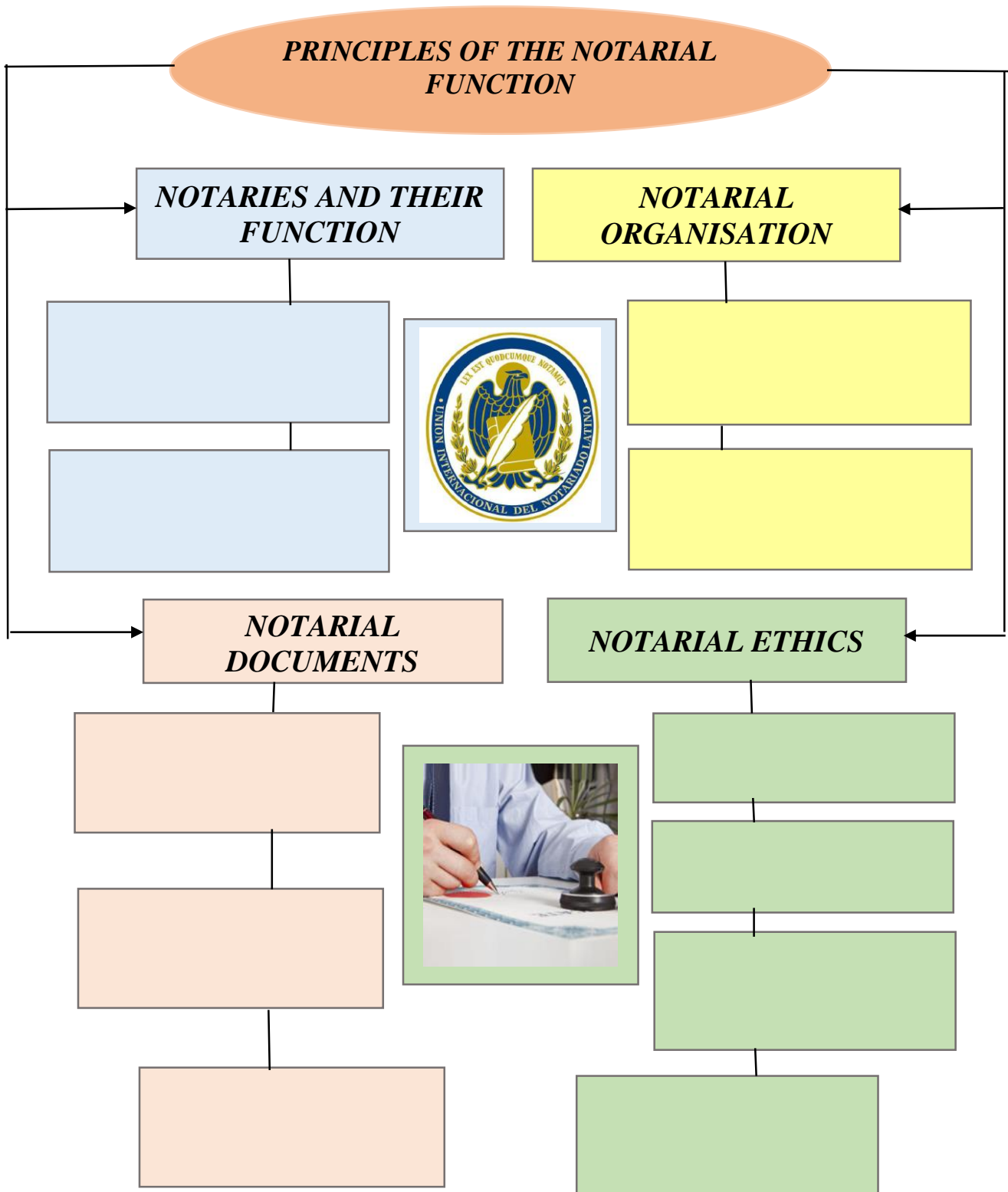
4. Add the scheme with missing elements.



5. Read the text below and add the scheme with missing elements.

PRINCIPLES OF THE NOTARIAL FUNCTION FOR ALL MEMBERS OF UNIL


- *Although Notaries have official powers they are required to act both impartially and independently, outside any State hierarchy.*
- *Notaries have sole responsibility for their own draftsmanship. They are free to accept or reject any proposal submitted to them and to make any amendments that they deem suitable by agreement with the parties.*
- *The law also determines the location of all Notaries' offices so as to ensure a fair distribution throughout the whole nation.*
- *Notarized deeds, which may be concerned with any kind of legal transaction, are deeds that are certified by a Notary. Their authenticity is based on the signature, date and content of the document. They are kept by the Notary in his archives.*
- *Notaries have a duty to act in good faith and with integrity towards those who request their services, towards the State and towards their colleagues.*
- *Notaries are professional lawyers and public officials appointed by the State to confer authenticity on judicial deeds and contracts contained in documents drafted by them and to advise persons who call upon their services.*
- *Notaries are bound by the ethical rules of their profession at both national and international level.*
- *Parties to a notarized deed are entitled to copies of the original kept by the Notary. Authenticated copies have the same standing as an original. Notaries can issue ordinary copies to persons who, under national law, have a legitimate interest in ascertaining their content.*
- *Choice of Notary is a matter for the parties alone.*
- *Notaries must be members of a collegiate body. A single organization consisting exclusively of Notaries represents the whole body of Notaries in every country.*
- *The law of each State determines the disciplinary code that applies to Notaries, who are to be under the constant supervision of their public authorities and collegiate bodies.*



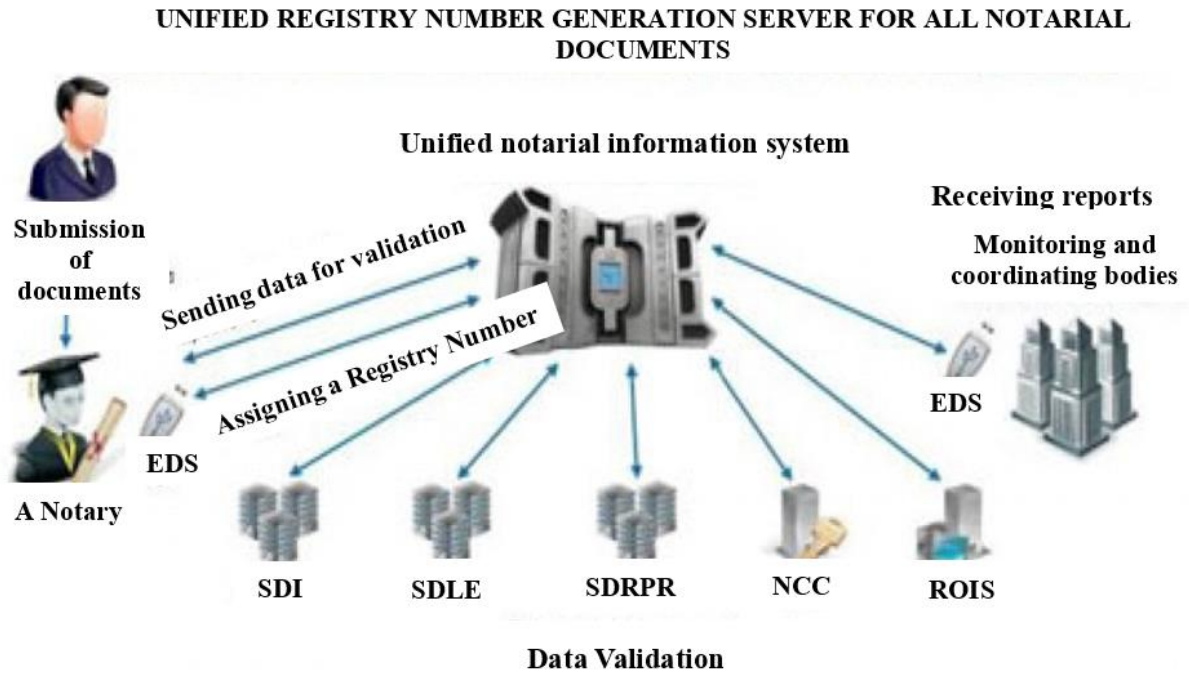
6. Fill empty lines in the table.

STRUCTURE OF THE LAW ON NOTARIES	
SECTION 1 ORGANIZATION AND LEGAL BASIS OF ACTIVITIES OF NOTARIES	SECTION 2 NOTARIAL ACTIVITIES AND RULES FOR ITS PROVISION
Chapter 1	Chapter 6
Chapter 2 Legal status of notary (art. 6 -25)	Chapter 7
Chapter 3	Chapter 8
Chapter 4	Chapter 9 Issue of certificate of right to inheritance (art. 60 -72)
Chapter 5	Chapter 10
	Chapter 11
	Chapter 12
	Chapter 13
	Chapter 14
	Chapter 14-1 Fulfillment of executive notes (art. 92-1 -92-8)
	Chapter 15
	Chapter 16
	Chapter 17
	Chapter 18

7. Read Article 3 of the Law On Notaries [4] and decide whether these statements are true or false. If the statement is false, correct it.

	1. Notarial activity is a business activity.	False
	2 Notarial activity is carrying out of notarial activities provided for by this Law and other Kazakh legislative acts, by the notary	
	3 Notarial activity in the Republic of Kazakhstan shall be based on the principles of legality, independence and impartiality	
	4 Ensuring secrecy of notarial activities is not obligatory for persons no longer working as notaries.	
5. Responsibility of confidentiality of notarial activities shall extend to trainees and clerks of notaries		
6. Information on notarial acts and documents shall be issued at the written request of the written request of any person who has applied to the notary		
7. Legal entities and civil servants must send the notary information and documents necessary for carrying out notarial activities, not later than ten calendar days from the date of the notary's demand		

8. Describe the Unified Notary Information System based on the scheme




Acronyms and terms used in the scheme

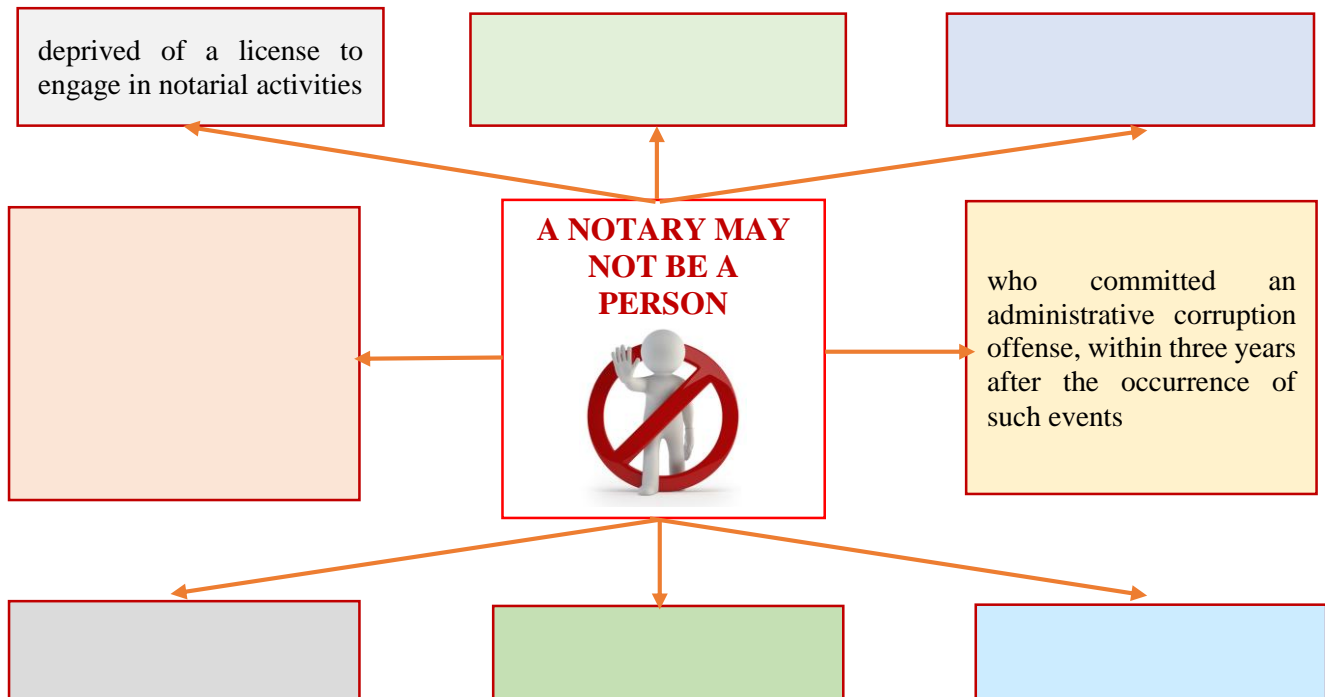
Acronym	Term in English	Term in Russian
SDI	State database "Individuals"	Государственная база данных "Физические лица"
SDLE	State database "Legal entities"	Государственная база данных "Юридические лица"
SDRPR	State database "Real Property Register"	Государственная база данных «Регистр недвижимости»
NCC	National Certification Centre	Национальный удостоверяющий центр
ROIS	Registry Office Information System	Информационная система «ЗАГС»
EDS	Electronic digital signature	Электронная цифровая подпись
-	Single registry number generation server for all notarial documents	Единый сервер генерации реестровых номеров для всех нотариальных документов
-	Submission of documents	Подача документов
-	Sending data for validation	Отправка данных на проверку
-	Assigning a Registry Number	Присвоение реестрового номера
-	Receiving reports	Получение отчетности
-	Monitoring and coordinating bodies	Контролирующие и координирующие органы
-	Data Validation	Проверка данных

Topic 2 Legal status of notary

1. Make a table.

		NOTARY IN THE REPUBLIC OF KAZAKHSTAN
1	Citizenship	
2	Age	
3	Education	
4	Work experience	
5	Internship	
6	Certification	

2. Read Article 6 of the Law on Notaries and add the scheme with missing elements.



3. Read Article 7 of the Law on Notaries and complete the sentences with words and phrases from the box.



the state notary association; trainees; professional knowledge; a notarial chamber; ten working days; Ministry of Justice; practical skills; legal; more than two; a compulsory condition; five years; program of professional preparation; experience; three years; agreement; extra time; notarial activities; a license; a report.

Internship for the right to engage in notarial activity

Notary may have clerks and _____.

Notary trainees may be citizens of the Republic of Kazakhstan with a higher _____ education.

Trainees shall undergo internships with notaries, having at least _____ of _____ in notarial activity.

A person applying for the right to engage in notarial activity shall conclude an internship _____ with _____.

The purpose of the internship shall be the acquisition by the trainee of _____ and _____ in performing notarial acts, organization of the work of a notary for the subsequent obtaining of _____ to engage in _____.

Not _____ trainees at the same time may undergo training with a notary.


Training shall be carried out according to unified _____ of trainees, confirmed by order of the Kazakh _____ by agreement with _____.

At the end of the internship, the notary shall prepare _____ that reflects the training program taken by the trainee, which is approved by the notarial chamber within _____. In case of incomplete mastering of the vocational training program by the trainee, the trainee shall be given _____.

The internship report shall be valid for _____ after its approval.

Completion of the professional training programme shall be _____ of training.

4. Read Articles 7-1, 7-2 of the Law on Notaries and decide whether these statements are true or false. If the statement is false, correct it.

	1. The certification commission of justice for the right to carry out notarial activity shall consist of seven members: two notaries, including the dean of the notarial chamber, two representatives of territorial body of justice, a legal scholar and two maslikhat deputies	True
	2 Representatives of mass media may not attend the session of commission of justice certification for the right to carry out notarial activity.	
	3 A person applying for the right to engage in notarial activity, after completing an internship, shall send an application at the place of residence to the appropriate attestation commission of justice	
4. Refusal of certification may not be appealed against before a court according to the procedure established by the Law		
5. Certification shall be conducted by the certification commission of justice for the right to carry out notarial activity as and when necessary, but at least once every month.		
6. Certification consists of two stages: 1) passing a computer test on awareness of Kazakh legislation; 2) oral test on exam papers.		
7. According to the results of certification, the certification commission of justice for the right to carry out notarial activity shall issue a well-grounded decision on whether or not to certificate not later than the day following certification		
8. The decision of the certification commission shall be effective for five years from the date of issue.		
9. Decisions of the certification commission of justice may not be appealed against before a court according to the procedure established by the Law.		
10. During certification, the applicant may use any information, specialist and other literature, communication tools, or notes.		
11. Applicants excluded from certification may send a repeat application for certification according to the procedure provided by this Law, upon expiry of three months from the date of issue of decision by the certification commission of justice for the right to carry out notarial activity.		

5. Read the text below and make a table.

THE GROUNDS FOR SUSPENSION AND TERMINATION OF NOTARY LICENSE

- recognition of a notary as totally or partly incapacitated for work, according to the procedure established by legislation;
- approval by the prosecutor of the indictment against the notary in the criminal case, the protocol on the criminal misconduct and the decision to send the criminal case to the court under the relevant Article of the criminal law, the completion of the pre-trial investigation by the conclusion of the procedural agreement in the manner prescribed by part four of Art. 617 of the Criminal Procedural Code of the RK;
- initiation of action proceeding for the revocation of a license to engage in notarial activities;
- the license is lost
- failure of the notary to inform the territorial body of justice within one month about the change in his last name, first name, patronymic (if any);
- violation by a notary of the territory of activity determined to him in accordance with this Law;
- filing of application by the notary's own volition;
- changing of citizenship of notary, or his/her departure to a permanent place of residence outside Kazakhstan;
- violation by a notary of the legislation of the Republic of Kazakhstan in performance of notarial acts that entailed a violation of the rights and legitimate interests of the state, individuals and legal entities;
- impossibility of fulfilment by the notary of professional duties for health reason (subject to medical report);
- the actual absence of the notary's premises at the address indicated in the notification of the notary about the beginning of the notarial activities;
- non-compliance of a notary with the requirements of paragraph 4 of Art. 15 of the Law On Notaries;
- enactment of a court conviction for a crime in respect of a notary;
- non-compliance with the restrictions provided for in Art. 19 of the Law On Notaries;
- if the notary has not started practical notarial activities after three months from the date of notification of the beginning of the notarial activities;
- decree to terminate criminal case with non-rehabilitating grounds in relation to the notary;
- recognition of a notary as missing or declared dead
- non-compliance of a notary with the requirements of subp.11) of par.1 of Art. 18 of the Law On Notaries;
- death of notary.

<i>THE GROUNDS FOR</i>	
<i>SUSPENSION OF NOTARY LICENSE</i>	<i>TERMINATION OF NOTARY LICENSE</i>


Note: In addition to the general grounds provided for by the laws of the Republic of Kazakhstan, the notary license shall be suspended for the period:

1) of engaging in entrepreneurial or other paid activity, except for the cases provided for by the laws of the Republic of Kazakhstan;


2) military service;

3) failure by a notary to exercise its powers on the basis of the application, which indicates the period of suspension.

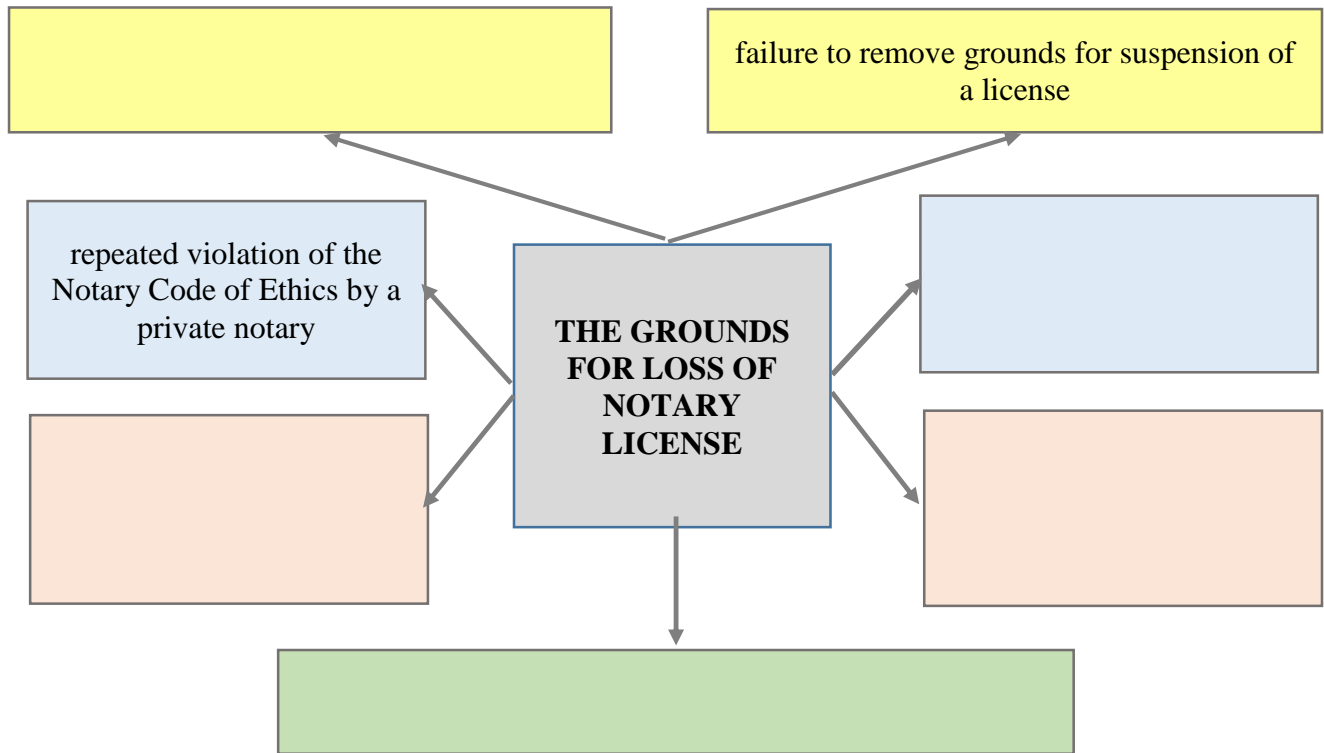
6. Read Articles 17,18 of the Law On Notaries and match the line.

<p>RIGHTS</p> 	<ul style="list-style-type: none"> • produce drafts of contracts, applications and other documents; • keep under seal of secrecy information made known to them in the context of professional activity; • to improve professional qualifications • provide consultation on issues of fulfilment of notarial activities; • comply with professional ethics; • be elected (appointed) by the arbitrator in the arbitration proceedings • practice a scientific, educational and creative activity; • refuse to carry out notarial activity that contravenes Kazakh legislation; • conduct conciliation procedures; • prepare copies of documents and abridged versions of them; • explain rights and obligations to citizens and legal entities, and warn of consequences of performed notarial activities so that lack of legal information cannot be used to their detriment;
<p>OBLIGATIONS</p>	

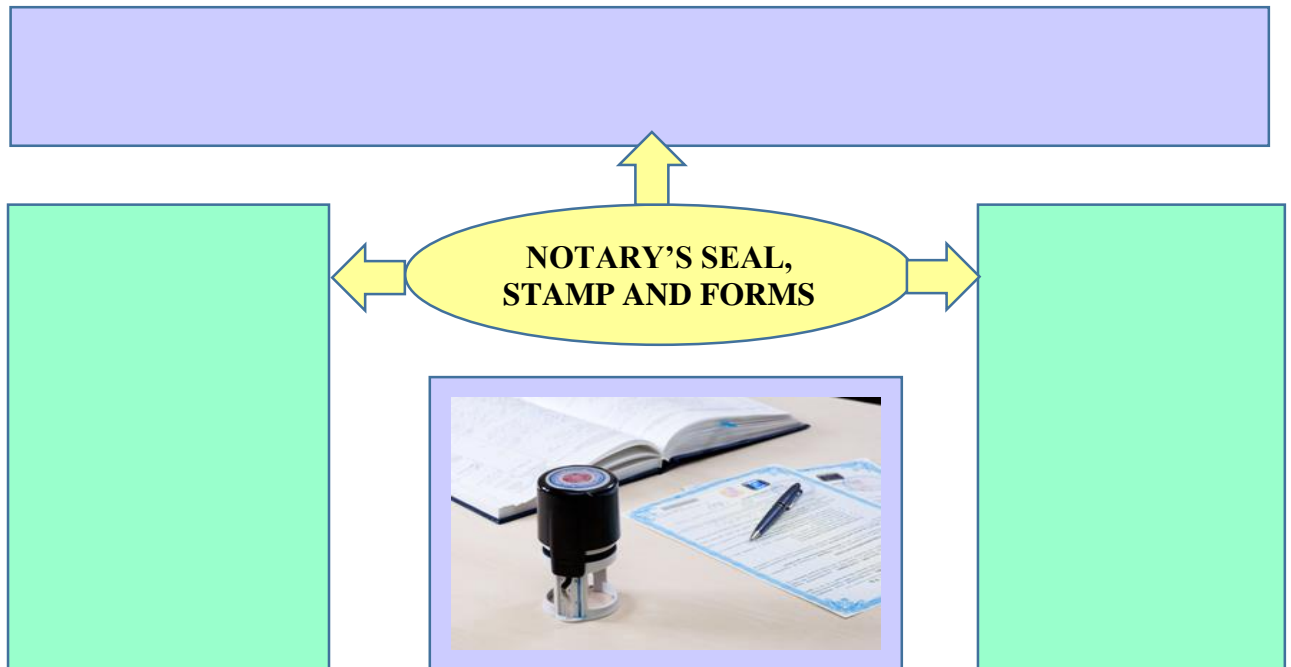
Note:

	<p><u>Notaries may not:</u></p> <ol style="list-style-type: none"> 1) carry on business activities; 2) provide intermediary services during the completion, amendment and dissolution of a treaty; 3) perform notarial duties in cases of election of representative body by deputy; 4) perform their duties without a compulsory notary's civil liability insurance contract; 5) use a facsimile or transfer seal or electronic digital signature to another person, except when sending a seal to the territorial body of justice for the period of suspension of notary's license; 6) to perform activities outside the location of its premises, except for the cases provided for by this Law. <p><i>Notaries in private practice may not be in working relationships as employees, unless otherwise provided by the Law on Notaries</i></p>
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7. Read Article 11 of the Law on Notaries and add the scheme with missing elements.



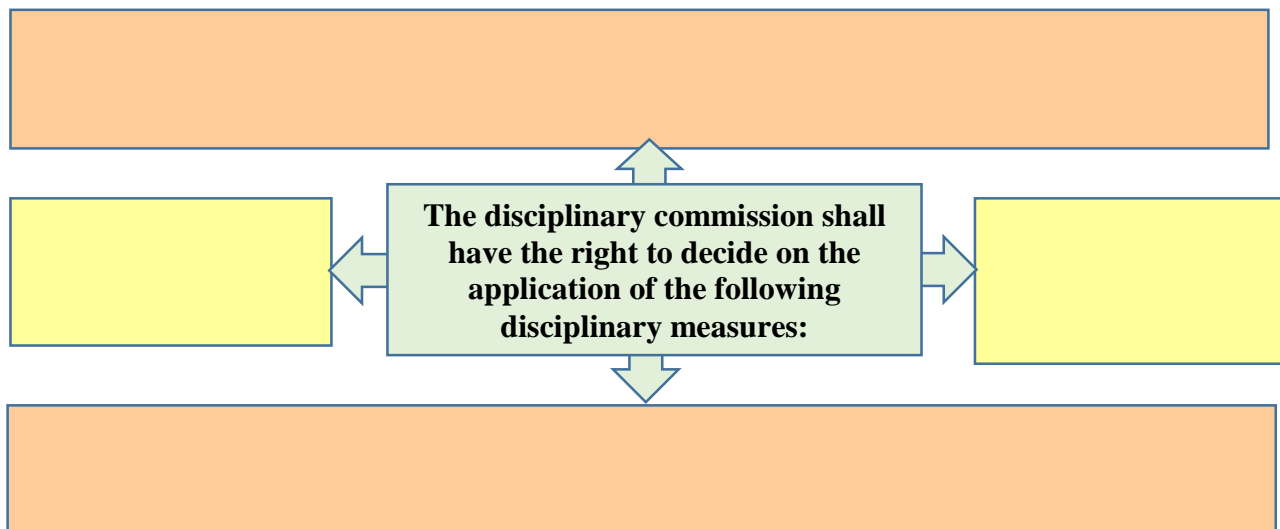
8. Read Article 22 of the Law on Notaries and add the scheme with missing elements.



9. Read Article 24-1 of the Law On Notaries and decide whether these statements are true or false. If the statement is false, correct it.

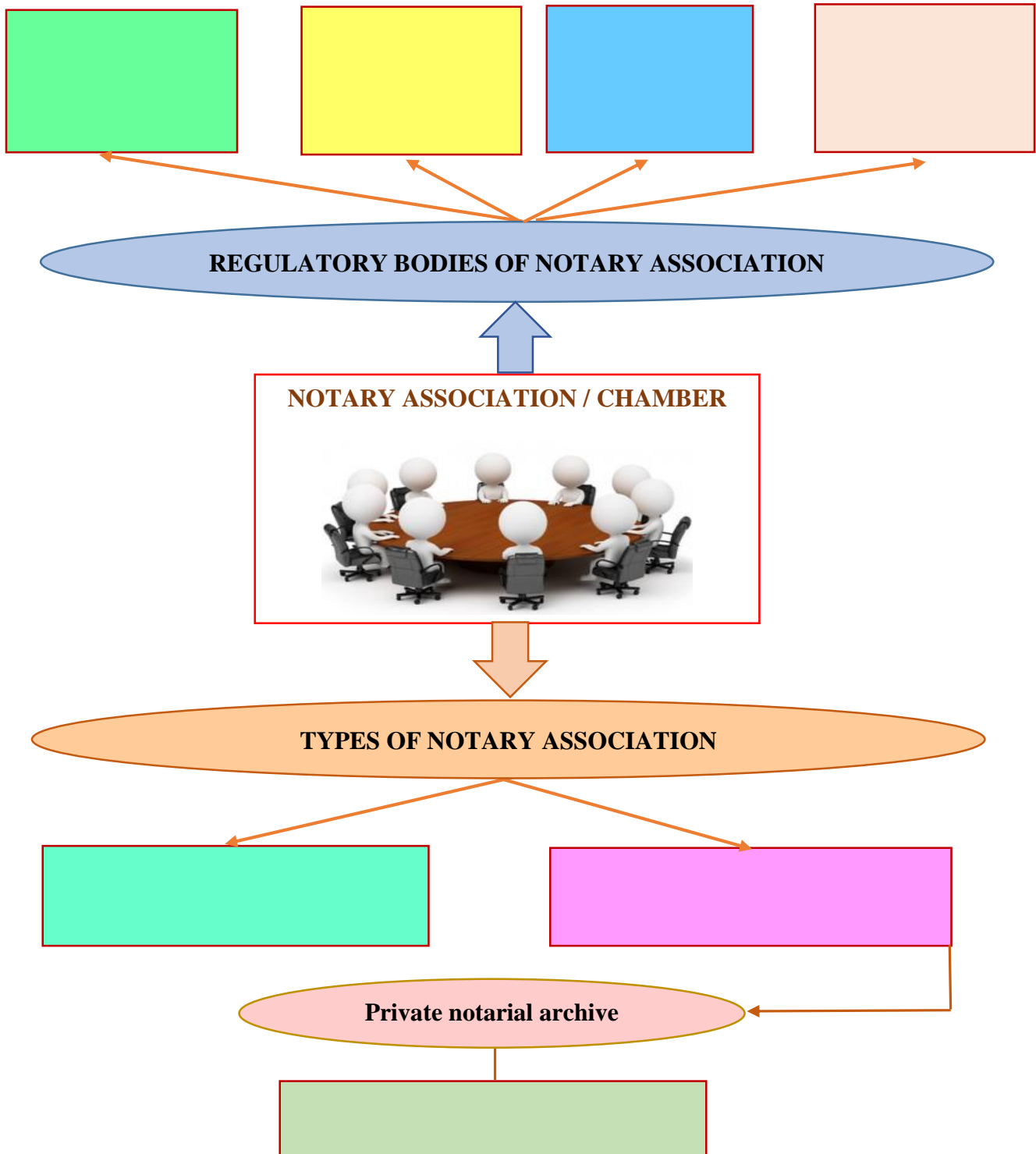
	<p>1. The body for considering appeals, complaints about violation by members of the notarial chamber of the requirements of the legislation of the Republic of Kazakhstan, the Notary Code of Ethics, the charter of the notarial chamber, the conditions for membership in the notarial chamber (hereinafter referred to as the complaint) shall be the disciplinary commission</p>	<p>True</p>
<p>2 The complaint shall be considered no later than one month from the date of its receipt.</p>		
<p>3. When considering complaints, the disciplinary commission shall not be obligated to invite to its meetings the persons who filed the complaints, as well as the members of the notarial chamber in respect of which the complaint is being considered.</p>		
<p>4. If the judicial authorities submit a recommendation on initiation of disciplinary proceedings, its consideration shall be carried out with the participation of a representative of the prosecutor's office.</p>		
<p>5. Only one disciplinary sanction may be imposed for a notary, committing a disciplinary offense.</p>		
<p>6. The decisions provided for by subp. 1) and 2) of par.3 of the art.24-1 shall be made by a majority of votes of the members of the disciplinary commission and shall enter into force on the day they are made by the said body.</p>		
<p>7. Decisions of the disciplinary commission of the notarial chamber may be challenged by members of the notarial chamber only in the Republican notarial chamber.</p>		

10. Read Article 24-1 of the Law on Notaries and add the scheme with missing elements.



Topic 3. Organization basis of notarial activity

9. Read Articles 26-1, 26-2, 26-3 6 of the Law on Notaries and add the scheme with missing elements.



10. Read Articles 26-1, 26-2, 26-3 6 of the Law on Notaries and fill empty lines in the table.

THE POWERS OF NOTARY CHAMBER REGULATORY BODIES

- *adoption of charter of notary association, introduction of amendments and supplements;*
- *at any time to carry out inspections of the financial and economic activities of the notarial chamber*
- *approval of the report on the financial and economic activities of the notarial chamber;*
- *determination of guidelines for activity of the notary association;*
- *represent the interests of the notary association in state bodies, public associations, and other organizations;*
- *shall submit a report of the financial and economic activities of the notarial chamber*
- *organize the work of the notary association and ensure completion of tasks assigned to the notary association;*
- *adoption of budget of the notary association*
- *manage the work of the notary association and hire and dismiss employees of the notary association.*

THE POWERS OF NOTARY CHAMBER REGULATORY BODIES

GENERAL MEETING OF MEMBERS	DEAN OF NOTARY ASSOCIATION / CHAMBER	AUDIT COMMISSION OF A NOTARIAL CHAMBER

11. Read Articles 27, 29 of the Law On Notaries and match the line.

POWERS OF NOTARY ASSOCIATION / CHAMBER



POWERS OF STATE NOTARY ASSOCIATION / CHAMBER

- generally manage and coordinate the activity of private notaries;
- organize work to improve the professional qualifications of notaries;
- organize the professional development of notaries;
- introduce applications for suspension, loss or termination of a private notary's license;
- develop and approve the Notary Code of Ethics;
- participate in the development of regulatory legal acts and develop methodological materials concerning notarial issues;
- coordinate the activity of the notary association;
- organize training of notaries;
- participate in the development of regulatory legal acts and develop methodological materials concerning notarial issues;
- arrange civil liability insurance obligations arising from damages caused while carrying out injure notarial activities;
- administer complaints and applications by citizens and legal entities concerning service acts of private notaries;



12. Read Article 7 of the Law on Notaries and complete the sentences with words and phrases from the box.

Interested persons; Tax Code; civil servants; payment of notarial fees; the state notarial office; a consular fee; the appropriate level; actual transport costs; the rate; a private notary; consular institution;

Payment for notarial activities

1. Notaries working in _____ and akim _____ in cities of regional significance, rural settlements, villages and rural districts shall collect the state duties at _____ established by the Kazakhstan _____ for carrying out notarial activities.

2. Notarial activities carried out by _____ shall be paid for at _____ of state duty established by Kazakh tax legislation.

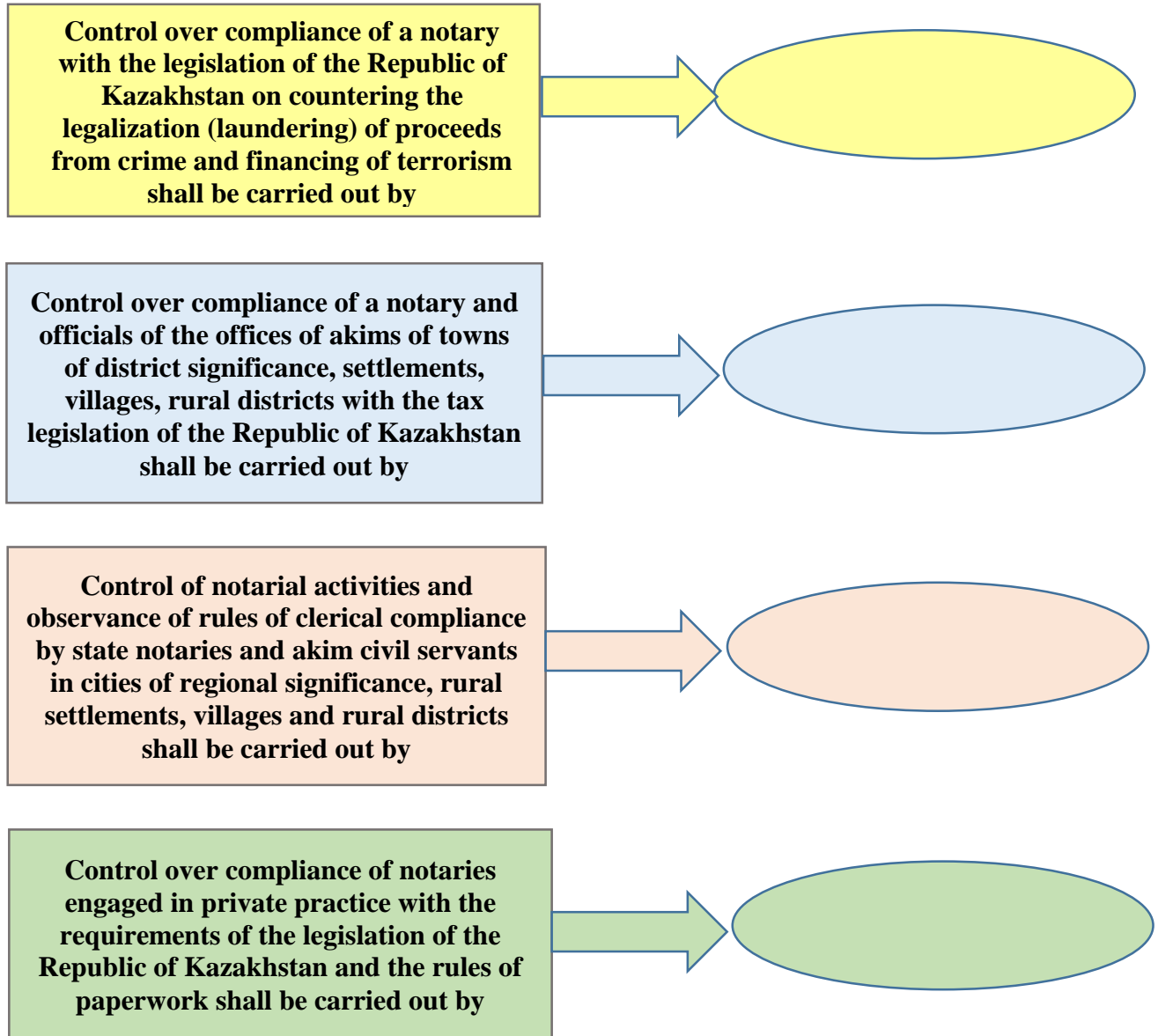
4. Civil servants of a Kazakh _____ shall, for carrying out notarial activities, collect _____ according to the procedure and amounts provided for by Kazakh tax legislation.

5. Reduced _____ for individuals and legal entities, as provided by Kazakh tax legislation, shall be allocated to these persons and upon carrying out of notarial activities by the notaries in private practice.

6. _____ shall reimburse the notary for _____ following travel from place of work for carrying out notarial activity.



13. Read Article 31 of the Law on Notaries and add the scheme with missing elements.



Note:



Civil servants of the body of justice and the notary association must maintain secrecy of notarial activities carried out and made known during inspections of notarial activity. These persons shall be liable in accordance with Kazakh legislation for disclosure of secrets and damages caused to notaries.

Control over the activities of a notary shall be carried out in the manner prescribed by the Entrepreneurial Code of the Republic of Kazakhstan.

14. Read the text below and make a table.

COMPETENCE OF MINISTRY OF JUSTICE OF THE REPUBLIC OF KAZAKHSTAN AND TERRITORIAL BODY OF JUSTICE TO REGULATE NOTARIES

- *confirm the rules for provision of notarial activities by notaries;*
- *develop methodological, instructional and explanatory materials on issues concerning work as a notary;*
- *license the activity of notaries;*
- *open and close state notary offices;*
- *establish the procedure and payment for training applicants for the profession of notary;*
- *monitor compliance of notaries and officials of the offices of akims of towns of district significance, settlements, villages, rural districts and the state of their paperwork with the requirements of the legislation of the Republic of Kazakhstan;*
- *certify akim civil servants authorized to carry out notarial activities in cities of regional significance, rural settlements, villages and rural districts;*
- *certify akim civil servants authorized to carry out notarial activities in cities of regional significance, rural settlements, villages and rural districts;*
- *make decisions to suspend or terminate a license for carrying out notary activity, and instigate suits following termination of a notary's license;*
- *consider applications by citizens and legal entities for actions by notaries;*

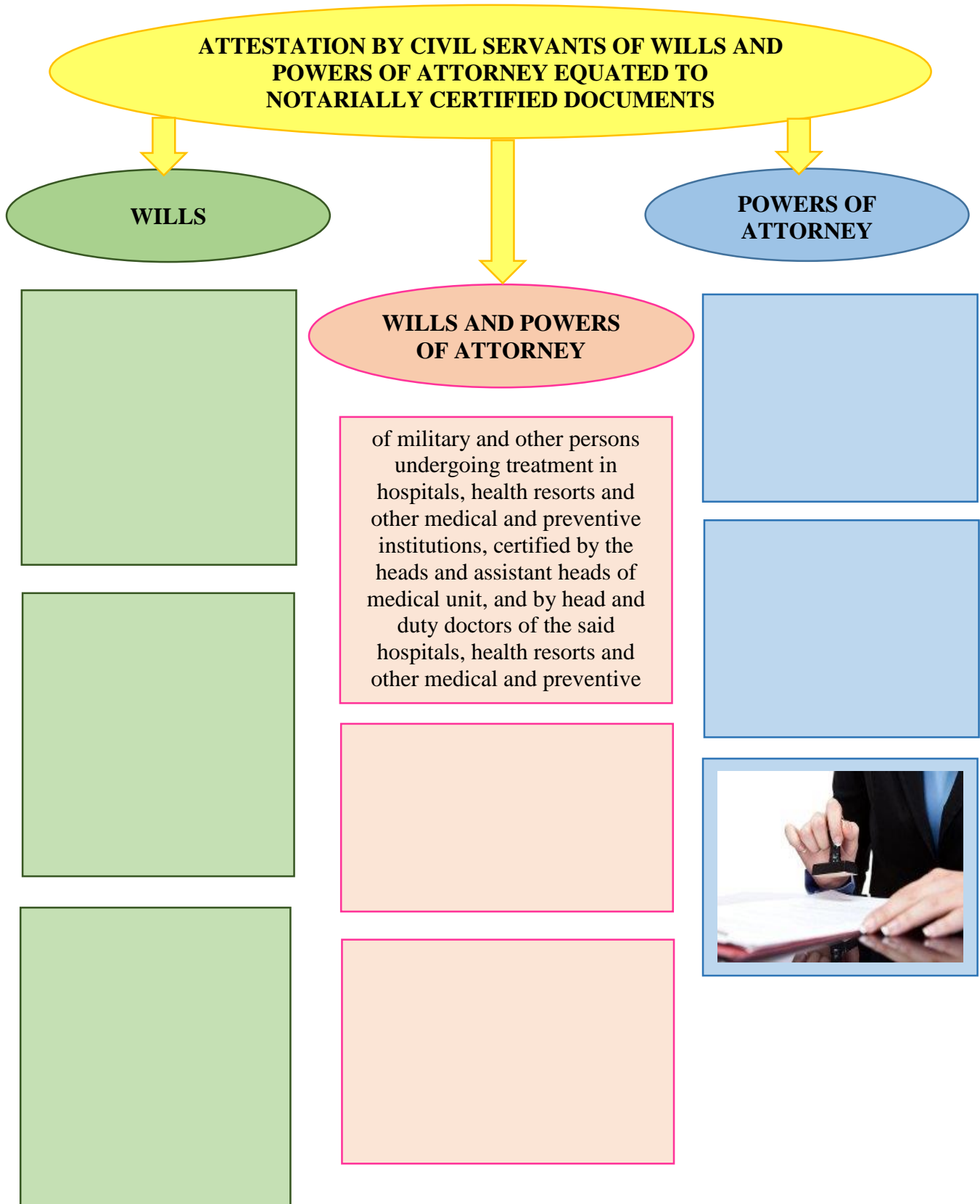


**Topic 4. Notarial activities carried out by notaries and authorized civil servants.
Basic rules for carrying out notarial activities.**

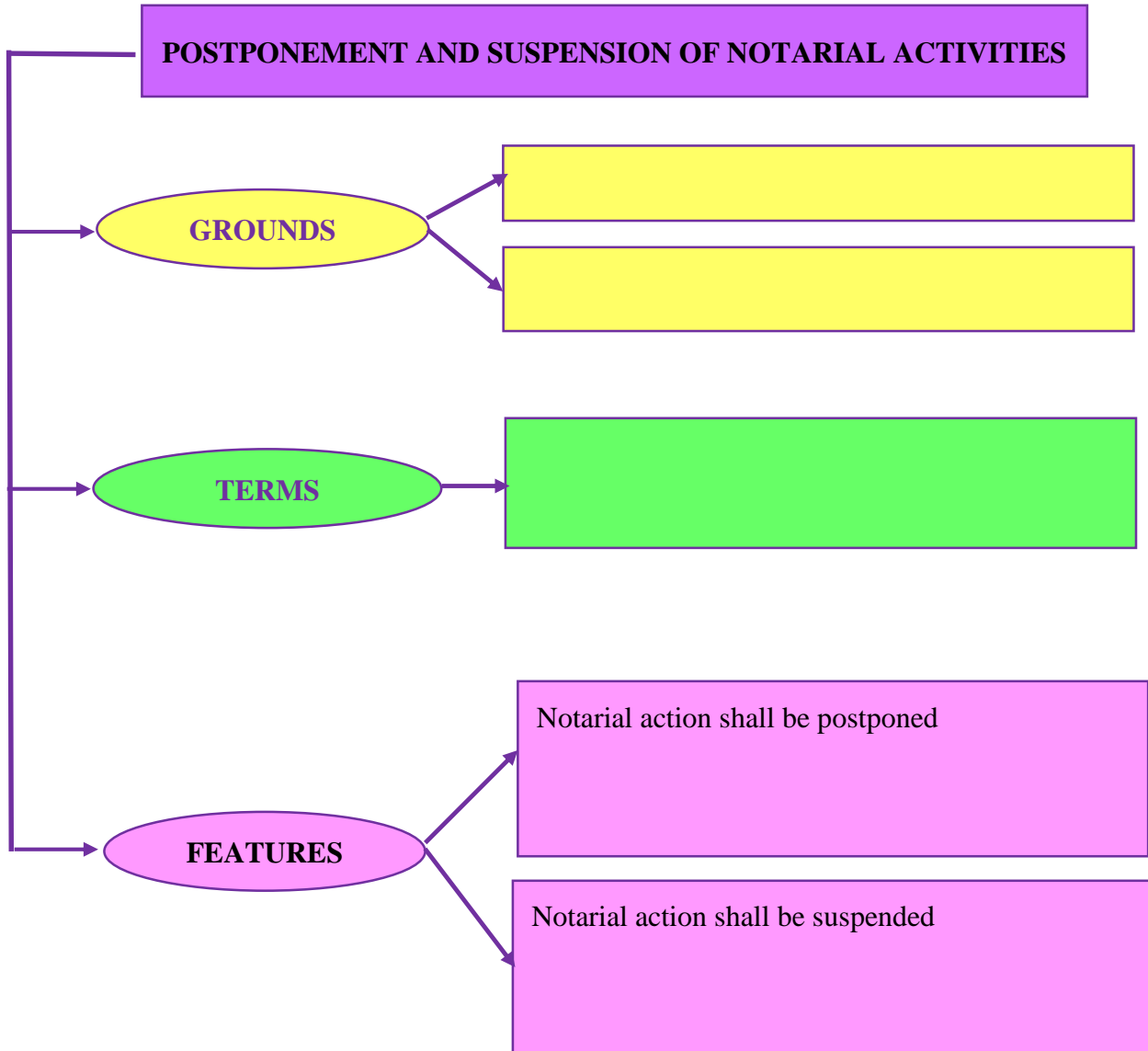
1. Read Chapter 6 of the Law On Notaries and make a table.

Notarial activities carried out by	Notaries	Akim civil servants	Performing consular duties
certify transactions	+		
certify wills			
certify accuracy of copies of documents and extracts from them			
issue a certificate on right of ownership of share in common property by spouses and other persons having joint ownership of assets			
execute bill protests			
certify powers of attorney			
certify transactions, except agreements for assignment of fixed assets located in Kazakh territory			
certify constitutional documents of economic partnerships			
issue certificates of right to inheritance;			
certify genuineness of signatures in documents			
certify accuracy of translation of documents from one language to another			
receive money on deposit			
certify the fact that a citizen is alive			
transfer declarations of individuals and legal entities to other individuals and legal entities			
execute marine protests			
certify time of presentation of documents;			
provide evidence			
certify the fact that a citizen is in a particular place			
certify dispute settlement agreements			
accept documents and security papers for storage			
make executive notes			
assign an inheritance trust manager			


2. Read Article 37 of the Law on Notaries and add the scheme with missing elements.



3. Read Article 41 of the Law on Notaries and add the scheme with missing elements.



4. Read Articles 42-50 of the Law On Notaries and decide whether these statements are true or false. If the statement is false, correct it.

	<p>1. Notaries and akim civil servants cities of regional significance, rural settlements, villages and rural districts shall may not carry out notarial activities in their own name or on their own behalf, or in the name and on behalf of their spouse or their relatives (parents, children, brothers, sisters, grandchildren, grandfather, grandmother).</p>	<p>True</p>
	<p>2 Identification shall be based on the identity document of the citizen, applying for notarial action.</p>	
	<p>3. Capacity of citizens shall be clarified legal capacity of entities shall be examined during certification of transactions.</p>	
	<p>4 In case of settlement of transaction their powers shall not be checked by the representatives</p>	
	<p>5. Content of notarially certified documents may be read aloud if the participants wish</p>	
	<p>6. If the citizen cannot personally sign due to physical disability, illness or any other reasons, then at his/her request and in his/her presence, and before the notary, another citizen may sign a transaction, application or other document with specification of reasons why the document can be signed personally by the citizen applying for notarial action.</p>	
	<p>7. Texts of notarially certified transactions must be written or printed clearly and well defined with regard to the content of the transaction; dates and terms shall be specified in words at least once, and names of legal entities shall be unabridged with specification of location. Surnames, forenames and patronymics of citizens, and the addresses of their places of residences, shall be written shortly.</p>	
	<p>8. Texts of transactions or certified documents with erasures, notices, deleted words or other unspecified corrections, and documents written in pencil, may be certified.</p>	
	<p>9. Sheets in document containing more than one sheet shall be bound, tied and sealed.</p>	
	<p>10. All notarial activities performed by the notary or civil servants shall be entered in registers (and in the electronic register of the unified notarial information system).</p>	
	<p>11. In the event of loss of a document a copy of which is stored in the notarial office or by the notary, citizens and representatives of legal entities for whom the notarial activities were carried out, shall be issued with a copy of the lost document.</p>	

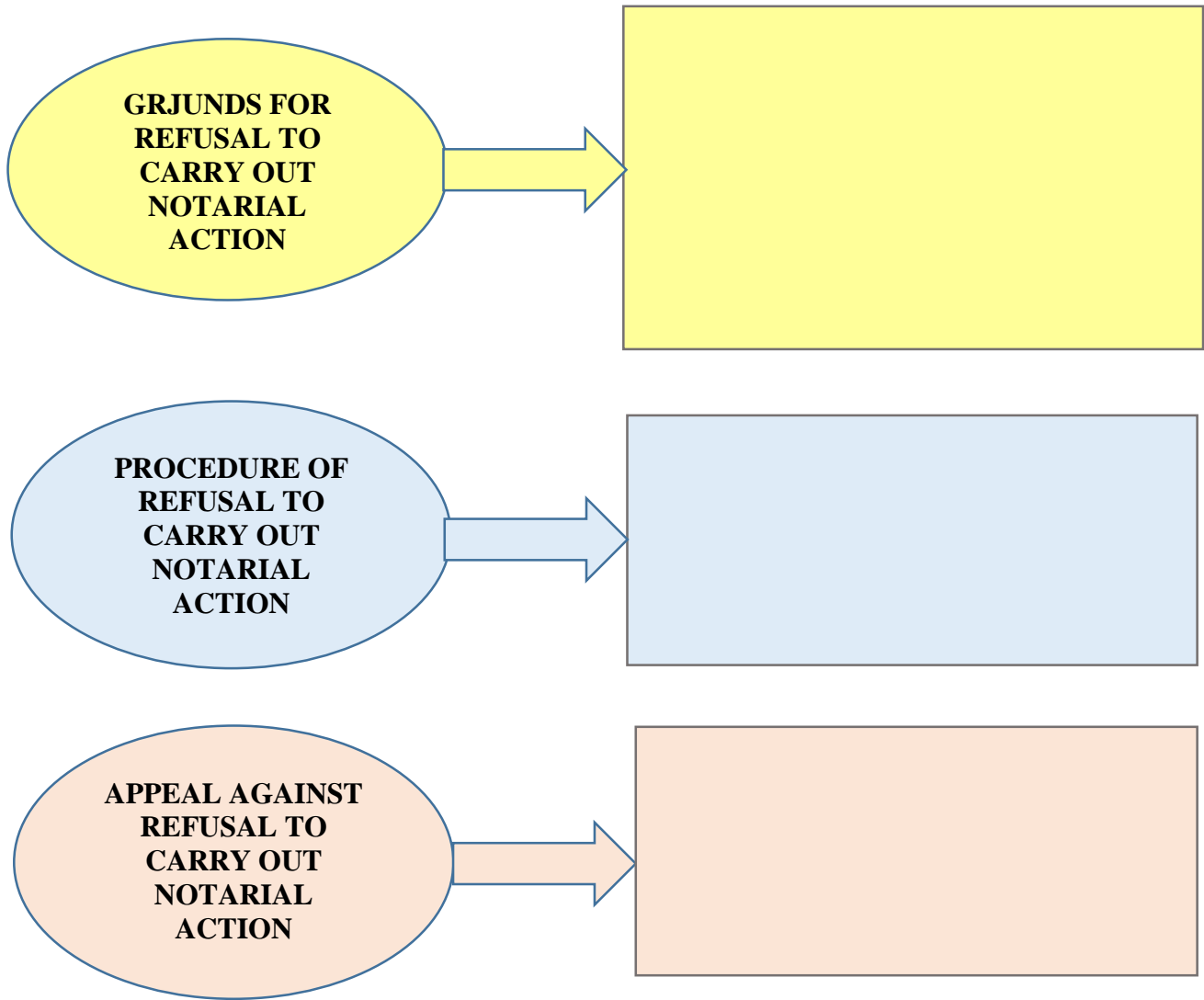
5. Read the text below and fill empty lines in the table.

***PRODUCTION OF CERTIFICATE OF
ACKNOWLEDGMENTS, ISSUE OF CERTIFICATES
AND PRONOUNCEMENT OF REGULATIONS***

- *Certificates of acknowledgment shall be produced upon issue of duplicates of notarially certified documents and certification of accuracy of copies of documents and extracts from them, accuracy of translation of documents from one language to another, upon certification of time of presentation of documents on relevant documents.*
- *Relevant certificates shall be issued for acceptance of inheritance, right of property, certification of facts of a citizen being alive and in a particular place, transfer of applications from individuals and legal entities to other individuals and legal entities, and acceptance of documents for safe storage.*
- *Relevant regulations shall be pronounced when an inheritance trust manager is appointed.*

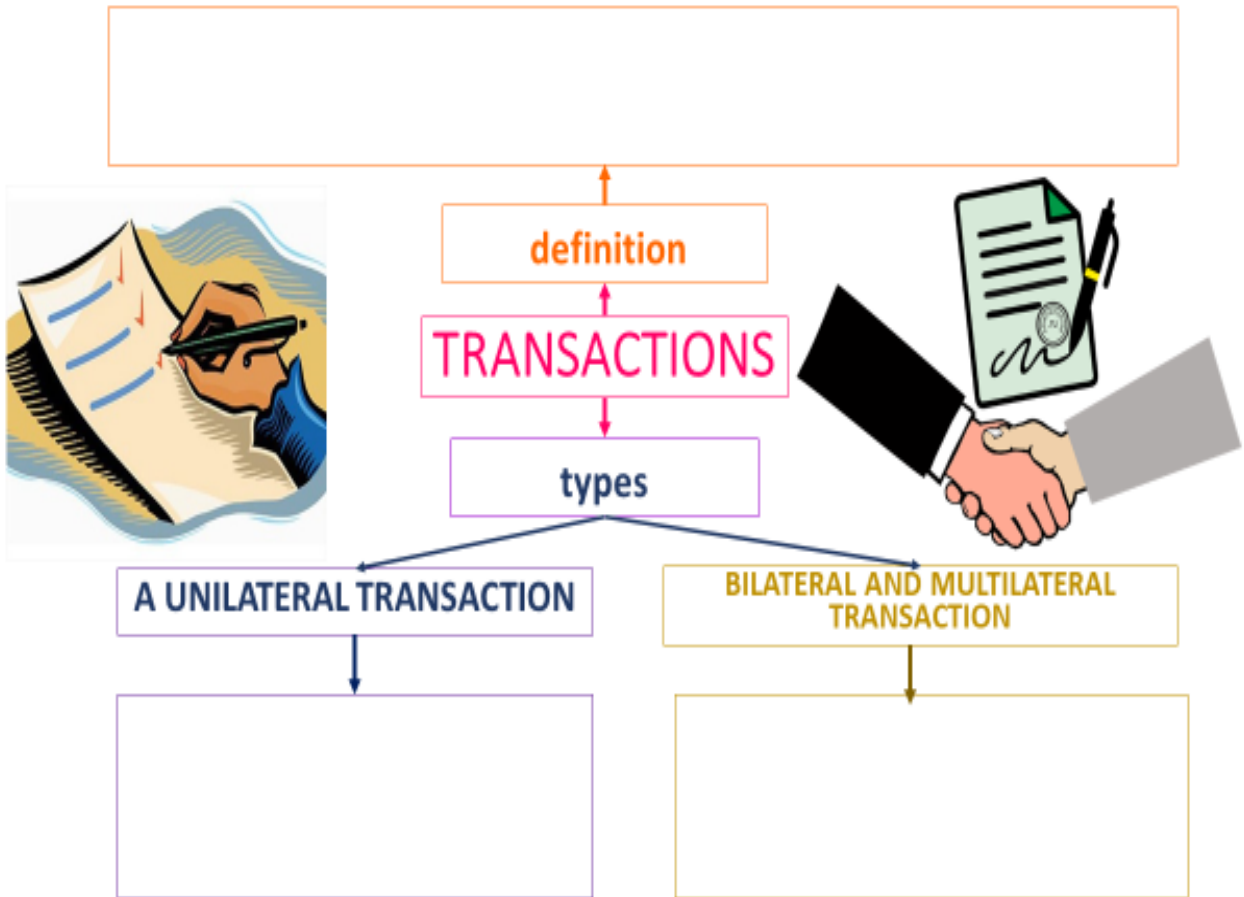
<i>CERTIFICATE OF ACKNOWLEDGMENTS</i>	<i>ISSUE OF CERTIFICATES</i>	<i>PRONOUNCEMENT OF REGULATIONS</i>

6. Read Article 48 of the Law on Notaries and add the scheme with missing elements.



Topic 5. Certificate of transactions and facts

1. Read Articles 147-148 of the Civil Code of the Republic of Kazakhstan (general part) [5] and add the scheme with missing elements.



2. Read the text below and fill empty lines in the table.

CERTIFICATE OF TRANSACTIONS: GENERAL PROVISIONS

In accordance with the Law the notary shall certify transactions for which notarial certification is required by legislation. The notary may certify other transactions if the parties so wish.

Notaries and civil servants carrying out notarial activities must:

- clarify the meaning and significance of the draft transaction presented
- shall check that the content reflects the parties' actual intent and is not inconsistent with the requirements of legislation.

It should be borne in mind that in any transactions in which the property of minors or persons over whom guardianship or trusteeship is established is reduced, the consent of the guardianship and trusteeship authority must be sought.

The number of copies of documents containing the content of the transaction is determined by the persons who applied for a notarial act, but must not be less than two copies, one of which remains in the notary's files.

IN ACCORDANCE WITH THE LAW THE NOTARY		
SHALL	CERTIFY	
MAY		
MUST	CLARIFY	
	CHECK	
	SEEK THE CONSENT OF	

3. Read Items 37-39, 41 of the Rules for notarial actions by notaries [6] and complete the sentences with words and phrases from the box.

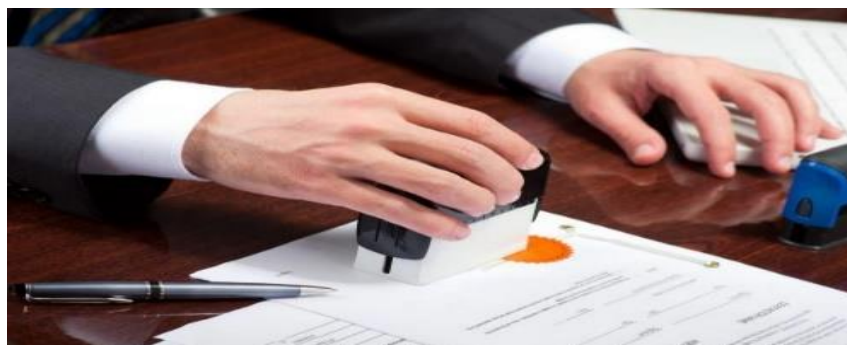


note about this; the copy of the agreement;
 an inscription; electronic; UNIS;
 all copies of the contract; title document on
 property; registry number; court decision;
 dissolving of the contract; register of notarial
 actions;

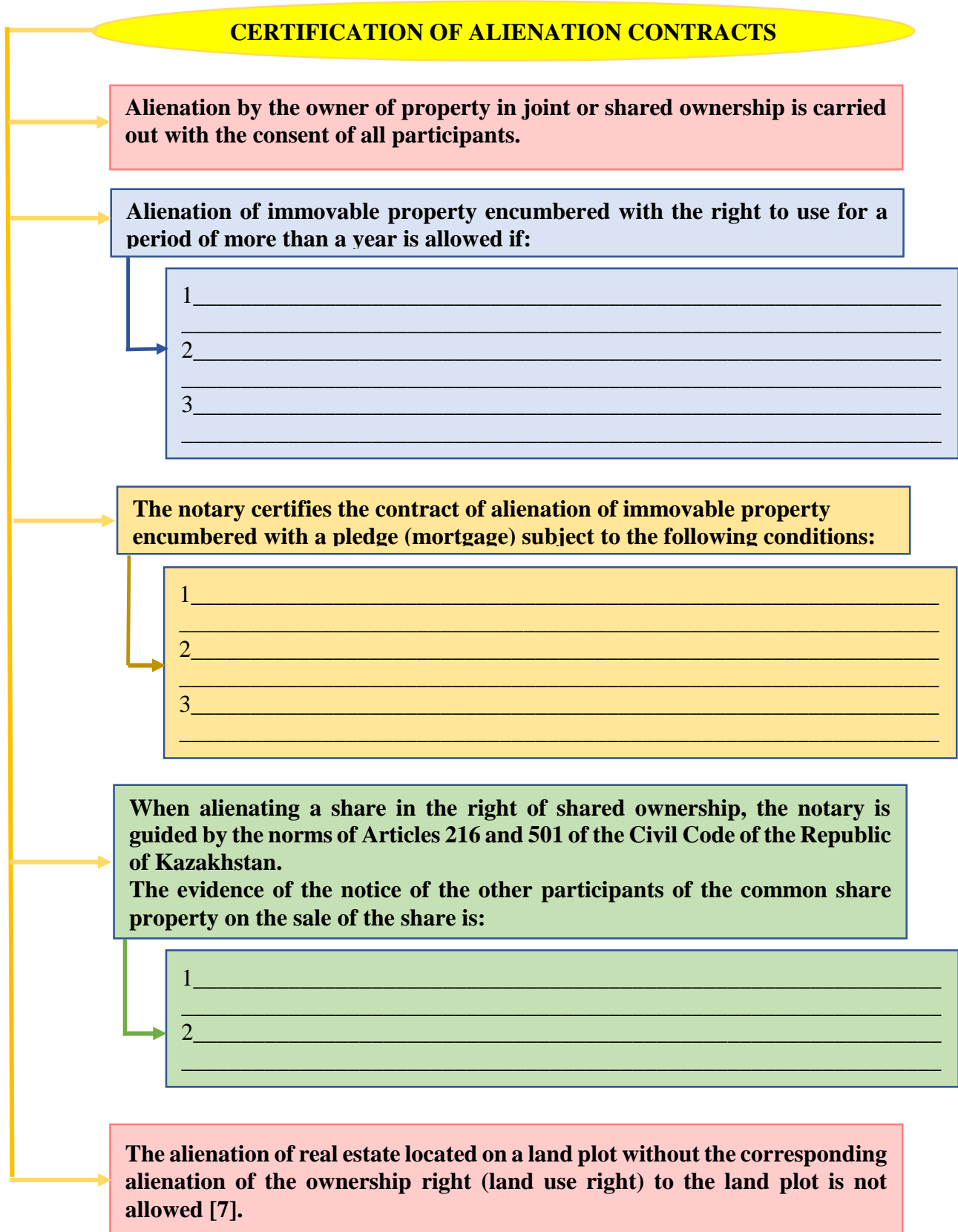
In case of dissolving of the contract by the parties, the notary certifies the agreement on _____. The notary registers this agreement in paper and _____ registers of registration of notarial actions and in case of storage at him the _____ returns to the owner of this property, _____ and also the copy of the title document joins the contract.

Upon dissolving of the contract, the parties return to the notary _____, while the notary makes _____ on dissolving on all copies of the contract indicating the _____ and the date of certification of the termination agreement, as well as an entry in the register of notarial actions and the electronic register of the _____.

When the transaction is declared invalid, according to the _____ that has entered into legal force, the notary in whose cases the transaction is stored makes a _____ in the _____, the electronic register of the UNIS, attaches a copy of the court decision and returns the title document to the owner.



4. Read Part 3 “Certification of alienation contracts” of the Rules for notarial actions by notaries and add the scheme with missing elements.



5. Read Part 3 “Certification of alienation contracts” and complete the sentences




Features of the alienation of real estate located on a land plot



- When certifying contracts for the alienation of real estate, the notary seeks _____ and determines _____ to alienate his rights.
- At the same time, the notary checks _____ of the real estate object indicated in the title document with documents confirming the identity of the right holders of _____ or a certificate of registration of the _____, as well as with the information of the state databases “_____” and “_____”.

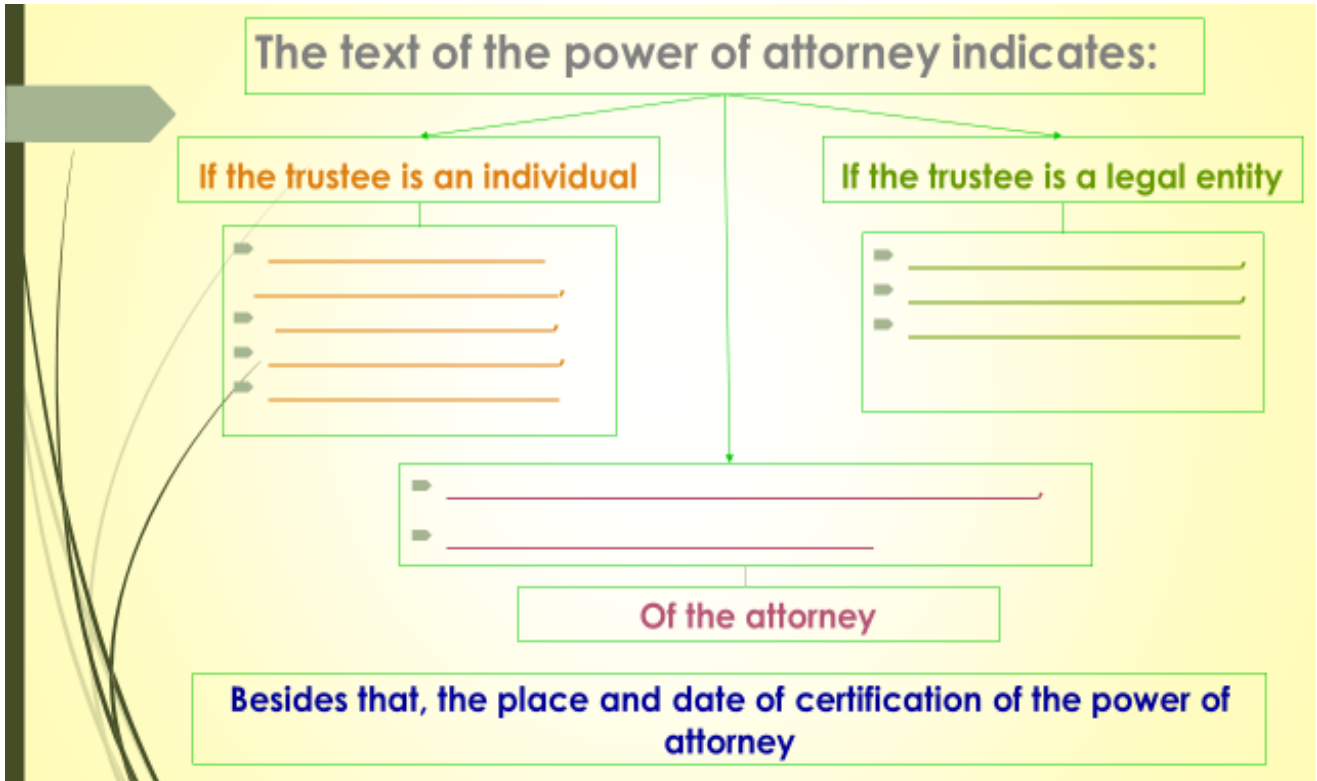
6. Read Item 61 of the Rules for notarial actions by notaries and complete the sentences

When certifying the contract of alienation of the vehicle, the notary shall request:

- 1) certificate of state registration of the _____;
- 2) a certificate of registration authorities on the _____ of the vehicle;
- 3) notarized consent _____ or acquisition of _____ and (or) the buyer that at the time of acquisition of the alienated property _____.

7. Read Part 8 “Notarization of powers of attorney and consents” of the Rules for notarial actions by notaries and add the scheme with missing elements

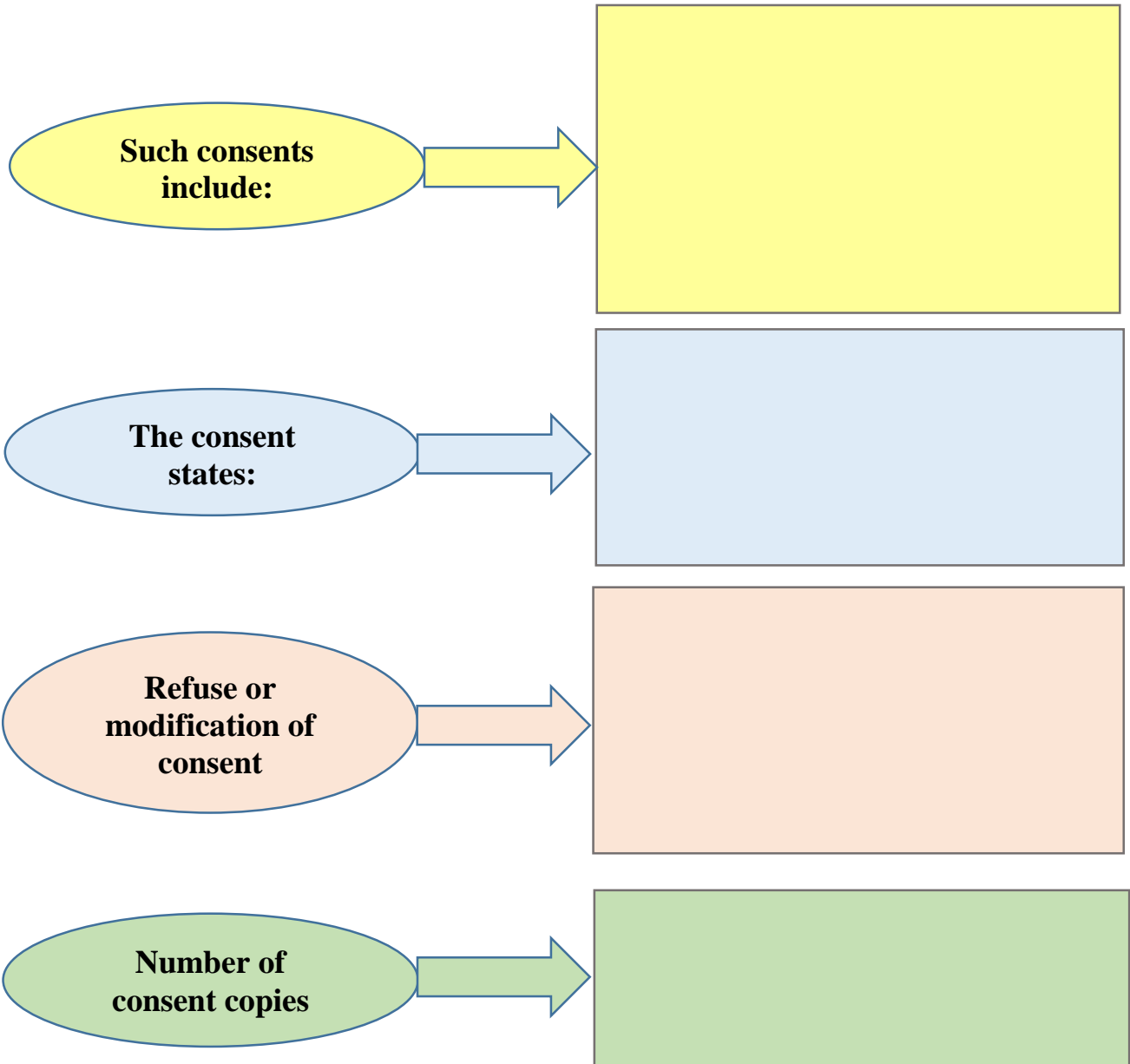


8. Read Chapter 12 “Certification of facts” of the Law on Notaries and add the scheme with missing elements



9. Read Part 3-1 “Notarization of consents” of the Rules for notarial actions by notaries and add the scheme with missing elements

THE NOTARY CERTIFIES THE CONSENT, IN CASES SPECIFIED IN THE LEGISLATION.



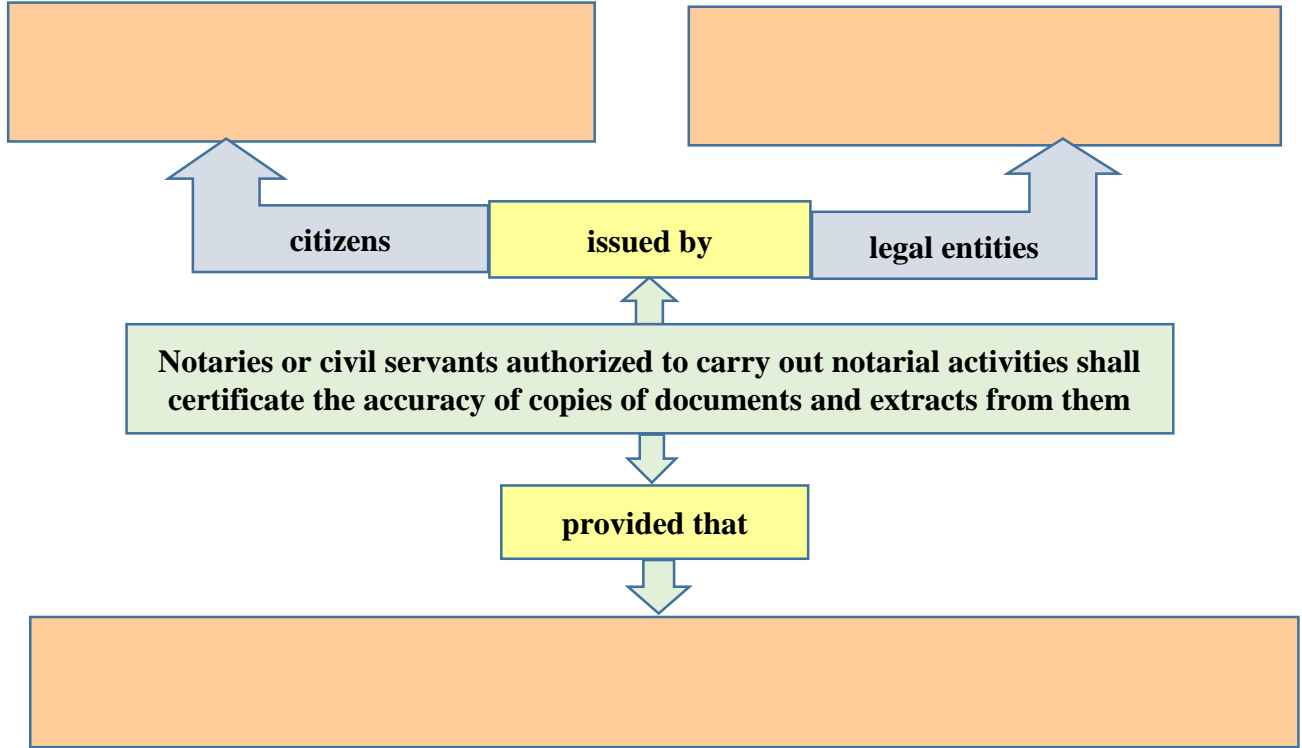
Note:



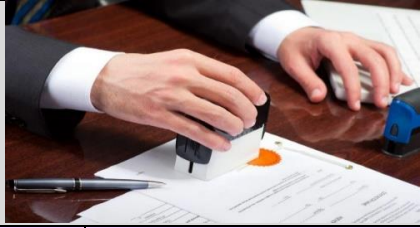
Certification of consent is carried out in accordance with the general rules for the certification of transactions.

Topic 6. Certificate accuracy of copies of documents and extracts from them, authenticity of signature and accuracy of translation.

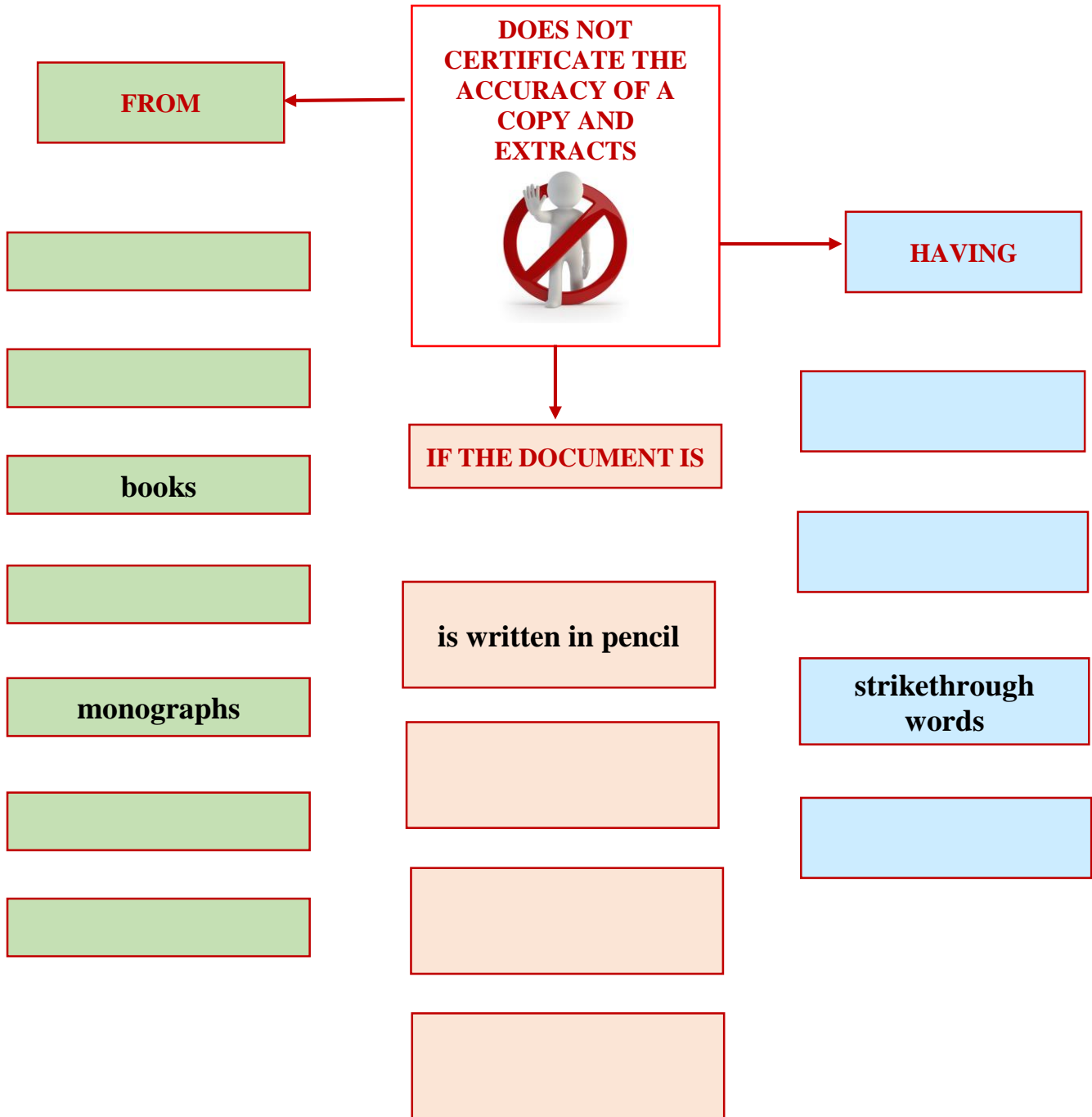
1. Read Articles 76, 77 of the Law on Notaries and Items 167, 175, 176 of the Rules for notarial actions by notaries and add the scheme with missing elements.



2. Read Item 174 of the Rules for notarial actions by notaries and make a table.

	<p>ACCURACY OF EXTRACTS MAY BE CERTIFIED ONLY IF THE DOCUMENT FROM WHICH THE EXTRACT IS MADE</p>	
<p>1</p>	<p>CONTAINS THE</p>	
<p>2</p>	<p>IS PERFORMED BY</p>	

3. Read Items 168, 170 of the Rules for notarial actions by notaries and add the scheme with missing elements.



Note:

	<p>It is not permitted to certify accuracy of copies of documents submitted by legal entities certified by facsimile.</p>
--	--

4. **Read Items 171, 172, 176, 177 of the Rules for notarial actions by notaries and complete the sentences with words and phrases from the box.**



issued by the legal entity; copy of the document;
 notarized or issued; signatures of officials;
 of copies from copy; exact text; legal entity's
 headed paper; notary certification statement;
 notarially certified; decrypted text; original
 document; letterhead of the legal entity;
 notarial actions.

Certification of accuracy of copy of document

The notarized copy must contain the _____ of the original document, an indication of the presence of _____, as well as the _____ of the seal on which the document is attached. The _____, signature and imprint of his seal shall be affixed on the copy.


A _____ and an extract from it on several sheets shall be produced in accordance with the requirements of paragraph 21 of the Rules for _____ by notaries.

The accuracy of the copy of the document is certified only if the copy of the document is previously _____ by the legal entity from which the _____ comes.

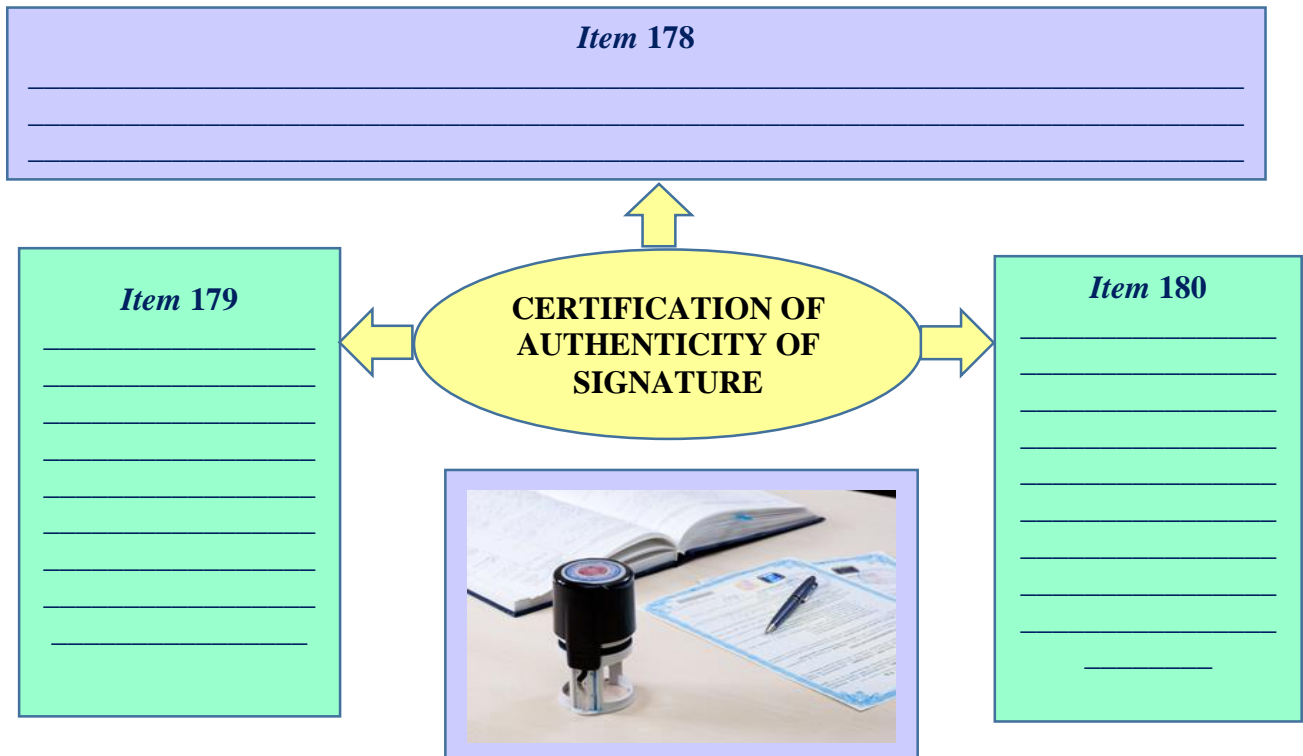
In the latter case, a copy of the document must be made on the _____, sealed with its seal and bear a note that the original document is held by the issuing entity.

The rules for certification of accuracy _____ of document shall be certified by the notary provided the accuracy of the copy is _____ or the copy document is _____ that issued the original document. In the latter case the copy document shall be made on this _____ and sealed and mention that the legal entity holds the original document.

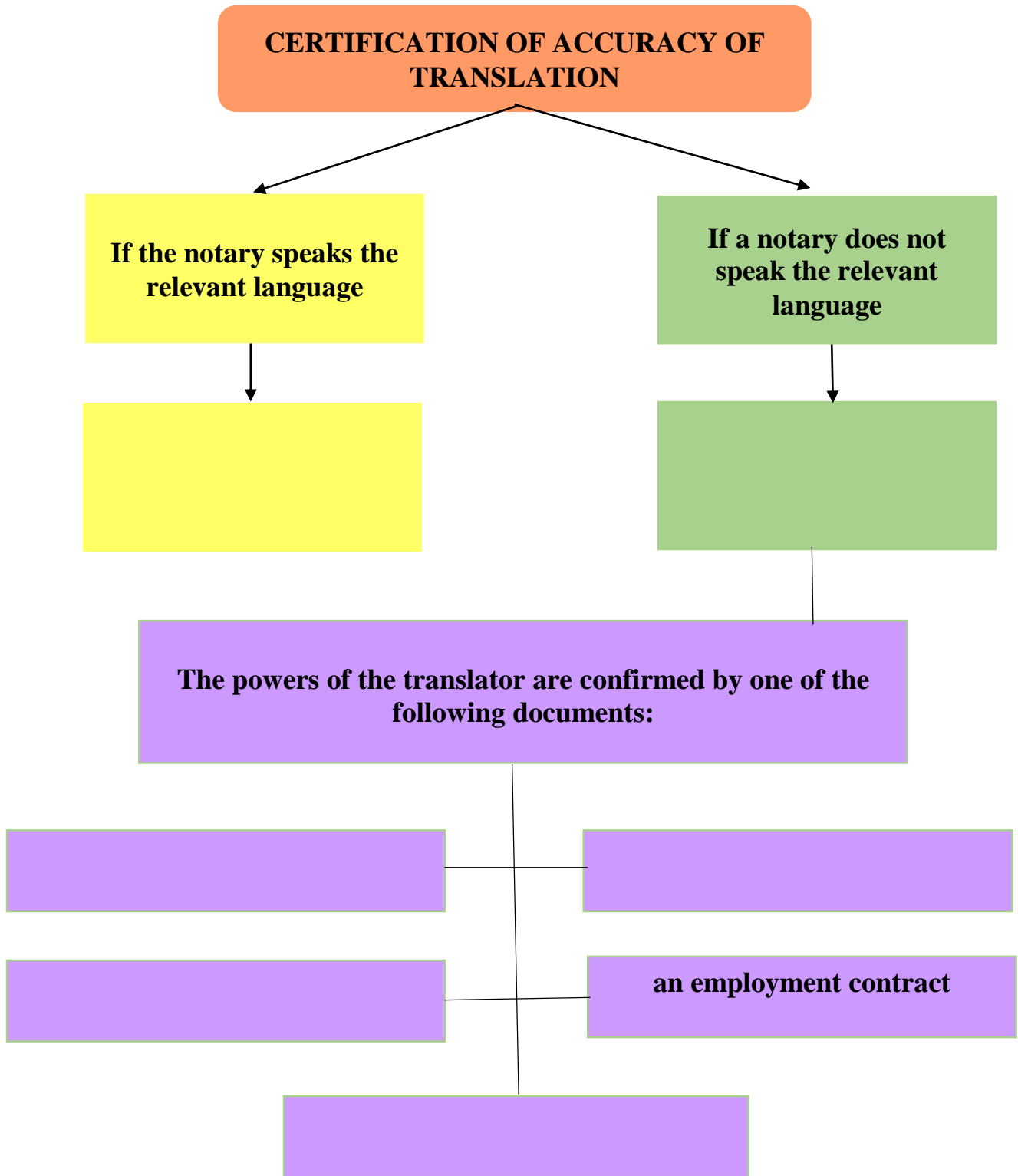
5. Read Item 174 of the Rules for notarial actions by notaries and decide whether these statements are true or false. If the statement is false, correct it.

EXTRACTS FROM THE FOLLOWING DOCUMENTS ARE CARRIED OUT BY PHOTOCOPYING OR SCANNING:	
	passport of a citizen of the Republic of Kazakhstan
	military registration card

6. Read Items 178, 179, 180 of the Rules for notarial actions by notaries and add the scheme with missing elements.



7. Read Article 80 of the Law on Notaries and Item 182 of the Rules for notarial actions by notaries and add the scheme with missing elements



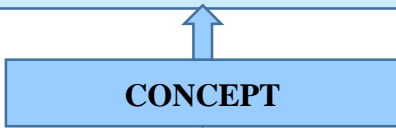
8 Read Items 183, 184 of the Rules for notarial actions by notaries and make a table.

FEATURES OF CERTIFICATION OF ACCURACY OF TRANSLATION FROM ONE LANGUAGE TO ANOTHER	
If document issued by official institutions of foreign states	
When performing a notarial action (certification of a transaction, certification of accuracy of a copy), translation into another language is also performed at the same time	
Notarial actions are performed in compliance with copyright	

Topic 7: Certification of marriage and family contracts and notarization of hereditary rights of citizens.

1 Read § 2. “Treaty regime of property of spouses” of the Code of the Republic of Kazakhstan On Marriage (Matrimony) and Family [8] and add the scheme with missing elements.

the agreement of _____



shall be concluded _____

restrain _____

govern _____

provide _____

and other conditions which are inconsistent with fundamental principles of matrimonial legislation of the Republic of Kazakhstan

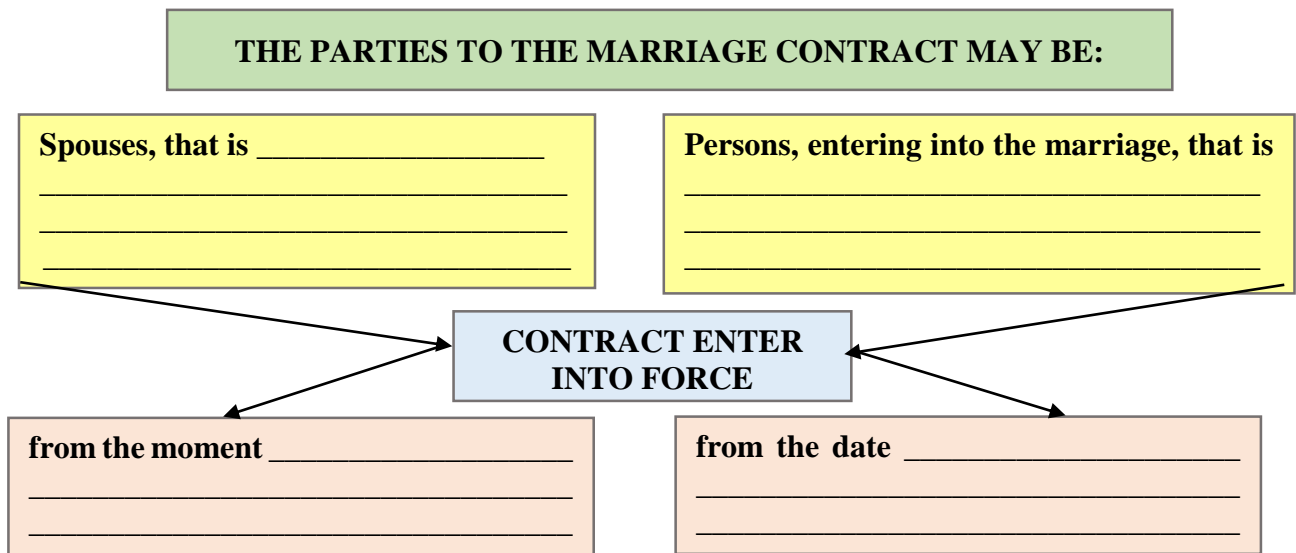


MARRIAGE CONTRACT

2 Read § 2. “Treaty regime of property of spouses” of the Code of the Republic of Kazakhstan On Marriage (Matrimony) and Family and make a table.


IN THE MARRIAGE CONTRACT, SPOUSES SHALL HAVE THE RIGHT	
TO CHANGE	TO DETERMINE

3 Read § 2. “Treaty regime of property of spouses” of the Code of the Republic of Kazakhstan On Marriage (Matrimony) and Family and add the scheme with missing elements.



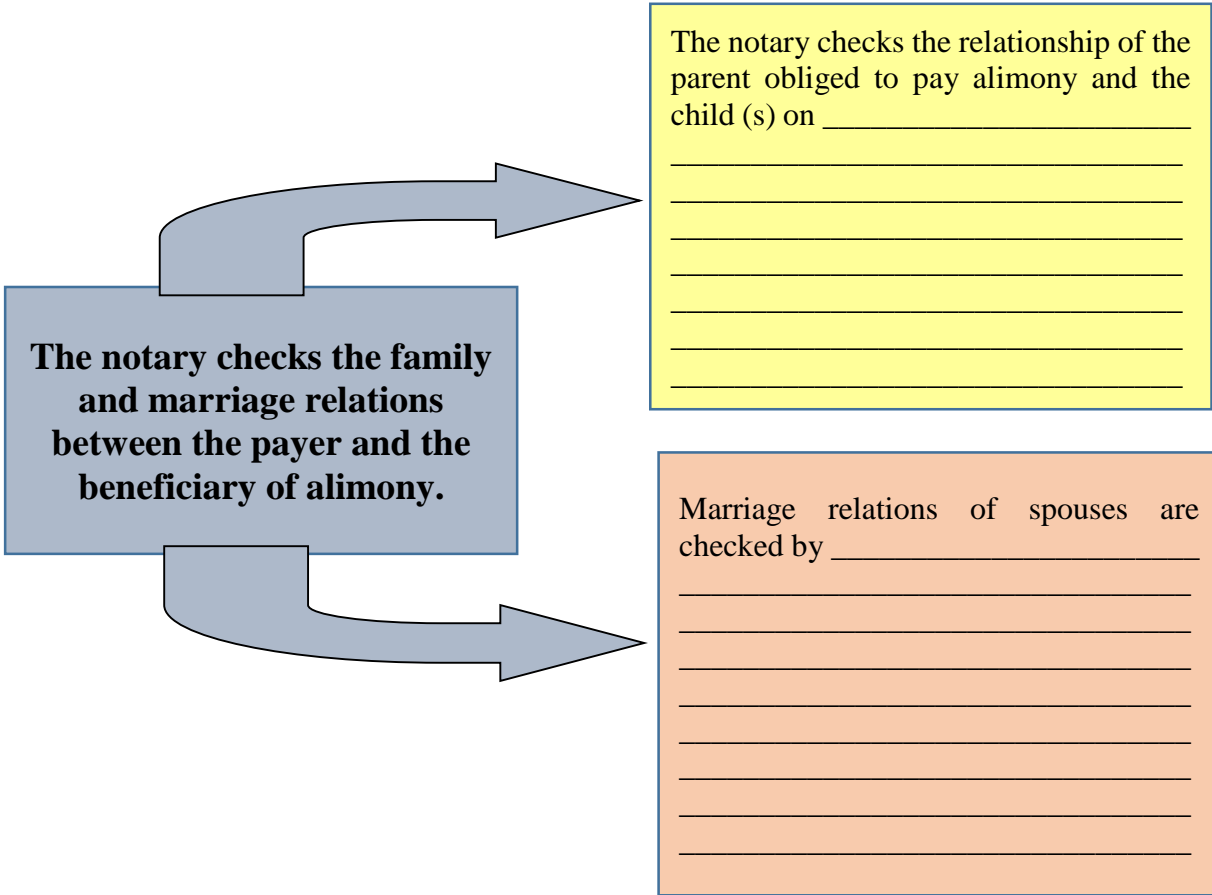
Persons declared incapacitated by the court, as well as persons who do not have full legal capacity, may not be subjects of the marriage contract. The conclusion of a marriage contract between persons in marriage in fact (cohabitation) and former spouses is prohibited

4 Read Chapter 22. “Agreement on alimony payment” of the Code of the Republic of Kazakhstan On Marriage (Matrimony) and Family and make a table.

		AGREEMENT ON ALIMONY PAYMENT
1	Concept	
2	Form	
3	Amount of alimony	
5	Methods and procedure for alimony payment	
6	Persons liable to pay alimony and persons entitled to claim it	



5 Read Item 85-3 of the Rules for Notarial Actions by Notaries and add the scheme with missing elements.



6 Read Section 6 of the Civil Code of the Republic of Kazakhstan (Special part) [9] and match the line.

BASIC CONCEPTS OF INHERITANCE LAW

1 A will

A the transfer of property of a deceased person (testator) to another person (persons) who is a heir (are the heirs)

2 Heirless property

B the day of the person's death, and in case of announcement of the person's death - the day of entry into force of the court decision on the announcement of the person's death if another date is not indicated in the decision of the court.

3 Testamentary refusal (legatum)

C the last place of residence of a testator shall be the place of opening the inheritance, and if it is unknown then the place of opening the inheritance

4 Inheritance

D an expression of will of a citizen with regard to distribution of property he (she) has in the case of his (her) death

5 Hereditary transition

E the testator shall have the right to entrust to a heir by will the execution at the expense of inheritance of any obligation (testamentary refusal) for the benefit of one or several persons (recipients of refusals), who shall acquire the right to claim execution of a testamentary refusal

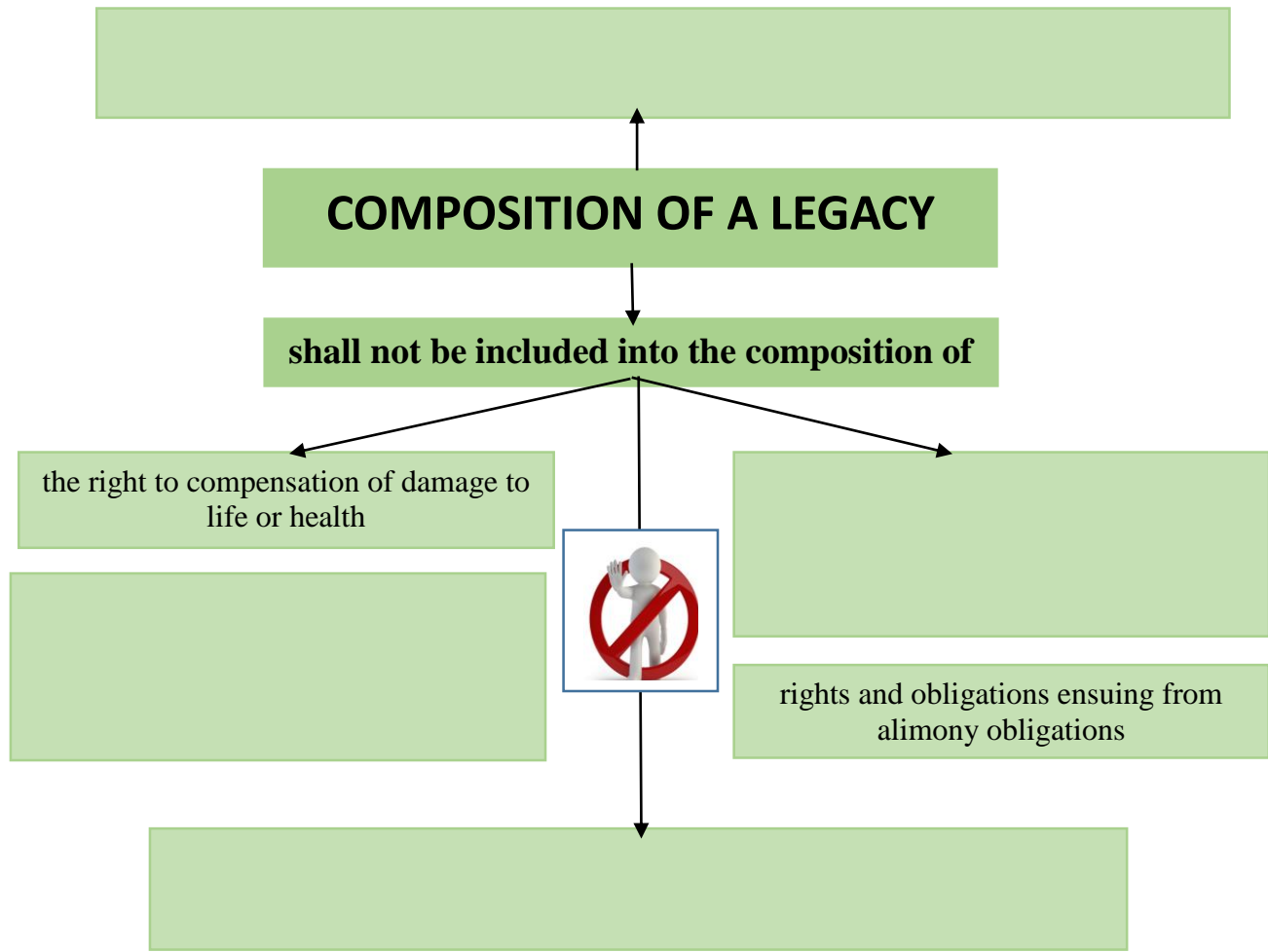
6 The date of opening of inheritance


F where there are neither heirs by will nor by law, nor where none of heirs has the right to inherit, or where all of them refused from inheritance, the property shall be recognized as such property.

7 Place of opening of inheritance


G if an heir called upon to inherit by will or by operation of law dies after the opening of the inheritance without having accepted it within the established term, the right of accepting his/her entitlement shall pass to his/her legal heirs, or if all assets of the estate have been left by will, to his/her heirs by will

7 Read Article 1040 of the Civil Code of the Republic of Kazakhstan (Special part) and add the scheme with missing elements.

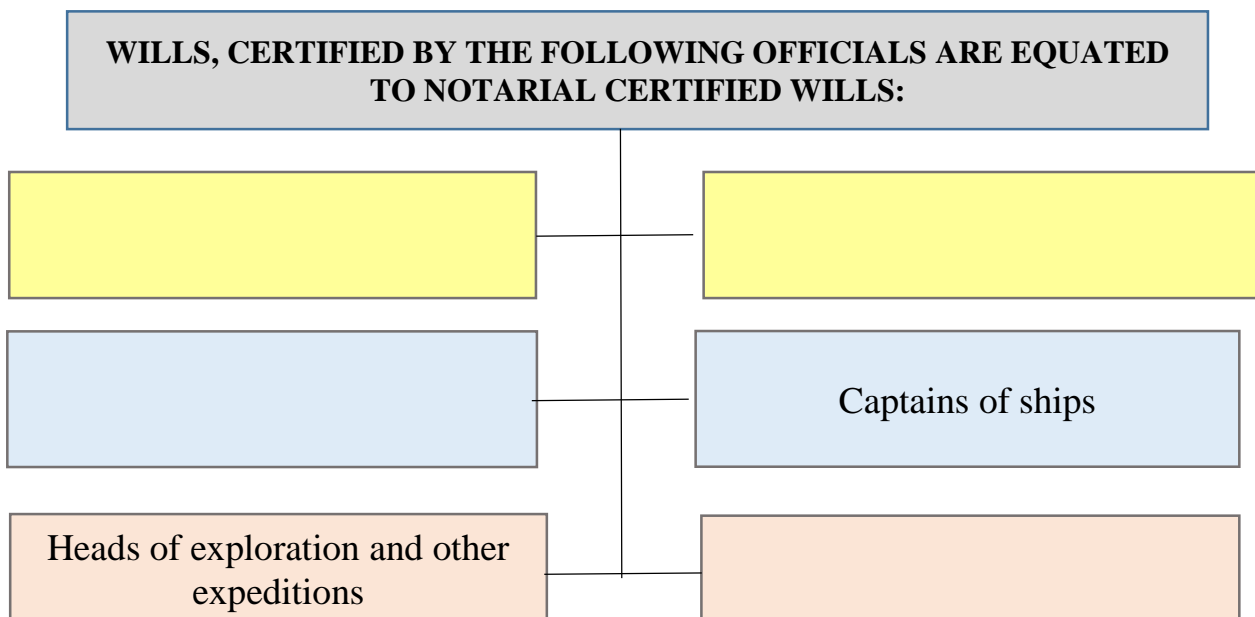


	<p>Personal non-property rights and other non-material benefits, which belonged to the testator, may be exercised and protected by heirs.</p>
---	--

8 Read Part 7 of the Rules for Notarial Actions by Notaries and decide whether these statements are true or false. If the statement is false, correct it.

	1. The will shall be created by a person who had his/her full dispositive capacity as of the time when it was created	True
	2 The will should be executed in person. The will cannot be created through a representative.	
	3 The testator shall be free to revoke and amend the drawn up will at any moment after executing it, but he/she shall be obliged to indicate reasons for the revocation or amendment.	
	5. When the will is written down from the words of the testator by a notary, usual technical devices may be used (typewriter, personal computer etc.).	
	6. The will certified by a notary should be written down by a notary from the words of the testator in the presence of a witness.	
	7 No one shall be entitled to certify a will other than a notary	
	8 At the testator's discretion, the will shall be attested by a notary without a notary's perusal of its contents (secret will).	

9 Read Article 1052 of the Civil Code of the Republic of Kazakhstan and add the scheme with missing elements.



10 Read Part 11 of the Rules for Notarial Actions by Notaries and complete the sentences with words and phrases from the box.



six months; reliable information; mass
media; together; guardianship and
trusteeship authorities; heir; authorized state
body; right of inheritance; to notify; state;
by law; by will;
separately; property interest.

Issue of certificate of right to inheritance

Notaries receiving an advice of opening of inheritance shall be obliged _____ the heirs whose place of residence or work they know accordingly. If the place of residence or work of heirs or legatees is unknown, the notary shall advise the opening of inheritance through _____.

A local notary where inheritance is opened, pursuant to the request of an _____ shall be obliged to issue to him/her a certificate of inheritance.

The certificate inheritance shall be issued upon expiry of _____ from the day when inheritance was opened.

When inheriting either _____ or _____, certificates may be issued prior to the expiry of the specified period, provided a notary has _____ that aside the persons who applied to obtain a certificate, there are no more heirs with regard to a given property or the entire inheritance


Certificates of _____ shall be issued to heirs accepting the inheritance, in accordance with Kazakh civil legislation regulations. The certificate of the right to inheritance shall be issued to all heirs _____ or to each _____, depending on their desire for each hereditary property.

When a certificate of right to inheritance of is issued to _____ in the name of a ward of court or minor or disabled heir at the place of residence of heir for the protection of his/her _____, the notary shall advise accordingly.

Certificates of right of inheritance shall be issued to the _____ when property is transferred by right of inheritance to the _____.

11 Read Part 11 of the Rules for Notarial Actions by Notaries and match the line.

METHODS OF ACCEPTING INHERITANCE:



LEGAL

the heir has commenced possession or administration of assets of the estate

the heir has paid the testator's debts or received from third persons amounts of money payable to the testator


applying for inheritance acceptance by the heir

the heir has incurred expenses on his/her account towards maintenance of assets of the estate


applying for an inheritance certificate from the heir

the heir has taken measures for preserving assets of the estate, protecting it against third persons' encroachments or claims

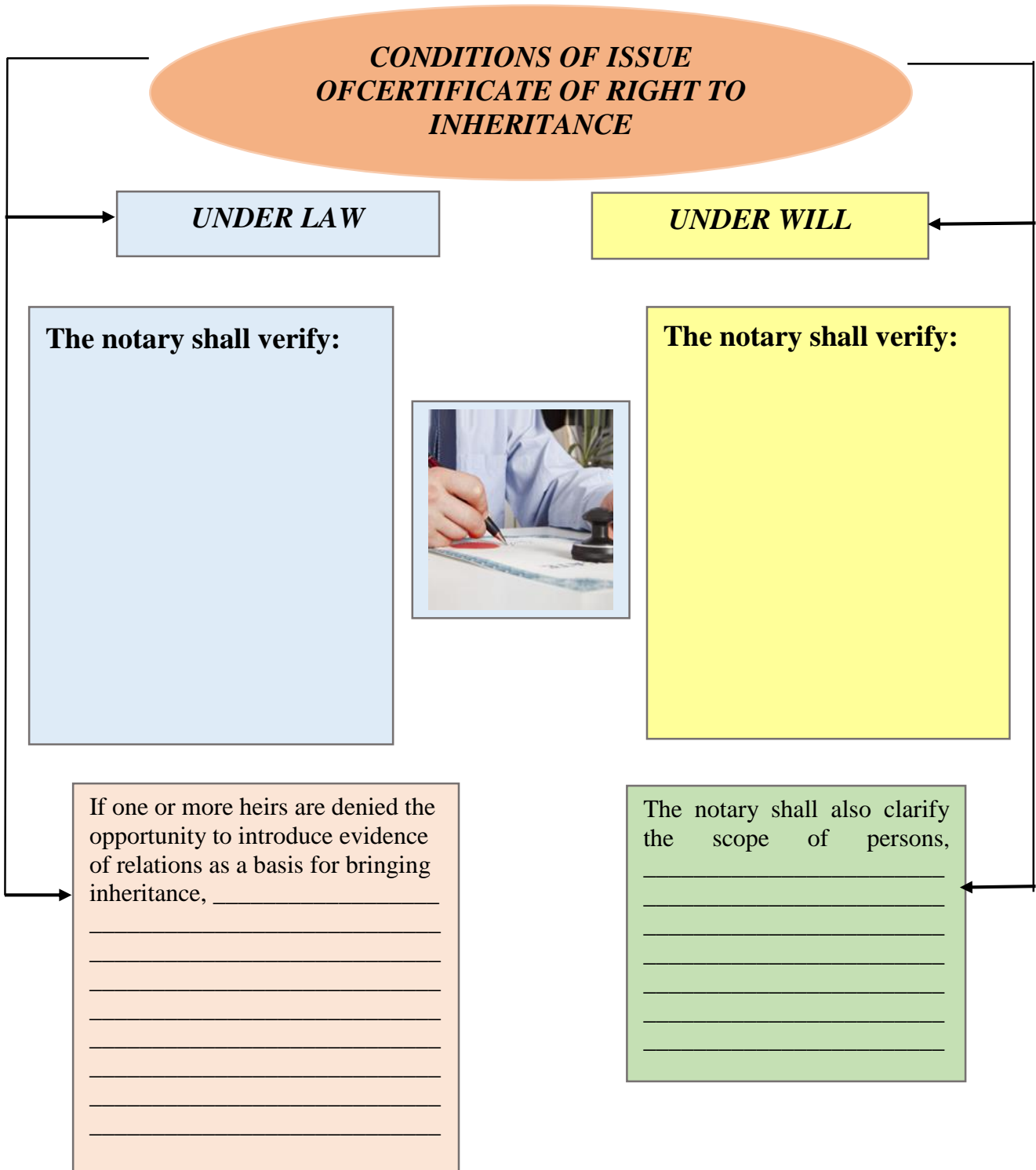
DE FACTO



12 Read Part 7 of the Rules for Notarial Actions by Notaries and decide whether these statements are true or false. If the statement is false, correct it.

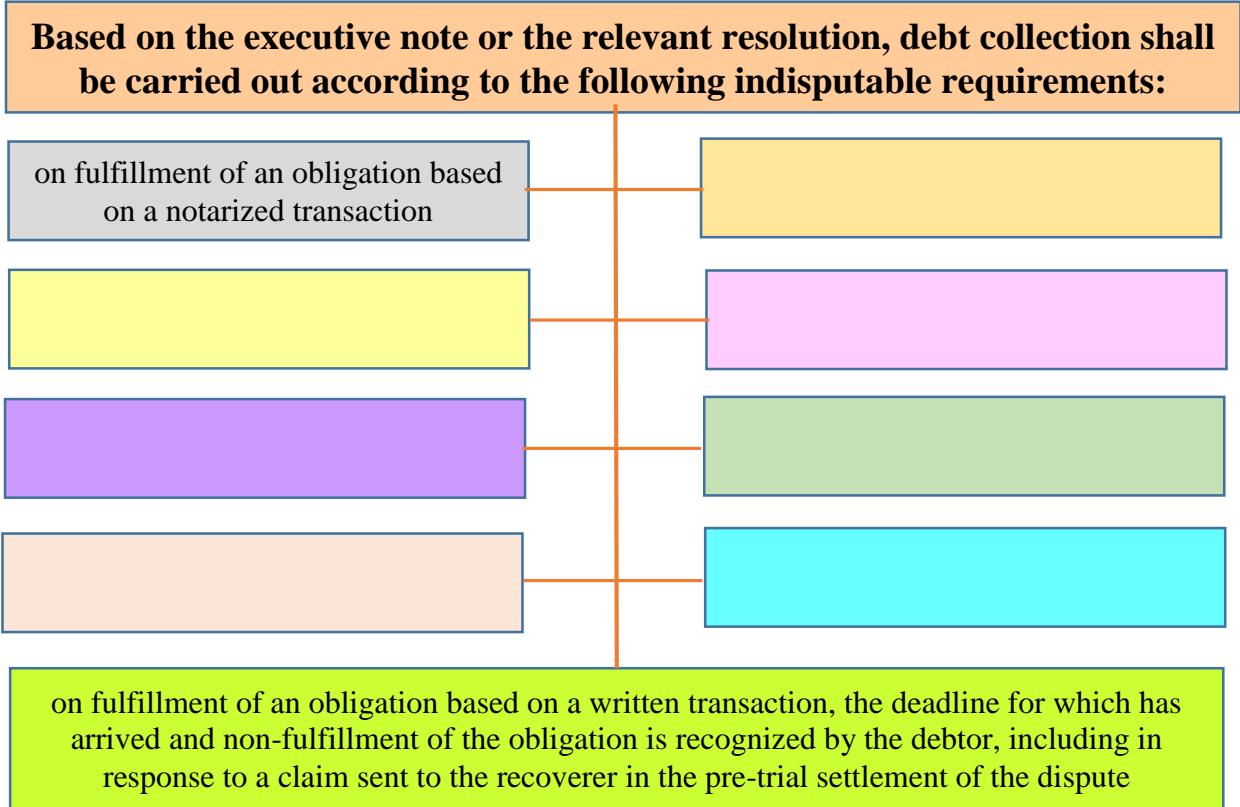
	1. The heir is entitled to refuse an inheritance within the period of six months from the opening of the inheritance.	True
	2. If there are good reasons that period may be extended by the court, however not more than for six months.	
3. A refusal from the inheritance shall be carried out by way of submission by an heir of an application to a notary in the place of opening the inheritance.		
5. The refusal from an inheritance through a representative is prohibited		
6. The refusal from an inheritance may be subsequently renounced or revoked		
7. In the case of a refusal of an inheritance, an heir shall have the right to indicate that he/she repudiates it for the benefit of other persons from among heirs by will or by law of any category, who are called upon inheritance on right of representation.		
8. The refusal of the inheritance for the benefit of heirs who are deprived of the inheritance by their testator shall be allowed.		

13 Read Part 11 of the Rules for Notarial Actions by Notaries and add the scheme with missing elements.



Topic 8 Fulfillment of executive notes and other notarial actions

1. Read Article 92-1 of the Law On Notaries and add the scheme with missing elements.



2. Read Article 92-2 of the Law On Notaries and add the scheme with missing elements.



3. Read the text below and fill empty lines in the table.***Fulfillment of executive notes***

Collection under the executive note shall be carried out in the manner established by the legislation of the Republic of Kazakhstan on enforcement proceedings.

An executive note may be presented for forcible execution within three years from the date of its execution, unless otherwise provided by law.

The restoration of the missed deadline for presentation of the executive note shall be made in accordance with the civil procedural legislation of the Republic of Kazakhstan.

Upon receipt of a notification about delivery of a copy of the executive note to the debtor and if no objection is received from the debtor within the prescribed period, the notary shall issue to the recoverer an executive note for its presentation to execution.

A copy of the executive note issued to the recoverer shall remain in the production of a notary.

The notary shall issue a decision on cancellation of the executive note or a relevant resolution not later than three working days from the date of receipt of the objection to the stated claim.

The decision to cancel the executive note or a relevant resolution shall not be subject to challenge.

A copy of the resolution to cancel the executive note or a relevant resolution not later than the next working day after their delivery must be handed over or sent to the recoverer, the debtor in accordance with Article 92-6 of this Law.

In the event that, by a resolution of a notary, the made executive note or a relevant resolution on the objection of the debtor has not been canceled, they shall be challenged in court.

Procedure of collection under executive note	
Deadlines for presentation of an executive note	
Issuance of an executive note to a recoverer	
Cancellation and contestation of an executive note or relevant resolution	

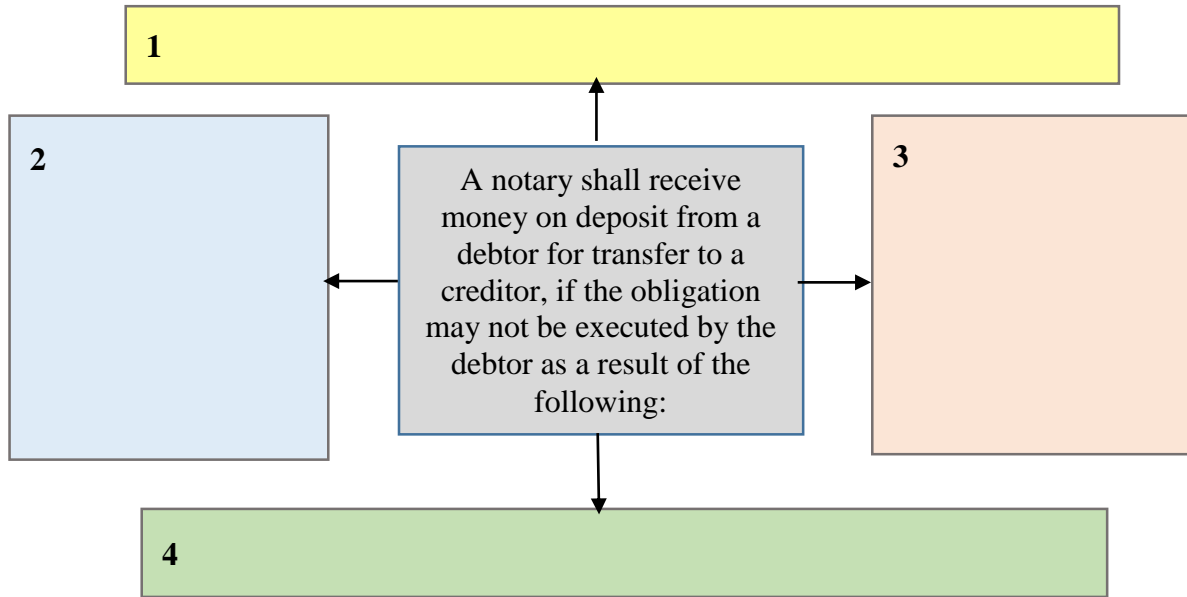
4. Read Article 92-3 of the Law On Notaries and complete the sentences



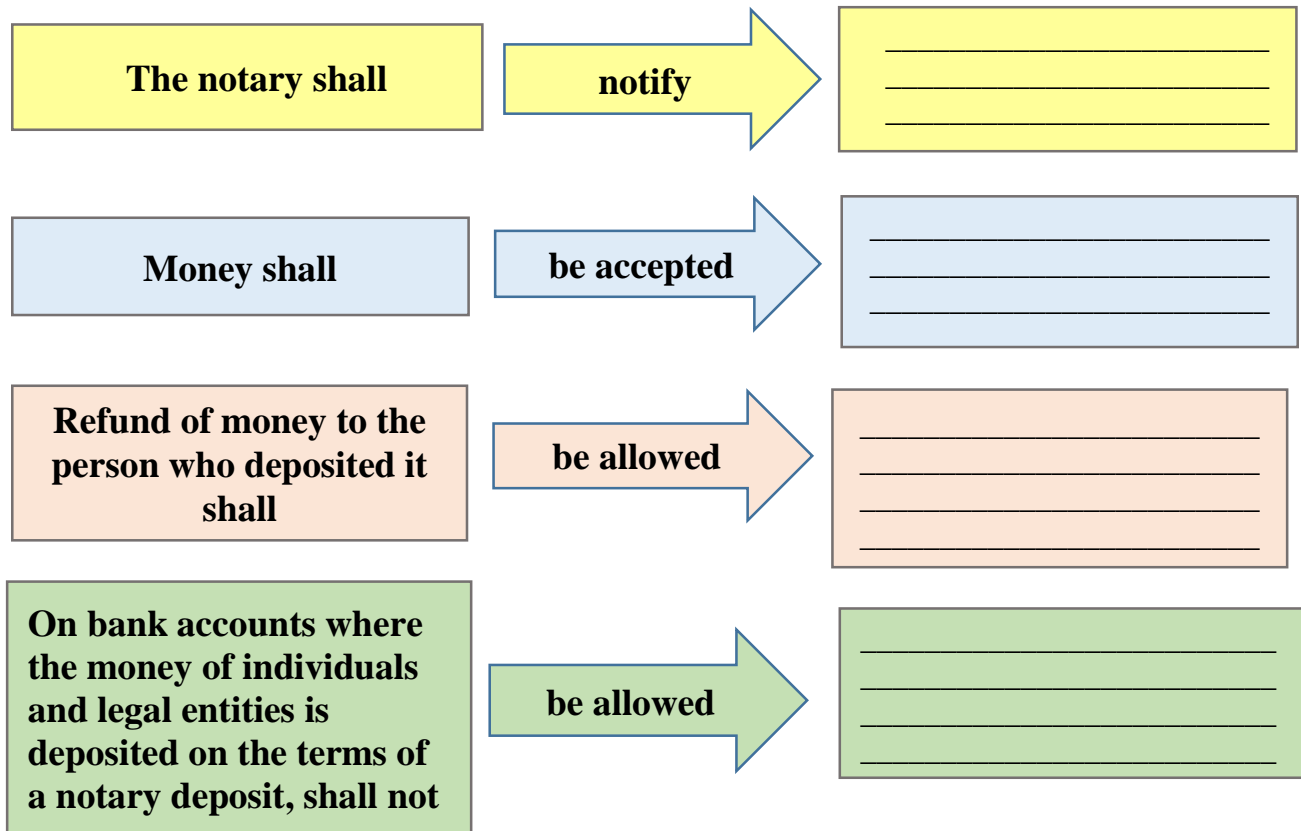
Executive note must contain:

- surname and initials, position of a _____ making an executive note;
- the name of the _____, his date of birth, place of residence or location, individual identification number, details of the _____, business identification number;
- the name of the _____, his date of birth, place of residence or location, individual identification number (_____), details of the legal entity, business identification number;
- designation of the period for which _____;
- designation of the _____ to be collected or items to be claimed;
- designation of the amount of _____ or payment of notarial acts of a private notary paid by a recoverer;
- the date (year, month, day) of _____;
- the number under which the executive note is _____;
- the signature and seal of _____ who has made the executive note;
- the _____ and _____ for filing an application to cancel the executive note.

5. Read Article 291 of the Civil Code of the Republic of Kazakhstan and add the scheme with missing elements.



6. Read Articles 85, 86 of the Law On Notaries and add the scheme with missing elements.



7. Read Articles 84 of the Law On Notaries and complete the sentences.



Transfer of declarations

- ▶ 1. Transfer of declarations of individuals and _____ to other individuals and legal entities shall be personally carried out by the notary on _____ or by _____ with _____. Declarations may also be transferred by fax machine, _____ or other technical _____.
- ▶ 2. The expenses linked with use of technical facilities for _____ shall be paid by the person _____ the notarial action is _____.
- ▶ 3. At the request of _____, a _____ of transfer of declaration shall be _____ to him/her.

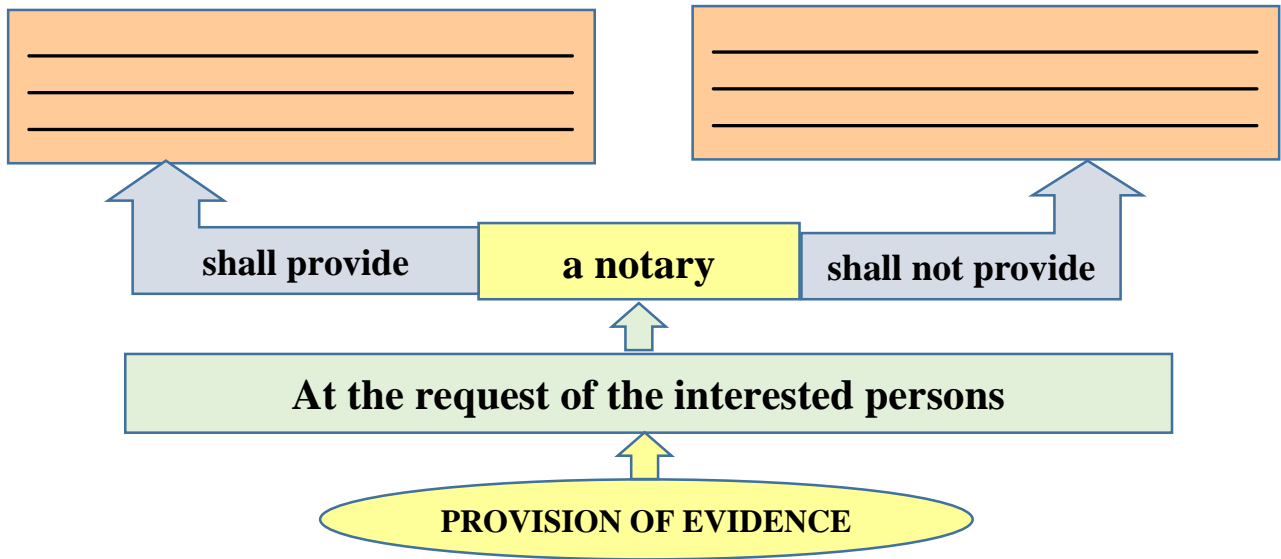
8. Read Articles 93, 94 of the Law On Notaries and complete the sentences.



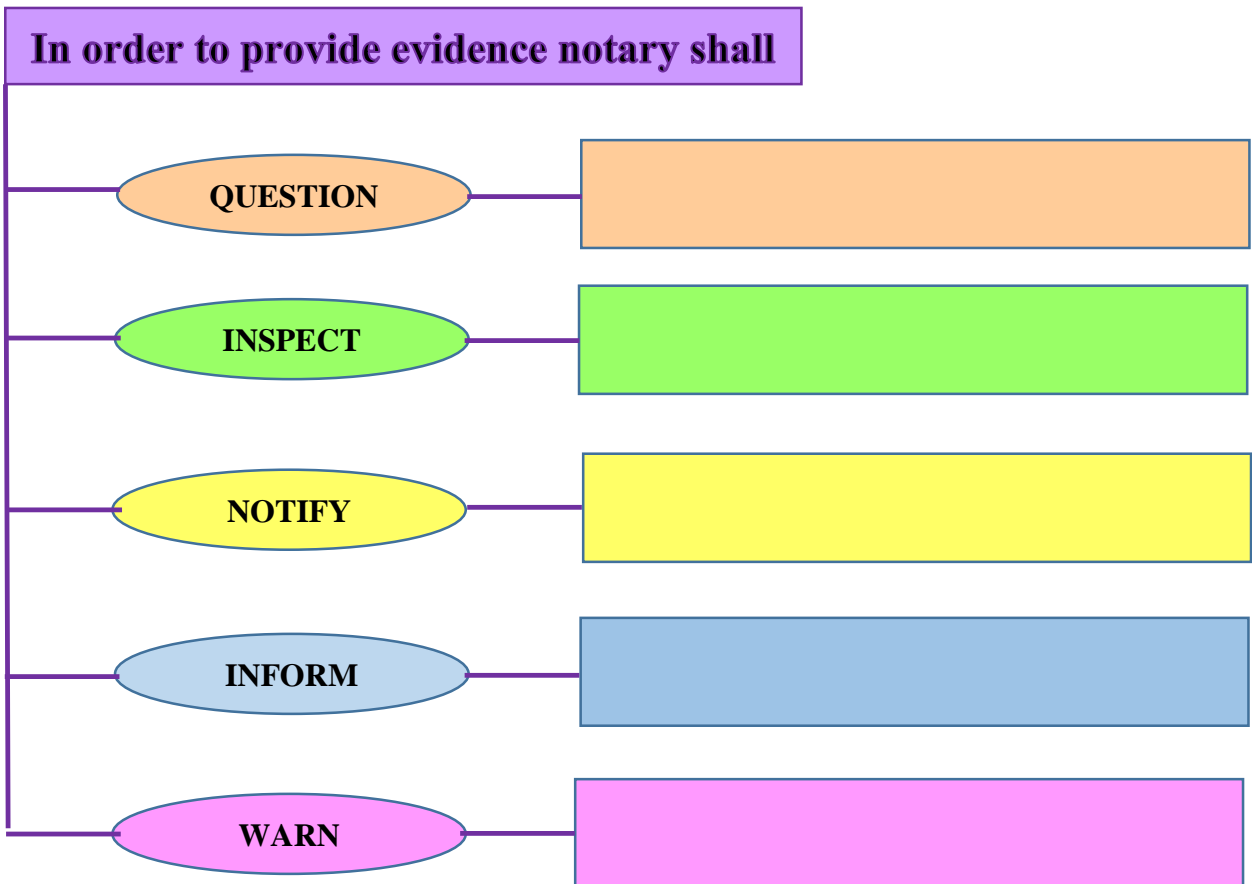
Acceptance of documents and security papers for storage

- A notary shall accept documents and _____ listed in an inventory for _____. One copy of the _____ shall be remained by the notary, another copy shall be issued to the person _____ the documents and security papers for _____.
- A notary _____ documents and security papers without _____ if they are properly packed (packing shall be under the _____, signed by him/her and the person surrendering the documents and security papers). In these cases a notary shall be responsible for _____.
- A certificate shall be issued to the _____ the documents and security papers.
- Documents and security papers accepted for storage shall be _____ to the person surrendering them for storage or legally to an _____ on presentation of certificate and its inventory or by a _____.

9. Read Articles 98 of the Law On Notaries and add the scheme with missing elements.



10. Read Articles 99 of the Law On Notaries and add the scheme with missing elements.



11. Read Chapter 16 “Execution of marine protests” of the Law On Notaries and complete the sentences with words and phrases from the box.



ship holder's; marine protest; ship's journal; port call; need for the notice; property requirements; sailing or in dock; reason for this; marine protest act; circumstances of occurrence; two witnesses; ship's captain; be issued; list of crew; twenty-four hours; merchant shipping.

Execution of marine protests

A notary shall accept a declaration by a _____ of an event occurring while the ship is _____, if this is a basis for specifying the ship owner's _____ in order to provide evidence for protection of the _____ rights and legal interests.

A notice of marine protest shall contain a description of _____ and the measures adopted by the captain for protecting the property entrusted to him/her.

A ship's captain shall be obliged to present a _____ and certified extract from the ship's journal confirming the circumstances listed in the notice of _____, in accordance with _____ legislation, together with a notice or not later than seven calendar days from the date of _____ or from the date of the event if it occurred in a port.

A notice of marine protest shall, in accordance with merchant shipping legislation, be filed within _____ of the ship's arrival in port.

If the event triggering the _____ of marine protest occurred in the port, the protest shall be made within twenty-four hours of occurrence.

If notice of protest cannot _____ within the established period, the _____ shall be specified in the notice of marine protest.

A notary shall compile a _____ and certify it with his/her own signature and seal on the basis of the captain's declaration and materials from the ship's journal, at the request of the captain and where possible, not less than _____ from the _____.

Test

1. Find the mistake. Persons entitled to carry out notarial activities

- A) notaries working state notary offices, and notaries engaging in private practice (private notary);
- B) civil servants authorized by the Law On Notaries to carry out notarial activities;
- C) persons fulfilling consular functions in the name of the Republic of Kazakhstan;
- D) other persons authorized the Law On Notaries to carry out notarial activities;
- E) internal affairs officers

2. Establish correspondence between the concept and it's definition

1 The state notary office	A) a citizen authorized by the Law On Notaries to carry out notarial activities, for example, the Article 37 of this Law
2 A notary engaged in private practice	B) a citizen in akim authorities in cities of regional significance, municipalities, villages and rural districts, who have successfully passed the certification in the territorial body of justice.
3 Civil servants	C) shall be a structural subdivision of the territorial body of justice without legal entity rights, and shall act on the basis of the Provisions confirmed by this body.
4 Other persons	D) shall be a citizen, involved in notarial activities without establishing a legal entity on the basis of a license, who insured his civil liability for obligations arising from harm resulting from notarial acts, and became a member of the notarial chamber.

3. Who may be a notary? Match the requirement to its content.

1 age	A) not less than 2 years in the legal profession
2 education	B) not less than 1 year
3 work experience	C) 25 years
4 a notary internship	D) the certification commission of justice
5 certification by	E) the right to carry out notarial activity
6 license for	F) higher legal

4. Find the mistake. A notary may not be:

- A) a person limited in legal capacity or declared incapacitated
- B) who committed an administrative corruption offense, within three years after the occurrence of such events
- C) a person deprived of a license to engage in notarial activities
- D) a person who meets the requirements specified in *Item 1*, Article 6 of the Law On Notaries

5. Is the statement true or false “The purpose of the internship shall be the acquisition by the trainee of professional knowledge and practical skills in performing notarial acts, organization of the work of a notary for the subsequent obtaining of a license to engage in notarial activities.”?

True	False
------	-------

6. Trainees shall undergo internships with notaries, having at least:

- A) five years of experience in notarial activity
- B) two years of experience in notarial activity
- C) seven years of experience in notarial activity
- D) ten years of experience in notarial activity

7. Training shall be carried out by agreement with:

- A) the state notary association
- B) the Kazakh Ministry of Justice
- C) the prosecutor's office
- D) the local executive body (akim)

8. At the end of the internship, the notary shall prepare an.....

9. An internship report is approved by the notarial chamber within:

- A) ten working days
- B) three working days
- C) ten calendar days
- D) three calendar days

10. Is the statement true or false “The internship report shall be valid for five years after its approval.”?

True	False
------	-------

11. Find the mistake. Composition of the certification commission:

- A) 2 notaries, including the dean of the notarial chamber
- B) a legal scholar
- C) 2 maslikhat deputies
- D) 2 representatives of the local executive body

12. The decision of the certification commission shall be effective for:

- A) three years from the date of issue.
- B) two years from the date of issue.
- C) four years from the date of issue.
- D) five years from the date of issue.

13. Is the statement true or false “Decisions of the certification commission of justice may not be appealed against before a court according to the procedure established by the Law”?

True	False
------	-------

14. Finish the sentence «In addition to obtaining a license, private notaries shall be obliged to take out civil liability insurance for obligations arising from civil damages arising from the execution of notarial activities, and shall not have a right to carry out notarial activities in the absence of...»

--

15. Is the statement true or false “The Law on Notaries establishes not only the rights and obligations of notaries, but also restrictions on their activities”?

True	False
------	-------

16. Establish correspondence

1 right	A) refuse to carry out notarial activity that contravenes Kazakh legislation
2 right	B) carry on business activities
3 obligation	C) perform their duties without a compulsory notary’s civil liability insurance contract
4 obligation	D) conduct conciliation procedures

5 restriction	E) to improve professional qualifications
6 restriction	F) produce drafts of contracts, applications and other documents

17. Is the statement true or false “Notary has the right to use a facsimile or transfer seal or electronic digital signature to another person, except when sending a seal to the territorial body of justice for the period of suspension of notary’s license”?

True	False
------	-------

18. The body for considering appeals, complaints about violation by members of the notarial chamber of the requirements of the legislation of the Republic of Kazakhstan, the Notary Code of Ethics, the charter of the notarial chamber, the conditions for membership in the notarial chamber (hereinafter referred to as the complaint) shall be the...

19. The complaint shall be considered no later than

- A) one month from the date of its receipt
- B) 10 working days from the date of its receipt
- C) 10 calendar days from the date of its receipt
- D) two months from the date of its receipt

20. Is the statement true or false “Complaints concerning, or refusal to accept, notarial activities shall be considered by the Kazakh Ministry of Justice in accordance with regulations of administrative procedure legislation.”?

True	False
------	-------

21. The actions of citizens and legal entities which are aimed at establishing, changing or terminating civil rights and obligations, shall be recognized as....

22. A unilateral transaction is the:

- A) power of attorney
- B) donation
- C) barter

D) sale

23. Is the statement true or false “In cases stipulated by laws of the Republic of Kazakhstan or by agreement of the parties, the written transactions are deemed to be committed only after their notarization.”?

True	False
------	-------

24. Is the statement true or false “Notaries and civil servants carrying out notarial activities must clarify the meaning and significance of the draft transaction presented and shall not check that the content reflects the parties’ actual intent and is not inconsistent with the requirements of legislation.”?

True	False
------	-------

25. Write with numbers. The number of copies of documents containing the content of the transaction is determined by the persons who applied for a notarial act, but must not be less than copies:

26. In any transactions in which the property of minors or persons over whom guardianship or trusteeship is established is reduced, must be sought the consent of the:

- A) guardianship and trusteeship authority
- B) prosecutor's office
- C) juvenile court
- D) internal affairs authority

27. Is the statement true or false “Upon dissolving of the contract, the parties return to the notary all copies of the contract, while the notary makes an inscription on dissolving on all copies of the contract indicating the registry number and the date of certification of the termination agreement, as well as an entry in the register of notarial actions and the electronic register of the UNIS.”?

True	False
------	-------

28. Find the mistake. According to the Civil Code, property alienation contracts include:

- A) Loan agreement
- B) Donation Contract
- C) Barter Contract
- D) Contract for Lease of Property

29. In the line for the answer, write the missing phrase. In the event of seizure of immovable property and movable property, the notary refuses to perform a notarial act, which makes a to perform a notarial act.

--

30. Is the statement true or false “When certifying a contract for the alienation of immovable and movable property subject to state registration, the notary explains the need for state registration of the contract, as noted in the text of the contract.”?

True	False
------	-------

31. Is the statement true or false “When one of the spouses makes a transaction to dispose of the common property of the spouses, the consent of the other spouse is assumed, if the marriage contract does not establish a different regime of property.”?

True	False
------	-------

32. Find the mistake. The text of the contract indicates that the property is acquired with the consent of the spouse (s) specifying:

- A) his/her full surname, first name and patronymic (if available)
- B) an individual identification number,
- D) date and place of birth
- C) his/her legal address

33. Establish the correspondence:

1 The notary does not	A) the alienation of real estate located on a land plot without the corresponding alienation of the ownership right (land use right) to the land plot.
2 Is not allowed	B) the purchaser about the number of registered persons at the address with the address registration code (RAC) of the real estate object.

<p>3 The notary notifies in writing</p>	<p>C) request an identification document for the land plot during the alienation of residential and non-residential premises located in the condominium.</p>
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34. When alienating real estate located on a land plot, the notary does not use the UNIS database:

- A) "Real Estate Register"
- B) "Legal persons."
- C) "Individuals "
- D) "Registry Office Information System"

35. When certifying the contract of alienation of the vehicle, the notary shall request:

- A) No traffic accident certificate for the last 3 years
- B) Certificate of state registration of the vehicle;
- C) Certificate of registration authorities on the absence of vehicle deposit, and other encumbrances, or a mark of the registration authority on the deregistration of the vehicle

36. A written authorization by one person for representation on his behalf, which is issued to another person shall be recognized as a...

37. Write with numbers. A power attorney may be issued for a term of no longer than years

38. Establish the correspondence

<p>1 The power of attorney for the right to drive and dispose of the vehicle</p>	<p>A) when the notary checks the powers of the official person who signed the power of attorney and the legal capacity of the legal entity.</p>
<p>2 A power of attorney issued by a legal entity may be notarized</p>	<p>B) should also be signed by the chief (senior) accountant of this organization before notarization</p>

<p>3 A power of attorney on behalf of commercial and non-profit organization for receiving or issuing money and other property</p>	<p>C) is certified if there is a certificate of state registration of the vehicle (technical passport).</p>
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39. Is the statement true or false “Further transfer of powers on the basis of a power of attorney issued in the order of sub-delegation procedure is allowed”?

True	False
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40. Is the statement true or false “Certification of one consent, regardless of the number of persons who signed it, is one notary act.”?

True	False
------	-------

41. A transfer of property of a deceased citizen (testator) to another person (persons) who is a heir (are the heirs) is an....

--

42. Is the statement true or false “Inheritance shall be carried out on the grounds of the will and (or) law.”?

True	False
------	-------

43. Find the mistake. The rights and obligations shall not be included into the composition of a legacy:

- A) rights and obligations the existence of which is not terminated by his (her) death;
- B) the right to compensation of damage to life or health;
- C) rights and obligations ensuing from alimony obligations;
- D) rights of membership in organizations that are legal entities, unless it is otherwise established by legislative acts or an agreement;

44. Establish the correspondence

<p>1 The time of inheritance opening</p>	<p>A) the last place of residence of a testator shall be the place where inheritance opens, and if it is</p>
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	unknown then the place where estate or its principal part is located
2 The place of inheritance opening	B) the day of death of a testator, and in the case of announcing him as deceased the date when the court decision on announcing a citizen as deceased, unless there is a different date in the court decision

45. An expression of will of a citizen with regard to distribution of property he (she) has in the case of his (her) death shall be recognized as a...

46. Is the statement true or false “Execution of a will through a representative shall be allowed”?

True	False
------	-------

47 Establish the correspondence

1 A testator shall not have the right	A) execute the will personally
2 A testator must	B) to entrust to the persons who are in his will appointed by him as heirs, the duty to distribute the properties bequeathed by him in a certain manner in the case of their death.
3 A testator shall have the right	C) to deprive of inheritance one, several, or all heirs by law.

48 May not be witnesses, nor may they sign a will instead of a testator:

- A) the notary or any other person who attests a will;
- B) the persons held in administrative proceedings;
- C) citizens who have limited capability;
- D) illiterate and other persons who cannot read a will;
- E) persons who have been sentenced for perjury.

49. Is the statement true or false “Certification of wills on behalf of several persons is not allowed”?

True	False
------	-------

50. Find the mistake. When a notarized will is drawn up in the presence of a witness it shall state:

- A) the witness' surname, name
- B) place of the witness' permanent residence,
- C) date and place of witness' birth

51. Is the statement true or false “When certifying a will, the notary explains to the testator the rights of minors and disabled heirs under the law to receive an obligatory share, regardless of the content of the will.”?

True	False
------	-------

52. An estate trust administrator shall have the right to compensation at the expense of the estate:

- A) of appropriate costs associated with the protection of the estate and its management;
- B) to a fee, unless it is otherwise stipulated by his agreement with heirs
- C) to lost profits, unless it is otherwise stipulated by his agreement with heirs

53. A will notarized by a notary's perusal of its contents a...

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54. The certificate inheritance shall be issued upon expiry of:

- A) six months from the day when inheritance was opened
- B) three months from the day when inheritance was opened
- C) ten months from the day when inheritance was opened
- D) twelve months from the day when inheritance was opened

55. Establish the correspondence between methods of accepting inheritance and actions:

1 legal	A) applying for inheritance acceptance by the heir
2 legal	B) the heir has incurred expenses on his/her account towards maintenance of assets of the estate

3 de facto	C) the heir has paid the testator's debts or received from third persons amounts of money payable to the testator
4 de facto	D) applying for an inheritance certificate from the heir

56. Is the statement true or false “The certificate of the right to inheritance shall be issued to all heirs together or to each separately, depending on their desire for each hereditary property.”?

True	False
------	-------

57. Establish the correspondence between Establish the correspondence between the actions of the notary when issuing the certificate of inheritance and the grounds of inheritance;

1 The notary verifies the death of testator	A)under will
2 The notary verifies the fact of the existence of a will	B)in both cases
3 The notary verifies the existence of relations constituting the basis for allocating the inheritance to persons applying for issue of certificate of right of inheritance	C)in both cases
4 The notary verifies the time and place of opening of inheritance	D) under law

58. The refusal from an inheritance through a representative:

- A) is possible where the power for such a refusal is specifically stipulated in the power of attorney
- B) is prohibited
- C) is possible in any case

59. Is the statement true or false “The refusal from an inheritance may be subsequently renounced or revoked”?

True	False
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60. All subsequent applications from other heirs, including additional ones, are also registered in the Book of Records of Hereditary Cases, in the form provided for in the:

- A) Rules of Notarial Clerical Correspondence

B) Rules for Notarial Actions by Notaries

C) Law of the Republic of Kazakhstan on Notaries

Answer keys for self-check

1 Find the mistake. Persons entitled to carry out notarial activities

E) internal affairs officers

2 Establish correspondence between the concept and it's definition

- 1 – C
- 2 – D
- 3 – B
- 4 - A

3 Who may be a notary? Match the requirement to its content.

- 1 – C
- 2 – F
- 3 – A
- 4 – B
- 5 – D
- 6 – E

4 Find the mistake. A notary may not be:

D) a person who meets the requirements specified in *Item 1*, Article 6 of the Law On Notaries

5 Is the statement true or false “The purpose of the internship shall be the acquisition by the trainee of professional knowledge and practical skills in performing notarial acts, organization of the work of a notary for the subsequent obtaining of a license to engage in notarial activities.”

True

6 Trainees shall undergo internships with notaries, having at least:

E) five years of experience in notarial activity

7 Training shall be carried out by agreement with:

E) the state notary association

8 At the end of the internship, the notary shall prepare an.....

internship report

9 An internship report is approved by the notarial chamber within:

E) ten working days

10 Is the statement true or false “The internship report shall be valid for five years after its approval.”

False

11 Find the mistake. Composition of the certification commission:

D) 2 representatives of the local executive body

12 The decision of the certification commission shall be effective for:

E) three years from the date of issue.

13 Is the statement true or false “Decisions of the certification commission of justice may not be appealed against before a court according to the procedure established by the Law”

False

14 Finish the sentence «In addition to obtaining a license, private notaries shall be obliged to take out civil liability insurance for obligations arising from civil damages arising from the execution of notarial activities, and shall not have a right to carry out notarial activities in the absence of...»

an insurance policy

15 Is the statement true or false “The Law on Notaries establishes not only the rights and obligations of notaries, but also restrictions on their activities”

True

16 Establish correspondence

- 1 – F
- 2 – D
- 3 – E
- 4 – A
- 5 – B
- 6 - C

17 Is the statement true or false “Notary has the right to use a facsimile or transfer seal or electronic digital signature to another person, except when sending a seal to the territorial body of justice for the period of suspension of notary’s license”

False

18 The body for considering appeals, complaints about violation by members of the notarial chamber of the requirements of the legislation of the Republic of Kazakhstan, the Notary Code of Ethics, the charter of the notarial chamber, the conditions for membership in the notarial chamber (hereinafter referred to as the complaint) shall be the...

disciplinary commission

19 The complaint shall be considered no later than

A) one month from the date of its receipt

20 Is the statement true or false “Complaints concerning, or refusal to accept, notarial activities shall be considered by the Kazakh Ministry of Justice in accordance with regulations of administrative procedure legislation.”

False

21. The actions of citizens and legal entities which are aimed at establishing, changing or terminating civil rights and obligations, shall be recognized as...

transactions

22. A unilateral transaction is the:

E) power of attorney

23. Is the statement true or false “In cases stipulated by laws of the Republic of Kazakhstan or by agreement of the parties, the written transactions are deemed to be committed only after their notarization.”

True

24. Is the statement true or false “Notaries and civil servants carrying out notarial activities must clarify the meaning and significance of the draft transaction presented and shall not check that the content reflects the parties’ actual intent and is not inconsistent with the requirements of legislation.”

False

25. Write with numbers. The number of copies of documents containing the content of the transaction is determined by the persons who applied for a notarial act, but must not be less than copies:

2

26. In any transactions in which the property of minors or persons over whom guardianship or trusteeship is established is reduced, must be sought the consent of the:

A) guardianship and trusteeship authority

27. Is the statement true or false “Upon dissolving of the contract, the parties return to the notary all copies of the contract, while the notary makes an inscription on dissolving on all copies of the contract indicating the registry number and the date of certification of the termination agreement, as well as an entry in the register of notarial actions and the electronic register of the UNIS.”

True

28. Find the mistake. According to the Civil Code, property alienation contracts include:

D) Contract for Lease of Property

29. In the line for the answer, write the missing phrase. In the event of seizure of immovable property and movable property, the notary refuses to perform a notarial act, which makes a to perform a notarial act.

decision to refuse

30. Is the statement true or false “When certifying a contract for the alienation of immovable and movable property subject to state registration, the notary explains the need for state registration of the contract, as noted in the text of the contract.”

True

31. Is the statement true or false “When one of the spouses makes a transaction to dispose of the common property of the spouses, the consent of the other spouse is assumed, if the marriage contract does not establish a different regime of property.”

True

32. Find the mistake. The text of the contract indicates that the property is acquired with the consent of the spouse (s) specifying:

C) his/her legal address

33. Establish the correspondence:

1 – C

2 – A

3 - B

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57. Establish the correspondence between Establish the correspondence between the actions of the notary when issuing the certificate of inheritance and the grounds of inheritance;

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- 3 – D
- 4 – C

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A) Rules of Notarial Clerical Correspondence

Conclusion

The study of law is intellectually stimulating and challenging, and can lead to a variety of interesting careers.

The study of law differs from country to country, but most law degree programmes include core (compulsory) subjects which students must take, for example civil law, constitutional law, criminal law, administrative law and so on. There is also a variety of optional (elective) courses available, such as family law, housing law, company law. "Notaries of the Republic of Kazakhstan" is the basic elective course. Courses, like this, give students the opportunity to experience the work of a notary before deciding on a career in this field.

The practicum on notaries aims to familiarize the students of Law specialty with the study of legislation, governing notarial activities as well as to begin the development of certain professional skills, such as analysis and synthesis of legal decisions, and interpretation of statutes.

This study guide was written as a self-study book for students, but teachers may also find it useful as additional course material in a cases where further work on law is necessary. It may of course be used by the teacher as a source of ideas and information on which to base a lesson. The glossary, tasks and tests can be done individually, in class or as a homework.

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