



Ministry of Education and Science of Kazakhstan

Pavlodar State University by S. Toraigyrov

Department of Sociology and Politology

## **WORK PROGRAM**

For magistrates

Discipline «**Bases of Law**»

Pavlodar

Approval sheet to form a worki  
program of discipline  
developed on the basisState Ob  
Education and profession mod



F CO PSU 7.18.1/07

**APPROVED**

Vice-rector for SD

\_\_\_\_\_Pfeyfer N.E  
«\_\_\_\_»\_\_\_\_\_ 2013.

Compiled by: senior lecturer Akhmetov E.B

Department of Sociology and Politology

## **WORK PROGRAM**

Foundations for the discipline of law

The work program was developed on the basis of state compulsory standards bachelor and a model program of discipline MES July 12, 2005 № 480.

Recommended at a meeting of the department «\_\_\_\_»\_\_\_\_\_ 20\_\_.

Protocol number \_\_\_\_\_

Head of the department\_\_\_\_\_

Methodical Council endorsed the Faculty of History and Law

«\_\_\_\_»\_\_\_\_\_ 20\_\_. Protocol № \_\_\_\_\_

Chairman UMS\_\_\_\_\_ Suleimenova Sh.K.

**AGREED**

Dean of the faculty\_\_\_\_\_Begimtaev A.I. «\_\_\_\_»\_\_\_\_\_ 20\_\_.

**APPROVED**

Head \_\_\_\_\_ . «\_\_\_\_»\_\_\_\_\_ 20\_\_.

## **1.Aims and discipline problems**

1.1 The purpose of the discipline "Law" is:

- education legal consciousness among students and promote legal knowledge;
- clarification and appreciation of the role of the state and the rights to develop and improve public relations;
- folding sustainable skills in law, and train highly qualified specialists with broad higher education know the constitutional and legal framework and basis of sectoral legislation of the Republic of Kazakhstan.
- In the process of completing the course, "Law" attention should be paid to existing laws and other normative acts of the Republic of Kazakhstan.
- It is also important to know the social purpose of law, what benefits they bring to the case of strict, precise execution of their claims and the harm cause offenders to other citizens.

1.2 The task of the discipline "Basis of Law" is:

- teach students the basics of theory of law, constitutional, administrative, criminal, civil, labor and other rights;
- help students turn ideas into laws of their own ideas, beliefs and act in various situations in accordance with them;

1.3 The result of the discipline "Law" student should know:

- basic concepts relating to the state and law, morality, in their modern sense;
- basis of the constitutional order of the Republic of Kazakhstan;
- system of government and their interaction with other socio-political institutions;
- basis of the legal status of a person and citizen.

1.4 Be able to:

- understand the state and legal structure of society, government entities and mechanisms for its implementation;
- use regulations when a specific life circumstances relating to matters of state and law.

2.Prerekvizity: Mastering the course "Law" implies knowledge of the following disciplines in the amount of school curriculum: history, history of Kazakhstan, man, society, law, foundations of the state and law.

3.The content of the discipline

**3.1 SUBJECT OF DISCIPLINE PLAN - full-time office-based CCA (2 credits).****Thematic plan-** Full-time studies 2 credit

<b>SUBJECT PLAN FOR DISCIPLINE</b>					
<b>№</b>	<b>Themes</b>	<b>Количество часов</b>			
		<b>Lekts.</b>	<b>Scient.</b>	<b>Lab.</b>	<b>CDS</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
1	State and Law	2	2	-	6
2	Constitutional law of Kazakhstan	1	1	-	6
3	Organization and activities of law enforcement agencies and courts of Kazakhstan	1	1	-	6
4	Government	1	1	-	6
5	Administrative Law	2	2	-	6
6	Fundamentals of Civil Law of the RK	2	2	-	6
7	Financial and Tax Law of RK	1	1	-	6
8	Basics of labor and social security law in the Republic of Kazakhstan	1	1	-	6
9	Ecology and Land Law of RK	1	1	-	6
10	Criminal Law	2	2	-	3
11	Procedural Law	1	1	-	3
<b>total</b>		<b>15</b>	<b>15</b>	<b>-</b>	<b>60</b>

**3.5 CONTENTS**

discipline "Basis of Law"

## Topic 1: **Basic concepts of state law and state legal phenomena**

General characteristics of the theories of the origin countries. Eastern and Western ways of states. Historical types of states. Classification of countries according to their attitude to the law. The concept and features of the state. Forms of government. Form of government. Form of government. Political regime. State functions (internal and external). The mechanism of the state and its structure. Features of the rule of law. The principle of separation of powers. The legal state and civil society. Building the rule of law in Kazakhstan.

### Plan of the seminar № 1

1. A concept and features of the state.
2. Forms of government (a form of government, form of government, the political regime).
3. Functions of the state.
4. The mechanism of the state and its structure.

### Plan number 2

- 1 Features of the legal state.
- 2 Principle of separation of powers.
- 3 The legal state and civil society.
- 4 Building the rule of law in Kazakhstan.

Literature 1,2,4,5

## Topic 2: **Fundamentals of the Constitutional Law of the Republic of Kazakhstan**

Constitutional law in a system of social norms. The concept of the rule of law and its forms. Form (sources of law.) Concept and a system of constitutional law. Morality and law. Public and private law. The implementation of the law. The interpretation of the law. Legal facts, events and actions, good behavior. Legal relations, the concept, characteristics and structure

### Plan of seminar № 3

- 1 The Constitution of the RK-law of the state
- 2 Constitutional foundations of human and civil rights in the Republic of Kazakhstan
- 3 Basics of the constitutional system of the Republic of Kazakhstan
- 4 The Electoral System of the Republic of Kazakhstan
- 5 The legal relationship, the concept, characteristics and structure

Literature 1,2,3,4,5

## Topic 3: **Law enforcement agencies and courts of the Republic of Kazakhstan**

The system of law enforcement bodies of Kazakhstan. Constitutional Council of Kazakhstan: its place in the organs of the state, the role and significance of Justice .Ministry and its departments. The prosecutor's office of RK: system, structure, meaning and function. The principles of the Interior Ministry of National RK. Komity bags RK: organ system, principles and functions. Advocacy and notaries. Place, role and importance of law enforcement

### Plan seminars № 1

1. A Constitutional Council of Kazakhstan

2. Ministry of Justice.
3. The prosecutor's office of RK.
4. Ministry of Internal Affairs of Kazakhstan.

Plan number 2 seminars

- 1 Advocacy and notaries in the Republic of Kazakhstan
- 2 The Court and Justice of the Republic of Kazakhstan
- 3 Supreme Court as the highest judicial body
- 4 Legal status of the President of the Republic of Kazakhstan.
- 5 The legal status of the Parliament of the Republic of Kazakhstan.
- 6 Legal status of the Government.
7. Literature 1,3, 6,16,17,19,20,21,24,25,27,37,47,56

**Topic 4: The government of the Republic of Kazakhstan**

The state as regulator. The main characteristics of the state, the social functions of the state-object state management. The system, organization and form of government. subject and problems of public administration. The structure of public administration. Stages of reforming public administration and their direction.

Plan seminars № 1

- 1 The State as a subject of control
- 2 The system, organization and form of government.
- 3 The system, organization and form of government.

Plan number 2 seminars

A concept, subject and problems of public administration

- 2 Structure of public administration.

Literature 1,2,10,11,31,39,49,50,52

**Topic 5: Principles of Administrative Law of the Republic of Kazakhstan**

The concept, objectives and principles of administrative law. Subjects Administrative Law of the RK. Government employees. The concept and principles of public service in the ROK. Manage the administrative and political sphere.

Plan of seminars

- 1 Subject matter, method and system of administrative law
- 2 The concept and main features of the entity
- 3 The concept and legal status of bodies of executive power.
- 4 Managing the administrative and political sphere
- 4 Powers of local authorities in the field of internal affairs, protect order.

Literature 1,2,4,33,34,44,46,61,62,63

**Topic 6: Principles of civil and family law of the Republic of Kazakhstan**

The concept of civil law. The civil legal capacity and capability. Citizens and legal persons as subjects of civil relations.

Ownership. Transactions: concept, types. Terms of invalidity of the transaction. Contract and the concept of commitment. Representation and Power of Attorney. Intellectual property law. Terms and statute of limitations in civil law.

Plan seminars

- 1 The concept of civil law.

- 2 The civil legal capacity and capability.
- 3 The right of ownership.
- 4 Transactions: concept, types. Terms of invalidity of the transaction.
- 5 Agreement and the notion of obligations.
- 6 Terms and limitation in civil law.
- 7 The main provisions of domestic law of the RK

Literature 1,2,29,30,41,54

### **Theme 7 Principles of Financial Law of the Republic of Kazakhstan**

The concept and the subject of financial law. The budget law of Kazakhstan. The main provisions of tax law of Kazakhstan.

Plan seminars

- 1 The concept and the subject of financial law.
- 2 The concept and elements of financial relations.
- 3 Basis of termination and financial relations.
- 4 of the budget law of the RK
- 5 Responsibility for violation of the law.
- 6 Tax Law of the RK.

Literature 1,2,6,7,35,48

### **Topic 8 Labour law and Social Security of the Republic of Kazakhstan**

The concept and scope of labor law. Methods of labor law.

Principles of labor law of the Republic of Kazakhstan.

Labor disputes. Financial responsibility. Guarantee and compensation. Protection. social security law.

Plan seminars

- 1 The concept and scope and methods of labor law.
- 2 Principles of labor legislation of the Republic of Kazakhstan.
- 3 Labor disputes.
- 4 Basics social security law.
- 5 Occupational

Literature 1,2,6,12,29,41,45

### **Topic 9 Fundamentals of Environmental and Land Law**

The concept and the role of environmental law in society and the state.

Sources of environmental law. Ecological relationship, their participants and objects.

The concept of environmental crime and its types.

The concept of ownership and types of legal liability for ecology law. The concept of environmental security. Ecocide. Public danger ecocide. Environment .

Plan seminars

- 1 The concept and the role of environmental law in society and the state.
- 2 Sources of environmental law.
- 3 Ecological relationship, their participants and objects.
- 4 The concept of environmental crime and its types.
- 5 The concept of ownership and types of legal liability for ecology law.
- 6 Land Law of RK

Literature 1,2,6,15,28,38,57

### **Topic 10 Criminal Law of the Republic of Kazakhstan**

Criminal law as a branch of law. The concept and features of the crime. Classification of crimes. Criminal responsibility: the concept, the basis of its occurrence. The crime: the object of a crime, subject of a crime, the objective aspect of subjective side. Fighting corruption in Kazakhstan.

Plan seminars

- 1 Criminal Law as a branch of law
- 2 The concept and elements of a crime. Classification of crimes.
- 3 Criminal responsibility: the concept, the basis of its occurrence.
- 4 Composition of crime: the object of a crime, subject of a crime, the objective aspect of subjective side
- 5 Anti-Corruption in the Republic of Kazakhstan

Literature 1,2,6,13,32,51

### **Topic 11 Procedural Law of the Republic of Kazakhstan**

The concept of procedural and object. procedural law. The subject, method, system and principles of criminal law, the Civil Procedure Law RK. hearing criminal and civil cases

Plan of seminars

- 1 The concept and subject of procedural law
- 2 Branches of procedural law.
- 3 a method, system and principles of criminal law
- 4 of the Civil Procedure Law of the RK. hearing criminal and civil cases

Literature 1,2,6,13,32,51,59 . The trial of criminal and civil cases

## **3.6 CONTENTS SSW**

Topic 1: **State**



General characteristics of the theories of the origin countries. Eastern and Western ways of states. Historical types of states. Classification of countries according to their attitude to the law.

Literature 1,2,4,5

### Subject 2 **Right**

theory of law. Morality and law. Public and private law. The implementation of the law. The interpretation of the law. Legal facts, events and actions, good behavior.

Literature 1,2,3,4,5

### Topic 3: **Criminal Law**

The criminal in time, space and the public. Complicity in the crime. Circumstances precluding criminality. Criminal responsibility of minors.

Literature 1,2,33,34,44,46,61,62,63

### Topic 4: **Basics of Civil Law**

Citizens and legal persons as subjects of civil relations. Representation and Power of Attorney. Intellectual property law. Inheritance law.

Literature 1,2,29,30,41,54

### Topic 5: **The legal regulation of labor relations**

Pay. Guarantees and compensation. Safety at work. International Labour Organization. Features of the employment of minors. Unemployed.

Literature 1,2,6,7,35,48

### Topic 6: **Basics of Family Law**

Alimony relations between parents, children and other family members. Adoption (adoption). Guardianship.

Literature 1,2,6,12,29,41,45

### Topic 7 **Environmental Law**

The concept of environmental security. Public danger ecocide. Environmental smuggling.

Literature 1,2, 6,15,28,38,57

### Topic 8 **Law enforcement and court**

### Topic 9 **Labour law and social security**

For a more in-depth learning rate consolidate knowledge and skills in the discipline "Law" and develop the skills of independent work of students, provides for implementation and protection of the abstracts.

Preparation and writing of essays by students pre → seems is one form of learning and independent → activities on the mastery of academic discipline, "Foundations of Law." Student at its discretion, chooses one of the pre → supply included themes. During her performance the student should study the recommended regulations, the appropriate legal-ical literature. It is advisable to use the available (pub → in print) materials on the chosen topic. We need to highlight the main points races → overlapping content of the theme.

## **Topics abstracts**

1 Kazakhstan - the subject of international law.

- 2 History of State and Law of the Kazakh people.
- 3 Legal awareness and legal culture.
- 4 The role of law in society.
- 5 The moral and evaluative concepts (moral category).
- 6 The legal protection of children in the Republic of Kazakhstan.
- 7 The emergence and development of the presidency of Kazakhstan.
- 8 referendum - as the most important institution of democracy.
- 9 norms and principles of administrative liability.
- 10 Cheats and principles of public service in the Republic of Kazakhstan.
- 11 of punishment - the death penalty.
- 12 Corruption offenses and responsibility for them.
- 13 Circumstances aggravating criminal liability.
- 14 Principles of Criminal Law.
- 15 terrorism - the problem of humanity.
- 16 property lease (rent).
- 17 Enforcement of the obligation.
- 18 compulsory and voluntary insurance.
- 19 The employment contract.
- 20 Labor and disciplinary liability.
- 21 youth and entrepreneurship.
- 22 Marriag contract: concept, terms for concluding the consequences.
- 23 Grounds for the rights and duties of parents and children.
- 24 Nature Conservation in the legislation.
- 25 Legal status of ecological disaster areas in Kazakhstan.
- 26 national and local taxes and fees.
- 27 Financial control in the Republic of Kazakhstan.
- 28 The legal regulation of banking activities.
- 29 Rule of law as a matter of Public Prosecutions.
- 30 The principles of justice.
- 31 Procedural Law of the Republic of Kazakhstan
- 32 Fundamentals of Environmental and Land Law of the Republic of Kazakhstan
- 33 Fundamentals of Civil Law of the RK
- 34 Family Law RK

### **A list of recommended reading**

#### Summary:

- 1 Dulatbekov NO Fundamentals of State and Law of modern Kazakhstan: A Tutorial. - Astana: IKF "Folio", 2000.
- 2 Cats DP Foundations of Law. - A manual for schools. - Moscow: Center, 2000.
- 3 Kutafin O. Fundamentals of State and Law. - Astana: Folio, 2000.
- 4 Hropanyuk, Theory of State and Law: A Reader. - M., 1999.
- 5 General Theory of Law and the State: A manual for schools / ed. Lazarev. - Moscow: Jurist, 2001.

#### Regulatory:

- 6 The Constitution of the Republic of Kazakhstan from August 30, 1995 with amendments and additions introduced by Law of RK as of May 21, 2007.
- 7 The Law "On Labour in the Republic of Kazakhstan" dated July 1, 2007
- 8 Law of RK "On Countering Extremism," dated February 18, 2005.
- 9 The Law "On introducing amendments and addenda to some legislative acts on the fight against extremism 'of 23 February 2005.
- 10 of the Law "On local representative and executive bodies of the Republic of Kazakhstan" dated January 23, 2001
- 11 The Law "On Stateennoy Service "on July 23, 1999
- 12 Law of RK "On Marriage and Family" on December 17, 1998
- 13 Law "On Combating Corruption", on July 2, 1998
- 14 The Law "On normative legal acts" on March 24, 1998.
- 15 Law "On Environmental Protection" of 15 July 1997
- 16 Law of RK "On collective disputes and strikes" on July 8, 1996.
- 17 of the Act "On state symbols of Kazakhstan" dated January 24, 1996.
- 18 The Law "On Freedom of Conscience and Religious Associations" on January 15, 1992
- 19 The Law "On Citizenship of the Republic of Kazakhstan" dated December 12, 1991
- 20 Constitutional Law "On the Government of the Republic of Kazakhstan" dated December 18, 1995 with amendments of 24.02.1997 z 06.05.1999, the
- 21 Constitutional Law of Kazakhstan "On republican referendum" on November 2, 1995 with amendments of 05.06.1999, the
- 22 Constitutional Law of RK "On the President of the Republic of Kazakhstan" dated 26 December 1995 g.S changes and amendments introduced by the Constitutional Act of May 6, 1999
- 23 Constitutional Law of RK "On the Parliament and the status of its deputies" from October 16, 1995 with amendments of 11.04.1997 r, z 12.03.1999, 05.06.1999, the
- 24 Constitutional Law of Kazakhstan "On Elections in the Republic of Kazakhstan" dated September 28, 1995
- 25 Constitutional Law "On State Independence of the Republic of Kazakhstan" dated 16 December 1991.
- 26 Presidential Decree having the force of constitutional law "On Courts and the Status of Judges in the Republic of Kazakhstan" dated December 20, 1995

- 27 Presidential Decree having the force of law "On the procedure for organizing and conducting peaceful meetings, rallies, marches, pickets and demonstrations in the Republic of Kazakhstan" dated March 17, 1995
- 28 Water Code of 1993
- 29 Civil Code of the Republic of Kazakhstan dated 27 December 1994. (General), July 1, 1999. The special part.
- 30 Civil Procedure Code of on July 13, 1998
- 31 Code of the Republic of Kazakhstan "On Administrative Offences" dated January 30, 2001
- 32 of the Code "On Taxes and other obligatory payments to the budget '(taxgovy Code) dated June 12, 2001.
- 33 of the Criminal Code of July 16, 1997
- 34 Criminal Procedure Code of on December 13, 1997
- MORE:
- 35 Abuzyarova NA Labor Law of the Republic of Kazakhstan: A Tutorial. - Almaty: Jurist, 2002.
- 36 VS Anokhin Business Law: A Textbook for students of higher educational institutions .- Moscow: Publishing Center for the Humanities VLADOS, 2003. - 392.
- 37 Baishev J. Constitutional Law of the Republic of Kazakhstan: A Tutorial. - Almaty, 2001.
- 38 Baideldinov DL Environmental Law in Kazakhstan: Learning posobie.-Almaty, 2004.
- 39 V. Grigoriev, Administrative Law of the RK: Album schemes: Learning a visual aid .- Almaty: Daneker, 1999.
- 40 Dzhekebaev U.S. Basic Principles of Criminal Law of the Republic of Kazakhstan (comparative commentary on the book Dzh.Fletcher and AV Naumov, "Basic concepts of modern criminal law). - Almaty: "Zheti-zhargy.", 2001. - 256.
- 41 Didenko, AG Civil law (General part): Textbook .- Almaty: Law Books, 2003.
- 42 H. Ibragimov Kazakhstan Administrative Law: General Part. - Almaty: Daneker, 2001,
- 43 Ibragimov H.YU. Law enforcement agencies of Kazakhstan: A Tutorial - Almaty: Daneker, 2001.
- 44 Kairzhanov EI Criminal Law of the Republic of Kazakhstan (General Part). Textbook. 2nd edition, ext. - Almaty: Computer-Publishing Center "VITA". 1998. - 220.
- 45 Karpushina TD, Yntymak SA Family Law: Workshop .- Almaty: Law Books, 2003.
- 46 IN Rogov Criminal Law of the RK: Manual. - Almaty: Zheti zhargy, 2003.
- 47 Sapargaliev G. Constitutional Law .- RK, Almaty, 2002.
- 48 Rock VI Employment - Almaty, 2001.
- 49 Taranov AA Administrative responsibility in the Republic of Kazakhstan. Scientific izdanie2's, extended and revised .- Almaty: Norma-K, 2005
- 50 Taranov AD Administrative Law of the RK: Academic course. - Almaty: Baspa, 2000;

- 51 Khudyakov, AI Financial Law of the Republic of Kazakhstan. - AlmaYou, 2001.
- 52 Public service in the ROK. - Almaty: Jurist, 2003.
- 53 Civil Law (General Part): Textbook / Ch. Ed. Didenko AG - Almaty: Law Books, 2003.
- 54 Civil zakonodatelsvo RC: Textbook. - Almaty: Institute of International Law and International Business Daneker, 1999.
- 55 Declaration of State Sovereignty of Kazakh SSR, dated 25 October 1990.
- 56 Declaration of the Kazakh SSR "On State Sovereignty of Kazakh SSR" of 10.90g / Kazakhstan pravdv.-1990.-October 28.
- 57 The Concept of Ecological Security, approved by order of the President of Kazakhstan December 10, 2003 d-№ 1241.
- 58 General Theory of Law and the State: A manual for schools / ed. Lazarev. - Moscow: Jurist, 2001.
- 59 Regulations on the Tax Police of Republic of Kazakhstan Ministry of Finance: Approved. Government Resolution of 22.05.1998, the // SALL.1998, № 15 .- 132.
- 60 Labour relations / ed. Skala V. - Almaty, 2001.
- 61 Criminal Law of Kazakhstan (Special Part). Ch 1-2. Ed. I.SH, Borchashvili., SM Rakhmetov. Almaty. 1999 - 2000 г.
- 62 Criminal Law of Kazakhstan (Special Part). Textbook for High Schools. / / Under the editorship of Doctor of Law, Professor II Rogov and Ph.D., Professor SM Rakhmetov. - Almaty., LLP "Baspa", 2001.
- 63 Criminal Law of the Republic of Kazakhstan. The special part. Tutorial: In 2 volumes / Ed. IS Borchashvili, MM Orazalieva. - Karaganda: Kazakhstan Kar.YuI MIA them. B. Beisenova. 2002

