**Educational and methodical complex of Al-Farabi Kazakh National University**

**Specialty:**

**Code:**

**Discipline: State regulation of subsurface**

Content of the seminar sessions

Discussion Seminar lesson 1 Scientific articles on legal issues of subsurface use

1. The concept of subsurface use law
2. Concept, subject and social purpose of the law on subsoil and subsurface use
3. Principles and methods of regulation of legal relations in the field of subsurface use
4. Objects and Subjects of the law on subsoil and subsurface use

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

**Educational literature:**

1. Barrows, G., Worldwide Concession Contracts and Petroleum Legislation. Tulsa: PennWell Publishing Company, 2015.

2. Barry, R., The Management of International Oil Operations. Tulsa: PennWell Publishing Company, 2018; Barrows, G., Production Sharing Contracts in Developing Countries // Materials of Production Sharing Conference Proceeding. - Houston - March 1994.

3. Bosson, R., The Oil Industries in the Developing Countries // Oil Industry Outlook/- 2001.-№8.

4. Bael, Van. Energy Charter Treaty: Investments / Van Bean // Offshore. - 2017. -№3. - P.3.

5. Beck, R., Oil Industry Outlook Ninth Edition 1993—1997 Projection to 2001. Tulsa: PennWell Publishing Company.- 2016.

6. Bosson, R., and M. Varon, The Mining Industries and the Developing Countries, Washington, D.C.: World Bank. - 2015.

7. Bouhs, A; «How a Domestic Oil Company Goes International: A Strategy for Success, Production Sharing Contracts Conference Proceedings, AIC Conference, Houston, March 1994.

8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

**Seminar-interview lesson 2** Analysis of foreign experience of legal regulation of subsurface use

###### Legislative system of subsurface using in foreign countries

1. History and main stages of development of Kazakhstan's law on subsoil and subsoil use

3.Law on subsoil and subsurface use in the system of branches of Kazakhstan law

4. Current state and problems of legal regulation of subsurface use

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

**Educational literature:**

1. Carnal Hosseini, Law &Policy in Petroleum Development, 2020

2. Clawson M. Uncle Sam's Acres. Westport, 2018.

3. Darden, M., Legal Research Checklist for International Petroleum Operations, Section on Natural Resources, Energy and Environmental Law. Monograph Series Number 20, American Bar Association, 16 February 2017.

4. Derman, A., International Oil and Gas Joint Ventures: A Discussion with Associated Form Agreement, Section on Natural Resources, Energy and Environmental Law. Monograph Series Number 16, American Bar Association, 16 February 2010.

5. Dur, S., «Negotiating PSC Terms», Production Sharing Contract Conference Proceedings, AIC Conferences, Houston, March 1994

**Seminar-interview lesson 3. Issues of improving legislation regulating relations in the field of subsurface use problems and prospects**

1. Rights and obligations of subsurface users
2. Subsurface use contracts

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

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2. Barry, R., The Management of International Oil Operations. Tulsa: PennWell Publishing Company, 2018; Barrows, G., Production Sharing Contracts in Developing Countries // Materials of Production Sharing Conference Proceeding. - Houston - March 1994.

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5. Beck, R., Oil Industry Outlook Ninth Edition 1993—1997 Projection to 2001. Tulsa: PennWell Publishing Company.- 2016.

6. Bosson, R., and M. Varon, The Mining Industries and the Developing Countries, Washington, D.C.: World Bank. - 2015.

7. Bouhs, A; «How a Domestic Oil Company Goes International: A Strategy for Success, Production Sharing Contracts Conference Proceedings, AIC Conference, Houston, March 1994.

8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

**Seminar-interview lesson 4 Types of subsurface use contracts and legal problems of ensuring the stability of contractual provisions(Discusion scientific materials)**

1 The meaning and role subsurface use contract

2 Classification of subsurface use contracts

3 Peculiarities of the subsurface use contracts

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

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2. Barry, R., The Management of International Oil Operations. Tulsa: PennWell Publishing Company, 2018; Barrows, G., Production Sharing Contracts in Developing Countries // Materials of Production Sharing Conference Proceeding. - Houston - March 1994.

3. Bosson, R., The Oil Industries in the Developing Countries // Oil Industry Outlook/- 2001.-№8.

4. Bael, Van. Energy Charter Treaty: Investments / Van Bean // Offshore. - 2017. -№3. - P.3.

5. Beck, R., Oil Industry Outlook Ninth Edition 1993—1997 Projection to 2001. Tulsa: PennWell Publishing Company.- 2016.

6. Bosson, R., and M. Varon, The Mining Industries and the Developing Countries, Washington, D.C.: World Bank. - 2015.

7. Bouhs, A; «How a Domestic Oil Company Goes International: A Strategy for Success, Production Sharing Contracts Conference Proceedings, AIC Conference, Houston, March 1994.

8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

**Seminar-interview lesson 5. Legal support of the right subsurface use in the republic Kazakhstan and foreign countries**

1. Principles of the legislation of the Republic of Kazakhstan on subsoil and subsurface use
2. Rational management of the state subsoil Fund
3. Environmental safety in the use of subsurface resources
4. Availability of information in the field of subsurface use fee for subsurface use
5. Integrity of subsurface users

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

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1. Barrows, G., Worldwide Concession Contracts and Petroleum Legislation. Tulsa: PennWell Publishing Company, 2015.

2. Barry, R., The Management of International Oil Operations. Tulsa: PennWell Publishing Company, 2018; Barrows, G., Production Sharing Contracts in Developing Countries // Materials of Production Sharing Conference Proceeding. - Houston - March 1994.

3. Bosson, R., The Oil Industries in the Developing Countries // Oil Industry Outlook/- 2001.-№8.

4. Bael, Van. Energy Charter Treaty: Investments / Van Bean // Offshore. - 2017. -№3. - P.3.

5. Beck, R., Oil Industry Outlook Ninth Edition 1993—1997 Projection to 2001. Tulsa: PennWell Publishing Company.- 2016.

6. Bosson, R., and M. Varon, The Mining Industries and the Developing Countries, Washington, D.C.: World Bank. - 2015.

7. Bouhs, A; «How a Domestic Oil Company Goes International: A Strategy for Success, Production Sharing Contracts Conference Proceedings, AIC Conference, Houston, March 1994.

8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

**Practical lesson 6 Legal essence of maintaining the state cadastre in the field of subsoil use**

1. Management of the state subsoil Fund

2. Program management of the state subsoil Fund

3. Accounting for the state of the state subsoil Fund

4. State monitoring of the subsurface

5 State geological study of the subsurface . Geological information

6. Reporting of the subsurface user

7. Providing access to information about licenses and contracts for subsurface use

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

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2. Barry, R., The Management of International Oil Operations. Tulsa: PennWell Publishing Company, 2018; Barrows, G., Production Sharing Contracts in Developing Countries // Materials of Production Sharing Conference Proceeding. - Houston - March 1994.

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6. Bosson, R., and M. Varon, The Mining Industries and the Developing Countries, Washington, D.C.: World Bank. - 2015.

7. Bouhs, A; «How a Domestic Oil Company Goes International: A Strategy for Success, Production Sharing Contracts Conference Proceedings, AIC Conference, Houston, March 1994.

8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

**Seminar-interview lesson 7 Issues of legal regulation of activities related to subsurface use, land use, water use, and other types of special nature use**

###### Grounds for termination of the subsoil use right

###### Types of subsurface use operations

###### Project documents for conducting subsurface use operations

###### Conducting subsurface use operations on the same territory by different persons

###### Territories restricted for conducting subsurface use operations

###### Conducting operations on subsurface use in specially protected natural territories and subsurface areas of special ecological, scientific, historical,cultural and recreational value

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

**Educational literature:**

1. Barrows, G., Worldwide Concession Contracts and Petroleum Legislation. Tulsa: PennWell Publishing Company, 2015.

2. Barry, R., The Management of International Oil Operations. Tulsa: PennWell Publishing Company, 2018; Barrows, G., Production Sharing Contracts in Developing Countries // Materials of Production Sharing Conference Proceeding. - Houston - March 1994.

3. Bosson, R., The Oil Industries in the Developing Countries // Oil Industry Outlook/- 2001.-№8.

4. Bael, Van. Energy Charter Treaty: Investments / Van Bean // Offshore. - 2017. -№3. - P.3.

5. Beck, R., Oil Industry Outlook Ninth Edition 1993—1997 Projection to 2001. Tulsa: PennWell Publishing Company.- 2016.

6. Bosson, R., and M. Varon, The Mining Industries and the Developing Countries, Washington, D.C.: World Bank. - 2015.

7. Bouhs, A; «How a Domestic Oil Company Goes International: A Strategy for Success, Production Sharing Contracts Conference Proceedings, AIC Conference, Houston, March 1994.

8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

**Seminar-interview lesson 8 Assessment and compensation for damage caused as a result of violation of the legislation on subsoil**

1. Assessment and compensation for damage caused as a result of violation of the legislation on subsoil
2. Assessment and compensation for damage caused as a result of violation of the legislation on subsoil

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

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2. Barry, R., The Management of International Oil Operations. Tulsa: PennWell Publishing Company, 2018; Barrows, G., Production Sharing Contracts in Developing Countries // Materials of Production Sharing Conference Proceeding. - Houston - March 1994.

3. Bosson, R., The Oil Industries in the Developing Countries // Oil Industry Outlook/- 2001.-№8.

4. Bael, Van. Energy Charter Treaty: Investments / Van Bean // Offshore. - 2017. -№3. - P.3.

5. Beck, R., Oil Industry Outlook Ninth Edition 1993—1997 Projection to 2001. Tulsa: PennWell Publishing Company.- 2016.

6. Bosson, R., and M. Varon, The Mining Industries and the Developing Countries, Washington, D.C.: World Bank. - 2015.

7. Bouhs, A; «How a Domestic Oil Company Goes International: A Strategy for Success, Production Sharing Contracts Conference Proceedings, AIC Conference, Houston, March 1994.

8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

###### Seminar lesson 9 Legal regulation of investment activities in the field of subsurface use

###### The investment policy of Kazakhstan

###### Legal regulation of investment activities in the field of subsurface use

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

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8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

**Seminar lesson 10 Main aspects of legislation on subsurface use in the foreign countries Discussion scientifical articles**

1. Subsurface planning: Towards a common understanding of the subsurface as a multifunctional resource
2. Main aspects of legislation on subsurface use in the foreign countries

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

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8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

###### Classical lection 11 . General concepts of the subsurface use system in international economic law

###### The meaning of international economic Law

###### General concepts of the subsurface use system in international economic law

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

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8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

**Lection 12 The main focus of the national policy of the Republic of Kazakhstan in the field of subsurface use in the global community**

1National policy of the Republic of Kazakhstan in the field of subsurface use in the global community

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

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7. Bouhs, A; «How a Domestic Oil Company Goes International: A Strategy for Success, Production Sharing Contracts Conference Proceedings, AIC Conference, Houston, March 1994.

8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

**Seminar lesson 13 Features of granting and termination subsurface use rights for hydrocarbons Discussion scientifical articles Requirements for persons applying for subsurface use rights for hydrocarbons**

1. Application for holding an auction
2. Auction terms and conditions
3. Application for participation in the auction
4. Procedure for consideration of an application for participation in the auction

**Recommended literature:**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

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6. Bosson, R., and M. Varon, The Mining Industries and the Developing Countries, Washington, D.C.: World Bank. - 2015.

7. Bouhs, A; «How a Domestic Oil Company Goes International: A Strategy for Success, Production Sharing Contracts Conference Proceedings, AIC Conference, Houston, March 1994.

8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

**Features of granting and termination of the right of subsurface use for uranium mining Discussion scientifical articles**

1.Granting the right of subsurface use for uranium mining to a national company in the field of uranium on the basis of direct negotiations

2. Conditions for granting the national uranium company the subsoil use right to extract uranium on the basis of direct negotiations

3. Application of the national uranium company for direct negotiations

4. Procedure for conducting direct negotiations with a national company in the field of uranium

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

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7. Bouhs, A; «How a Domestic Oil Company Goes International: A Strategy for Success, Production Sharing Contracts Conference Proceedings, AIC Conference, Houston, March 1994.

8. Burke, F., and R. Dole, Business Aspects of Petroleum Exploration in Non-Traditional Areas, BMC, 2019.

**Seminar lesson 15 Exploration and production of solid minerals Discussion scientifical articles**

**Normative legal acts:**

1. On Subsoil and Subsoil Use Code of the Republic of Kazakhstan dated December 27, 2017 No. 125-VI.//www.zakon/kz

2. Закон Азербайджанской Республики О недрах 13 февраля 1998 г. № 439-IQ// http://www.cawater-info.net/library/rus/az\_nedr.pdf

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2. Barry, R., The Management of International Oil Operations. Tulsa: PennWell Publishing Company, 2018; Barrows, G., Production Sharing Contracts in Developing Countries // Materials of Production Sharing Conference Proceeding. - Houston - March 1994.

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6. Bosson, R., and M. Varon, The Mining Industries and the Developing Countries, Washington, D.C.: World Bank. - 2015.

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