**SYLLABUS**

**Fall semester 2022-2023 academic years**

**on the educational program “Civil law of the Republic of Kazakhstan (general part)”**

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| **Discipline’s code** | **Discipline’s title** | **Independent work of students (IWS)** | **Number of credits** | | | | **Number of credits** | | **Independent work of student with teacher (IWST)** |
| **Lectures (L)** | **Practical training (PT)** | | **Laboratory (Lab)** |
| **GPRK (OCh) 2211** | **Civil law of the Republic of Kazakhstan (general part)** | 3 | 30 | 15 | | 0 | 7,5 | | 7 |
| **Academic course information** | | | | | | | | | |
| **Form of education** | **Type of course** | **Types of lectures** | | | **Types of practical training** | | | **Form of final control** | |
| Full-time | Basic, theoretical | Informational, problematic, analytical | | | Discussion, solution of practical, situational tasks | | |
| Lecturer | Otynshiyeva Aidana Aitukyzy | | | | | | | oral examination | |
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| **Aim of course** | **Expected Learning Outcomes (LO)\***  As a result of studying the discipline the undergraduate will be able to: | **Indicators of LO achievement (IA)**  (for each LO at least 2 indicators) |
| Achieving a comprehensive in-depth understanding of the nature and essence of civil law relations by students, training highly qualified specialists for practical activities, forming the creative personality of future civilists. | LO 1.Classify the basic concepts of civil law, the content, implementation and procedure for the protection of civil rights, types of civil liability, mechanisms and forms of protection of the rights and interests of subjects of civil law, methods and mechanisms for the protection of obligations. | IA 1.1. Explain the basic concepts and constituent elements of civil legal relations.  IA 1.2. Understand the norms of civil relations. |
| LO 2. Analyze and apply the necessary literature, information to determine the development of skills and additional courses for their own development by evaluating their knowledge. | IA 2.1. Be able to search for and apply the norms of civil law.  IA 2.2. Use the theory of civil law to solve practical problems. |
| LO 3. Analyze life situations, determine the content of a civil contract, the procedure for its conclusion and termination. | IА 3.1. Clearly differentiate the content of the civil contract.  IА 3.2. Analyze the order of the stage of conclusion and termination of the contract. |
| LO 4. Systematize the legislative norms regulating civil legal relations. | IА 4.1. Be able to properly systematize legislative norms in the field of civil legal relations.  IА 4.2. To form norms regulating civil legal relations. |
| LO 5. To evaluate the normative legal acts regulating all kinds of public relations in the field of civil law. The ability to comprehensively apply the norms of civil law to specific life situations. | IА 5.1. Be able to draw up civil law contracts.  IА 5.2. Be able to analyze civil law relations. |
| **Prerequisites** | Theory of the state and law, Constitutional law. | |
| **Post requisites** | Civil law of the Republic of Kazakhstan special part, Private international law | |
| **Information resources** | **Literature:**  1. Civil law. Volume III. Textbook for universities (academic course) / otv. Ed. M.K.Suleymenov, Yu.G. Basin.-Almaty, 2016.-S. 86-273  2. Аубакирова Г. А. Гражданское право: общая часть: альбом схем/- Караганда : Караганд. акад. им. Б. Бейсенова, 2015. - 137 с.  3. Kaudyrov T.E. Civil protection of industrial property objects: Monograph - Almaty, 2016.  4. Sergeev A.P. Intellectual Property Law in the Russian Federation. - M, 2015.  5. The basics of patent law and patent science in the Republic of Kazakhstan: Textbook / ed. T.E.Kaudyrov.-Almaty, 2015.-392 p.  6. Civil Code of the Republic of Kazakhstan. Comment. / Ans.Ed.: M.K. Suleimenov, Yu.G.Basin. – 2017.  7. Гражданское право. Общая часть. Курс лекции./ под. ред. А.Г.Диденко/. «Нур-пресс» - Алматы, 2006. – 722с.  **Internet resources:**   1. [www.online.zakon.kz](http://www.online.zakon.kz) 2. [www.wipo.int](http://www.wipo.int) 3. <http://elibrary.kaznu.kz/ru> | |

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| **Academic policy of the course in the context of university moral and ethical values** | **Academic Behavior Rules:**  All students are required to register for the MOOC. The deadlines for completing the modules of the online course must be strictly observed in accordance with the schedule for studying the discipline. Leave in case of current MOOC or SPOC courses.  **ATTENTION!** Failure to meet deadlines results in loss of points! The deadline for each task is indicated in the calendar (schedule) for the implementation of the content of the training course, as well as in the MOOC. Leave in case of current MOOC or SPOC courses.  **Academic values:**  - Practical trainings/laboratories, IWS should be independent, creative.  - Plagiarism, forgery, cheating at all stages of control are unacceptable.  - Students with disabilities can receive counseling at e-mail [Aidana-best91@mail.ru](mailto:Aidana-best91@mail.ru). |
| **Evaluation and attestation policy** | **Criteria-based evaluation:**  assessment of learning outcomes in relation to descriptors (verification of the formation of competencies in midterm control and exams).  **Summative evaluation:** assessment of work activity in an audience (at a webinar); assessment of the completed task. |

**CALENDAR (SCHEDULE) THE IMPLEMENTATION OF THE COURSE CONTENT:**

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| Week | Topic name | Number of hours | Max.  score\*\*\* |
| **Module 1** | | | |
| 1 | **Lec 1. Civil law as a branch of law and its sources.** | 1 |  |
| 1 | **Sem 1.** Characteristics of the features of civil law as a special legal system.  To understand the signs and features of civil law that characterize it as an independent system. To determine the difference between civil law and related branches of law. | 2 | 8 |
| 2 | **Lec 2.** Civil legal relations and its subjects. | 1 |  |
| 2 | **Sem 2.** Characteristics of civil legal relations, subjective civil rights and subjective duties. Characteristics of individuals as subjects of civil law. Determine the legal capacity and legal capacity of an individual. Analyze the legal consequences of the restriction of legal capacity and the recognition of a citizen as incapacitated. Analyze the grounds, procedure and legal consequences of the unknown absence and declaration of a citizen as deceased.  Solving practical problems. | 2 | 8 |
| 2 | **IWST 1. Consultation on the implementation of the IWS 1.** | 1 | 7 |
| 3 | **Lec 3.** Objects of civil legal relations. | 1 |  |
| 3 | **Sem 3.** Classification of objects of civil rights. Solving practical problems. | 2 | 8 |
| 3 | **SIW 1.** "Implementation and protection of civil rights under the legislation of the Republic of Kazakhstan".  To understand the issues of freedom and the limits of the exercise of civil rights. Be able to determine the inadmissibility of abuse of subjective law. Conscientiousness of participants in civil legal relations. Analyze the ways to protect civil rights. | 1 | 25 |
| 4 | **Lec 4.** Legal entities as subjects of civil rights. | 1 |  |
| 4 | **Sem 4.** Characteristics of the legal status of commercial and non-commercial legal entities in the Republic of Kazakhstan. Determine the legal capacity and legal capacity of a legal entity.  Solving practical problems. | 2 | 8 |
|  | **IWST 2. Consultation on the implementation of the IWS 2.** | 1 | 6 |
| 5 | **Lec 5.** Transactions | 1 |  |
| 5 | **Sem 5.** Know the concept of a transaction, its main features. Distinguish between types of transactions. Compliance of the transaction content with the requirements of the law. Know the specifics of exchange transactions.  Solving practical problems. | 2 | 8 |
| **Module 2** | | | |
| 6 | **Lec 6.** Representation and power of attorney. | 1 |  |
| 6 | **Sem 6.** The concept and types of representation and power of attorney. Analyze the consequences of legal actions committed by a person who is not authorized or in excess of authority (representation without authority). Features of commercial representation.  Solving practical problems. | 2 | 8 |
| 7 | **Lec 7.** Terms in civil law. | 1 |  |
| 7 | **Sem 7.** To know the concept and meaning of terms in civil law. To determine the place of deadlines in the system of legal facts of civil law. Know the types of terms, terms of protection of civil rights, calculation of terms.  Solving practical problems. | 2 | 8 |
| 7 | **IWST 3. Consultation on the implementation of the IWS 3.** | 1 | 6 |
|  | **LEVEL CONTROL 1 (RK 1)** | **1** | **100** |
| 8 | **Lec 8.** Ownership. General provisions. | 1 |  |
| 8 | **Sem 8.** Characteristics of the concept of property rights as subjective civil law. Determine the rights of the owner. Expand the concepts of each entitlement. Solving practical problems. | 2 | 8 |
| 8 | **SIW 2.** "Concept, types, legal status of legal entities". Classify the types of legal entities. Analyze the content of each legal entity. Give examples from practice. For example: JSC "Kaspi Bank", etc. | 1 | 8 |
| 9 | **Lec 9.** The right of common property. | 1 |  |
| 9 | **Sem 9.** Know the concept and types of common property. Analyze the common shared, common joint ownership. Expand the concept of a condominium as a special form of common ownership. Solving practical problems. | 2 | 8 |
| 10 | **Lec 10.** Acquisition of property rights and other proprietary rights. | 1 |  |
| 10 | **Sem 10.** Reveal the main ways in which property rights and other proprietary rights arise. Analyze the moment of the origin and transfer of ownership.  Solving practical problems. | 2 | 8 |
| 10 | **IWST 4.** Characteristics of the state, administrative-territorial unit as a special subject of civil law. | **1** | **5** |
|  | **Module 3** |  |  |
| 11 | **Lec 11.** Termination of property rights and other proprietary rights. Protection of property rights. | 1 |  |
| 11 | **Sem 11.** To study the features of termination of ownership (voluntary and compulsory). Expand the concept of nationalization, requisition, confiscation of property, their legal features.  Solving practical problems. | 2 | 8 |
| 12 | **Lec 12.** The concept of obligation. Grounds and subjects of obligations. | 1 |  |
| 12 | **Sem 12.** Reveal the concept and system of the law of obligations, its differences from other property relations. Describe the grounds for the occurrence of obligations, subjects of obligations. The plurality of persons in the obligation. Analyze solidary, equity, subsidiary obligations. An obligation involving third parties, in favor of third parties. Recourse obligations. Reveal the change of faces in the commitment.  Solving practical problems. | 2 | 8 |
| 12 | **IWST 5.** "Consequences of invalidity of transactions under the legislation of the Republic of Kazakhstan". Analyze the consequences of invalidation of the transaction, the invalidity of part of the transaction. Identify and disclose the types of invalid transactions. Give examples from practice. | 1 | 5 |
| 13 | **Lec 13.** Fulfillment of obligations and their provision. | 1 |  |
| 13 | **Sem 13.** Reveal the concept, principles, terms, place, ways of fulfilling obligations. Analyze the ways to ensure the fulfillment of obligations.  Solving practical problems. | 2 | 8 |
| 13 | **SIW 3.** "Reveal the types of property rights: the right of operational management, the right of economic management." | 1 | 8 |
| 14 | **Lec 14.** Liability for breach of obligations and their termination. | 1 |  |
| 14 | **Sem 14.** Reveal the place of civil liability in the system of legal liability measures. Analyze the grounds for termination of obligations.  Solving practical problems. | 2 | 8 |
|  | **IWST 6.** "Protection of property rights". A claim for recognition of ownership. Vindication suit, negatory suit. Give examples from practice. For example: court cases. | 1 | 5 |
| 15 | **Lec 15.** Contract. General concepts. | 1 |  |
| 15 | **Sem 15.** Reveal the concepts and signs of a civil contract. The role of the contract in the formation of market relations in Kazakhstan. The ratio of the concepts of "contract", "transaction", "obligation". Characteristics of classifications of contracts. Analyze the terms of the contract, their types. Interpretation of the contract.  Solving practical problems. | 2 | 8 |
| 15 | **IWST 7.** "Features of ways to ensure the fulfillment of obligations".  Determine the practical ways of securing obligations, depending on the type of legal relationship. | 1 | 5 |
|  | **LEVEL CONTROL 2 (RK2)** | **1** | **100** |

Dean \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Zhekenov D.K.

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