

SYLLABUS
Fall semester 2024-2025 academic years
on the educational program “7M04212 – Maritime and Energy law ”
Master degree program in English

Discipline's code and the Title	Independent work of master students (IWMS)	Number of credits			Number of credits	Independent work of master students with teacher (IWMST)
		Lectures (L)	Practical training (PT)	Laboratory (Lab)		
93534 Government regulation in the field of subsoil use	5	1,5	3,0	-	5	5
ACADEMICAL INFORMATION ON DISCIPLINE						
Form of education	Cycle, component	Type of lecture	Type of practical training	The form and platform of final control		
Online	Based disciplines, by choice of component	Classic, Problem, analytical lecture	Problem solving, situational tasks, debates, presentation	Verbal exam via ZOOM platform		
Lecturer	Nakisheva M.K, PhD, Customs, Financial and Environmental Law Seminar -Nakisheva M.K., PhD, Customs, Financial and Environmental Law					
e-mail	makhabbat.kaznu@gmail.com					
Telephone number	+7 701 780 5154					
ACADEMICAL PRESENTATION OF DISCIPLINE						
Aim of course	Expected Learning Outcomes (LO) As a result of studying the discipline the undergraduate will be able to:		Indicators of LO achievement (ID) (for each LO at least 2 indicators)			
To develop the ability to analyze international and national legislation in the field of subsoil use, analyze its legal instruments, describe the nature and specifics of legal regulation of relations in the field of subsoil use.	1. To demonstrate an understanding of the content of the concept of legal provision of subsoil use.		1.1. To argue the specifics of the legal regulation of subsoil use. 1.2 Determine the place and role of norms in the field of subsoil use. 1.3 To argue the specifics of the legal consolidation of all the institutions of subsoil use			
	2. To differentiate the methods of analysis of the legal provision of subsoil use on the basis of a critical assessment of their effectiveness for the proposal of a set of measures in the field of marine and energy relations.		2.1.Apply methods of analyzing the conditions for the application of subsoil use in marine and energy relations. 2.2 Interpret the conditions for the application of certain norms regulating maritime and energy relations. 2.3 Analyze the specifics of the legislative consolidation of norms in the field of subsoil use in various practical situations.			
	3. To analyze and identify the specifics of state regulation in the field of subsoil use.		3.1. Classify the methods of state regulation of subsoil use. 3.2 Compare the methods of state regulation in the subsoil use. 3.3 Identify the similarities and differences of state regulation and management of subsoil use.			
	4 Make recommendations on ensuring the effective application of legislation in the field of subsoil use.		4.1. Develop measures to ensure legislation in the field of subsoil use.			

		<p>4.2 Explain the reasons for the violation of legislation in the field of subsoil use and their elimination.</p> <p>4.3 Develop plans to improve the enforcement of legislation in the field of subsoil use.</p>
	<p>5. To evaluate the practice of legal regulation in the field of subsoil use based on the analysis of international and national legislation and the development of specific proposals for improving the practice of its application.</p>	<p>5.1 To substantiate the need for the application of legal mechanisms for regulating subsoil use.</p> <p>5.2 Evaluate the experience of foreign countries in regulating subsoil use.</p> <p>5.3 Assess the possibility of applying the positive experience of foreign countries in the regulation of subsoil use.</p>
Prerequisites	EPRK 2222 Environmental GPRK2204 R law of RK Civil law of RK (General part), GPRK3206 Civil law of Kazakhstan (Special part)	
Post requisites	PEB3408 Environmental Safety Law	
Information resources **	<p>Literature:</p> <ol style="list-style-type: none"> 1. Birnie, Boyle, and Redgwell's International Law and the Environment. Fourth Edition. 2021 2. Н.Б.Мухитдинов, А.Ж.Тукеев, С.П.Мороз. Горное право Республики Казахстан. - Алма-Ата, 1992. 3. Мухитдинов Н.Б. Избранные труды в 9 томах. Т.3.: Горное право Республики Казахстан. - Алматы, 2011. 4. Мухитдинов Н.Б., Мороз С.П. Горное право Республики Казахстан: Учебное пособие. - Алматы: Юрист, 2004. 5. Елюбаев Ж. Проблемы правового регулирования недропользования: отечественный опыт и зарубежная практика: Монография. - Алматы: Печатный дом «Колесо», 2010. 6 Боярко Г.Ю. Основы горного права России. - Томск: Изд-во Томского университета. 2000. 7. Перчик А.И. Горное право. - М.: Издательский дом «ФИЛОЛОГИЯ ТРИ», 2002. 8. Г.Б.Ахмеджанова, Правовые основы охраны недр в Республике Казахстан. - Павлодар, 2005. 9. The Code of Republic of Kazakhstan "On Subsoil and Subsoil use" dated 27 December 2017 10. Environmental Code of the Republic of Kazakhstan dated 2 January, 2021 № 400-VI ЗПК. <p>6. Internet resources: additional educational materials, regulatory legal acts, and other regulatory materials can be used from the univer. kaznu website.kz; http://elibrary.kaznu.kz/ru, https://adilet.zan.kz/kaz/, www.un.org</p> <p>Internet resources: additional educational materials, regulatory legal acts, and other regulatory materials can be used from the univer. kaznu website.kz; http://elibrary.kaznu.kz/ru https://www.zakon.kz/; https://prg.kz/; https://prg.kz/jurist_info</p>	
Academic policy of the course	<p>The academic policy of the discipline is determined by the Academic Policy and the Policy of Academic Integrity of Al-Farabi KazNU.</p> <p>Documents are available on the main page of IS Univer.</p> <p>Integration of science and education. The research work of students, undergraduates and doctoral students is a deepening of the educational process. It is organized directly in the departments, laboratories, scientific and design departments of the university, in student scientific and technical associations. Independent work of students at all levels of education is aimed at developing research skills and competencies based on obtaining new knowledge using modern research and information technologies. A research university teacher integrates the results of scientific activity into the topics of lectures and seminars (practical) classes, laboratory classes and into the tasks of the IWST, IWS, which are reflected in the syllabus and are responsible for the relevance of the topics of training sessions and tasks.</p> <p>Attendance. The deadline for each task is indicated in the calendar (schedule) for the implementation of the content of the discipline. Failure to meet deadlines results in loss of points.</p> <p>Academic honesty. Practical/laboratory classes, IWS develop the student's independence, critical thinking, and creativity. Plagiarism, forgery, the use of cheat sheets, cheating at all stages of completing tasks are unacceptable.</p> <p>Compliance with academic honesty during the period of theoretical training and at exams, in addition to the main policies, is regulated by the "Rules for the final control", "Instructions for the final control of the</p>	

autumn/spring semester of the current academic year", "Regulations on checking students' text documents for borrowings".
 Documents are available on the main page of IS Univer.
Basic principles of inclusive education. The educational environment of the university is conceived as a safe place where there is always support and equal attitude from the teacher to all students and students to each other, regardless of gender, race / ethnicity, religious beliefs, socio-economic status, physical health of the student, etc. All people need the support and friendship of peers and fellow students. For all students, progress is more about what they can do than what they can't. Diversity enhances all aspects of life. All students, especially those with disabilities, can receive advisory assistance by phone +7 701 780 5154/ e-mail – makhabbat.kaznu@gmail.com
<https://us04web.zoom.us/j/4175819644?pwd=UWFtS0hicFVick5vaE5WSy83WUVxZz09>
<https://teams.live.com/l/invite/FEAOhRY5m0bHxAnbQE>
 or via video link in MS Teams (link will be provided upon request).
 Integration MOOC (massive open online course). If MOOC is integrated into the discipline, all students must register for MOOC. The deadlines for passing MOOC modules must be strictly observed in accordance with the schedule for studying the discipline.
ATTENTION! The deadline for each task is indicated in the calendar (schedule) for the implementation of the content of the discipline, as well as in the MOOC. Failure to meet deadlines results in loss of points (grade).

INFORMATION ON TEACHING, LEARNING AND ASSESSMENT

Score-rating letter system of assessment of accounting for educational achievements				Methods of assessment															
Grade	The digital equivalent of grade	Grades in percentage	Grades in traditional form	<p>Criteria-based assessment is the process of correlating actual learning outcomes with expected learning outcomes based on clearly defined criteria. Based on formative and summative assessment.</p> <p>Formative assessment is a type of assessment that is carried out in the course of daily learning activities. It is the current measure of progress. Provides an operative relationship between the student and the teacher. It allows you to determine the capabilities of the student, identify difficulties, help achieve the best results, timely correct the educational process for the teacher. The performance of tasks, the activity of work in the classroom during lectures, seminars, practical exercises (discussions, quizzes, debates, round tables, laboratory work, etc.) are evaluated. Acquired knowledge and competencies are assessed.</p> <p>Summative assessment is a type of assessment that is carried out upon completion of the study of the section in accordance with the program of the discipline. Conducted 3-4 times per semester when performing IWS. This is the assessment of mastering the expected learning outcomes in relation to the descriptors. Allows you to determine and fix the level of mastering the discipline for a certain period. Learning outcomes are evaluated.</p> <table border="1"> <thead> <tr> <th>The Formative and Summative assessments</th> <th>The grades in percentage</th> </tr> </thead> <tbody> <tr> <td>Activity at lectures</td> <td>5</td> </tr> <tr> <td>Work in practical classes</td> <td>20</td> </tr> <tr> <td>Independent work of students</td> <td>25</td> </tr> <tr> <td>Project activity</td> <td>10</td> </tr> <tr> <td>Final control (exam)</td> <td>40</td> </tr> <tr> <td>TOTAL</td> <td>100</td> </tr> </tbody> </table>		The Formative and Summative assessments	The grades in percentage	Activity at lectures	5	Work in practical classes	20	Independent work of students	25	Project activity	10	Final control (exam)	40	TOTAL	100
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Activity at lectures	5																		
Work in practical classes	20																		
Independent work of students	25																		
Project activity	10																		
Final control (exam)	40																		
TOTAL	100																		
A	4,0	95-100	Excellent																
A-	3,67	90-94																	
B+	3,33	85-89	Good																
B	3,0	80-84																	
B-	2,67	75-79																	
C+	2,33	70-74																	
C	2,0	65-69	Satisfactory																
C-	1,67	60-64																	
D+	1,33	55-59																	
D	1,0	50-54																	
FX	0,5	25-49	Unsatisfactory																
F	0	0-24																	

CALENDAR (SCHEDULE) THE IMPLEMENTATION OF THE COURSE. THE TEACHING AND LEARNING METHODS.

week	Topic name	Number of hours	Max. score
Module 1			
General provisions of Subsoil and subsoil use			

1	Lec 1. The general legal provisions of subsoil use.	1	
1	Sem 1. Discuss the legal definition of subsoil use, subsoil resources, minerals and their classification. Technogenic mineral formations, rights to technogenic mineral formations. Deposits and their classification	2	7
2	Lec 2. The legal status of subsoil use.	1	
2	Sem 2. The describe the nature and content of subsoil use.	2	7
2	IWMST 1. Consultation on the implementation of IWMS1		
3	Lec 3. The history of the development of the legislation in subsoil use. Principles of legislation of the Republic of Kazakhstan on subsoil and subsoil use	1	
3	Sem 3. The history of the development of the legislation in subsoil use. The purpose and objectives of the legislation of the Republic of Kazakhstan on subsoil and subsoil use.	2	7
3	IWMS 1. The legal regulation of subsoil and subsoil use (report)		25
4	Lec 4. The license regime of subsoil use. Types and content of subsoil use licenses. Termination of the subsoil use license.	1	
4	Sem 4. To discuss the license regime of subsoil use, the reasons for termination	2	7
5	Lec 5. The contract regime of subsoil use. The concept and content.	1	
5	Sem 5. The contract regime of subsoil use. Invalidity of a subsoil use contract and its consequences	2	7
Module 2 Transfer of subsoil use right and objects related to subsoil use			
6	Lec 6. Transfer of subsoil use right. The priority right of the state.	1	
6	Sem 6. Transfer of subsoil use right. The concept of objects related to subsoil use rights. Its transfer. The priority right of the state. The operator in the field subsoil use	2	7
7	Lec 7. The legal and environmental requirements to subsoil use in order to ensure sustainable development.	1	
7	Sem 7. The legal and environmental requirements to subsoil use Environmental safety during operations subsoil use. Industrial safety during operations subsoil use. General provisions on liquidation of consequences of subsoil use Financing of liquidation of consequences of subsoil use. Guarantee as security for liquidation. Bank deposit pledge as ensuring liquidation. Insurance as liquidation security	2	8
7	IWMST 2. Consultation on the implementation of the IWMS 2.		
7	IWMS 2. Subsoil contract (presentation)		25
	LEVEL CONTROL 1		100
8	Lec 8. The state management in the field of subsoil use	1	
8	Sem 8. The system of state bodies and state management	2	7
8	IWMST 3 Consultation on the implementation of IWMS 4.		
9	IWMS 3. The exploration and production of hydrocarbons (essay)		10
9	Lec 9. The legal regulation of geological information on subsoil	1	
9	Sem 9. The legal regulation of geological information on subsoil	2	7
10	Lec 10 The payments for subsoil use	1	
10	Sem 10. Consider payments that do not depend on the type of subsoil use. Consider payments depending on the type of subsoil use	2	7
Module 3 The legal responsibility and the settlement of dispute			
11	Lec 11 The audit and insurance in the field of subsoil use	1	
11	Sem 11. The ecological audit. The insurance of professional responsibility of the subsoil user for obligations to eliminate the consequences of subsoil use to the Republic of Kazakhstan	2	7
12	Lec 12 The taxation in the field of subsoil	1	
12	Sem 12. 1 Special payments by subsoil users (signature bonus; commercial discovery bonus; payment for reimbursement of historical costs); mineral extraction tax; excess profit tax.	2	7

12	IWMST 4. Consultation on the implementation of the IWMS 3.		
13	IWMT 4. The compensation of environmental damage (presentation)		20
13	Lec 13 The legal responsibility for the violation in the field of subsoil	1	
13	Sem 13. Types of offenses in the field of subsoil use and their classification. Administrative responsibility, Criminal responsibility, Civil Liability Disciplinary responsibility	2	5
14	Lec 14 Settlement of dispute and judicial practice	1	
14	Sem 14. Applicable law, Contractual jurisdiction. Arbitrage	2	5
14	IWMST 5. Consultation on the implementation of the IWMS 5		
15	IWMS 5 Case study in the field of subsoil use (presentation)		20
15	Lec 15 .The international cooperation in the field of subsoil use and protection of subsoil	1	
15	Sem 15. Goals of international cooperation of the Republic of Kazakhstan in the field of subsoil us. Principles of international cooperation of the Republic of Kazakhstan in the field of subsoil use. Directions of international cooperation of the Republic of Kazakhstan in the field of subsoil use	2	5
15	IWMST 6 Consultation on examination issues		
15	LEVEL CONTROL 2		100
	Final control (exam)		100
	TOTAL for the course		100

Dean

Head of department

Chairman of the Academic
Committee on the quality
of training and education

Lecturer



U.A. Akhatov

G.A. Kuanaliyeva

A.A. Urisbaeva

M.K. Nakisheva

RUBRIC FOR SUMMATIVE ASSESSMENT CRITERIA FOR ASSESSING LEARNING OUTCOMES

The legal regulation of subsoil and subsoil use (25% из 100%)

Criterion	“Excellent.” 20-25 %	“Good” 15-20%	“Satisfactory” 10-15%.	“Unsatisfactory” 0-10%
Understanding the theories and concept of state regulation in the sphere of subsoil use	In-depth understanding of the theories of state regulation in the sphere of subsoil use. Relevant and appropriate references (citations) to primary sources.	Understanding the theories of government regulation in subsoil use. Relevant and appropriate references (citations) to the primary sources.	Limited understanding of theories of government regulation in subsoil use. Relevant and appropriate references (citations) to primary sources.	Superficial understanding/ misunderstanding of the theories of state regulation in the sphere of subsoil use. Relevant and appropriate references (citations) to the primary sources are not given
Understanding of the main problems of subsoil use	Connects well the comparison of international and national legislation. Ideal grounding of arguments with empirical research arguments (e.g., based on comparative legal or statistical analysis).	Relates the comparison of international and national legislation. Supports arguments with empirical research arguments.	The link in the comparison of international and national legislation limited. Limited Use of empirical research evidence	There are few or no links in the comparison of international and national legislation. Little or no use is made of empirical research
Policy proposal or practical recommendations	Offers sound policy and/or practical recommendations and advice to enhance international and collective security.	Offers some policy and/or practical recommendations and proposals to enhance international and collective security	Limited policy and practical recommendations to enhance international and collective security are not substantive, not based on thorough analysis, and superficial.	Policies and practical recommendations to enhance international and collective security are virtually non-existent or of very low quality.
Writing, APA style	Writing demonstrates clarity, accuracy, and correctness. APA strictly adheres to style	Writing demonstrates clarity, accuracy, and correctness. Generally, adheres to APA style	There are some basic errors in the writing, and there needs to be improved clarity. There are errors in following APA style.	The writing is unclear, it's hard to keep up with the content. There are many errors in following APA style

RUBRIC FOR SUMMATIVE ASSESSMENT CRITERIA FOR ASSESSING LEARNING OUTCOMES

IWMS 2. Subsoil contract

Criterion	“Excellent.” 20-25 %	“Good” 15-20%	“Satisfactory” 10-15%.	“Unsatisfactory” 0-10%
Understanding the theories and concept of state regulation in the sphere of subsoil use	In-depth understanding of the theories of state regulation in the sphere of subsoil use. Relevant and appropriate references (citations) to primary sources.	Understanding the theories of government regulation in subsoil use. Relevant and appropriate references (citations) to the primary sources.	Limited understanding of theories of government regulation in subsoil use. Relevant and appropriate references (citations) to primary sources.	Superficial understanding/ misunderstanding of the theories of state regulation in the sphere of subsoil use. Relevant and appropriate references (citations) to the primary sources are not given
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RUBRIC FOR SUMMATIVE ASSESSMENT CRITERIA FOR ASSESSING LEARNING OUTCOMES

IWMS 3. The exploration and production of hydrocarbons (essay)

Criterion	“Excellent.” 20-25 %	“Good” 15-20%	“Satisfactory” 10-15%.	“Unsatisfactory” 0-10%
Understanding the theories and concept of state regulation in the sphere of subsoil use	In-depth understanding of the theories of state regulation in the sphere of subsoil use. Relevant and appropriate references (citations) to primary sources.	Understanding the theories of government regulation in subsoil use. Relevant and appropriate references (citations) to the primary sources.	Limited understanding of theories of government regulation in subsoil use. Relevant and appropriate references (citations) to primary sources.	Superficial understanding/ misunderstanding of the theories of state regulation in the sphere of subsoil use. Relevant and appropriate references (citations) to the primary sources are not given
Understanding of the main problems of subsoil use	Connects well the comparison of international and national legislation. Ideal grounding of arguments with empirical research arguments (e.g., based on comparative legal or statistical analysis).	Relates the comparison of international and national legislation. Supports arguments with empirical research arguments.	The link in the comparison of international and national legislation limited. Limited Use of empirical research evidence	There are few or no links in the comparison of international and national legislation. Little or no use is made of empirical research
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RUBRIC FOR SUMMATIVE ASSESSMENT CRITERIA FOR ASSESSING LEARNING OUTCOMES

4. The compensation of environmental damage (presentation)

Criterion	“Excellent.” 20-25 %	“Good” 15-20%	“Satisfactory” 10-15%.	“Unsatisfactory” 0-10%
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RUBRIC FOR SUMMATIVE ASSESSMENT CRITERIA FOR ASSESSING LEARNING OUTCOMES

5 Case study in the field of subsoil use (presentation)

Criterion	“Excellent.” 20-25 %	“Good” 15-20%	“Satisfactory” 10-15%.	“Unsatisfactory” 0-10%
Understanding the theories and concept of state regulation in the sphere of subsoil use	In-depth understanding of the theories of state regulation in the sphere of subsoil use. Relevant and appropriate references (citations) to primary sources.	Understanding the theories of government regulation in subsoil use. Relevant and appropriate references (citations) to the primary sources.	Limited understanding of theories of government regulation in subsoil use. Relevant and appropriate references (citations) to primary sources.	Superficial understanding/ misunderstanding of the theories of state regulation in the sphere of subsoil use. Relevant and appropriate references (citations) to the primary sources are not given
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RUBRIC FOR SUMMATIVE ASSESSMENT CRITERIA FOR ASSESSING LEARNING OUTCOMES

IWMST 6 Consultation on examination issues

Criterion	“Excellent.” 20-25 %	“Good” 15-20%	“Satisfactory” 10-15%.	“Unsatisfactory” 0-10%
Understanding the theories and concept of state regulation in the sphere of subsoil use	In-depth understanding of the theories of state regulation in the sphere of subsoil use. Relevant and appropriate references (citations) to primary sources.	Understanding the theories of government regulation in subsoil use. Relevant and appropriate references (citations) to the primary sources.	Limited understanding of theories of government regulation in subsoil use. Relevant and appropriate references (citations) to primary sources.	Superficial understanding/ misunderstanding of the theories of state regulation in the sphere of subsoil use. Relevant and appropriate references (citations) to the primary sources are not given
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