**SYLLABUS**

**Fall semester 2022-2023 academic years**

**on the educational program “Civil law of the Republic of Kazakhstan (special 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 (OsCh) 2212** | **Civil law of the Republic of Kazakhstan (special 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. <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; 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.** Purchase and sale and its types. | 1 |  |
| 1 | **Sem 1.** Define the concept of a contract of sale. Elements and content of the contract of sale. Determine the types of purchase and sale agreement: | 2 | 8 |
| 2 | **Lec 2.** The concept of rent. | 1 |  |
| 2 | **Sem 2.** Determine the concept of an annuity contract. The content and form of the rent contract. Analyze the Permanent rent, Lifetime annuity, Lifelong maintenance with a dependent. | 2 | 8 |
| 2 | **IWST 1.** The concept of an annuity contract. | 1 | 7 |
| 3 | **Lec 3.** Property hire (lease) | 1 |  |
| 3 | **Sem 3.** Expand the concept and types of obligations for the transfer of property into temporary possession, use. Property lease agreement. The main types of property hiring. Term, form of the property lease agreement. Rights and obligations under the property lease agreement. Termination of the property lease agreement. Financial lease agreement (leasing). | 2 | 8 |
| 3 | **SIW 1.** The concept of an annuity contract. | 1 | 25 |
| 4 | **Lec 4.** Contract agreement | 1 |  |
| 4 | **Sem 4.** Determine the concept of obligations for the production of works, their difference from other civil obligations. Rights and obligations of the parties. Execution of the contract. Liability of the parties for violation of the terms of the contract. | 2 | 8 |
|  | **IWST 2.** Unilateral refusal to perform a contract for the provision of paid services. | 1 | 6 |
| 5 | **Lec 5.** Paid provision of services | 1 |  |
| 5 | **Sem 5.** Determine the concept and types of obligations to provide services. The concept and content of the contract for the provision of paid services. Execution of the contract for the provision of paid services. Unilateral refusal to perform a contract for the provision of paid services. | 2 | 8 |
| **Module 2** | | | |
| 6 | **Lec 6.** Transport obligations | 1 |  |
| 6 | **Sem 6.** Analyze the transport contracts: concept, types, general characteristics. The concept and types of the contract of carriage. The procedure for concluding and form of the contract of carriage. General characteristics of liability for carriage obligations. Cargo transportation contract. The contract of carriage of passengers and baggage. The contract of the transport expedition. Other auxiliary transport contracts. Contracts for the organization of transportation. | 2 | 8 |
| 7 | **Lec 7.** Insurance | 1 |  |
| 7 | **Sem 7.** Determine the concept of insurance, insurance activity, insurance market. Branches, classes, forms of insurance. The concept and content of the insurance contract. The procedure for concluding the contract and its form. The parties to the contract, their rights and obligations. Fulfillment of the insurance obligation. Liability of the parties under the insurance contract. | 2 | 8 |
| 7 | **IWST 3.** Rights and obligations of the parties under the loan agreement. | 1 | 6 |
|  | **LEVEL CONTROL 1 (RK 1)** | **1** | **100** |
| 8 | **Lec 8.** Loan. Banking service agreement. Factoring | 1 |  |
| 8 | **Sem 8.** Determine the concept and types of loan agreement. Rights and obligations of the parties under the loan agreement. Financing for the assignment of a monetary claim (factoring). | 2 | 8 |
| 8 | **SIW 2.** Unilateral refusal to perform a contract for the provision of paid services. | 1 | 8 |
| 9 | **Lec 9.** Storage. An errand. Commission. Actions without instructions | 1 |  |
| 9 | **Sem 9.** Expand the concept and content of the storage agreement. Types and form of storage agreement. Separate types of storage. The concept and content of the contract of assignment. Activity without an assignment. Commission agreement. | 2 | 8 |
| 10 | **Lec 10.** Trust management of property. Comprehensive business license (franchising) | 1 |  |
| 10 | **Sem 10.** Analyze the Institute of trust management of property. Subjects and objects of trust management of property. The contract of trust management of property.  The concept and elements of a franchise agreement. Restrictive terms of the franchise agreement. Responsibility of the licensor. The contract of complex business sublicense. Termination of the franchise agreement. Succession in the contract. | 2 | 8 |
| 10 | **IWST 4.** Termination of the franchise agreement. Succession in the contract. | **1** | **5** |
|  | **Module 3** |  |  |
| 11 | **Lec 11.** Competitive obligations | 1 |  |
| 11 | **Sem 11.** To study the obligations arising from unilateral actions, their difference from other obligations. Obligations arising from the public promise of a reward. The content and types of obligations from the public promise of the award. The concept and content of the competition. Fulfillment of obligations arising from the competition. Tender. Auction. | 2 | 8 |
| 12 | **Lec 12.** Obligations to compensate for harm | 1 |  |
| 12 | **Sem 12.** Analyze the concept and content of non-contractual obligations, their types.  The concept and content of obligations arising as a result of causing harm. Conditions of liability for causing harm. The scope and nature of compensation for harm. Liability for damage caused by state bodies, local self-government bodies, as well as their officials. Liability for damage caused by a source of increased danger. Compensation for damage caused to the life and health of a citizen. Compensation for moral damage. Compensation for damage caused by minors and incapacitated citizens. Compensation for damage caused by defects in goods, works, services. | 2 | 8 |
| 12 | **IWST 5.** Conditions of liability for causing harm. The scope and nature of compensation for harm. | 1 | 5 |
| 13 | **Lec 13.** Intellectual Property law | 1 |  |
| 13 | **Sem 13.** Analyze the concept of intellectual property rights. Its institutions. The concept of copyright and related rights, their international legal protection. Subjects of copyright, their personal and property rights. Objects of copyright. Patent law. Patent legislation of the Republic of Kazakhstan. Rights to breeding achievements. Rights to the topology of integrated circuits. The right to protect undisclosed information from illegal use. | 2 | 8 |
| 13 | **SIW 3.** Rights and obligations of the parties under the loan agreement. | 1 | 8 |
| 14 | **Lec 14.** Inheritance law | 1 |  |
| 14 | **Sem 14.** Reveal the concept, meaning and grounds of inheritance. Objects of hereditary succession. Citizens who do not have the right to inherit. Acceptance of inheritance. Refusal of inheritance. Division of hereditary property. Liability of heirs for the debts of the testator. | 2 | 8 |
|  | **IWST 6.** Division of hereditary property. | 1 | 5 |
| 15 | **Lec 15.** Private International law | 1 |  |
| 15 | **Sem 15.** Reveal the Definition of the law to be applied to civil law relations complicated by a foreign element. Analyze the concept and meaning of conflict of laws rules. | 2 | 8 |
| 15 | **IWST 7.** The law applicable to contractual and non-contractual obligations. | 1 | 5 |
|  | **LEVEL CONTROL 2 (RK2)** | **1** | **100** |

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