

Spring semester 2023-2024 academic year
Educational program «7M04201 - International Law»
Theory of Private International Law

Form - standard (offline). The exam is taken in the classrooms of the faculties. The duration of the exam is 2 hours. The process of passing an oral exam by a student involves the automatic creation of an exam ticket, to which the student must answer orally before the lecturer and the Examination Board.

Procedure for conducting a standard oral offline exam

1. The oral exam allows students to demonstrate the learning results, skills and competencies acquired during the study of the discipline, the ability to logically express their thoughts aloud, to substantiate their point of view.
2. The methodology for conducting lectures, seminars, independent work should ensure the readiness of students to pass the oral exam.
3. In the classroom where the oral exam is held, no more than 5 examiners may be present at the same time. The rest of the examiners of the current group are waiting for a personal invitation outside the exam classroom without leaving the faculty building.
4. Oral exams are held in classrooms with video cameras.
5. When entering the exam classroom, the student is obliged to show the examiner his / her identity card and sign the entry form.
6. During the exam, it is forbidden to get up and/or change seats, leave the auditorium until the end of the ticket response.
7. During the oral exam, the exam ticket is selected by the examiner himself.
8. In preparation for the answer, the student is given sheets for drawing up a summary of the answer. The time for students to prepare an oral answer is 10 minutes. To defend the answer, the student passes the exam in front of the examiner for no more than 5 minutes.
9. After the last name is announced, the student begins his / her response on the ticket. Each question is evaluated based on the highest score specified in the "questions" appendix.
10. The examiner has the right to ask additional questions to the student to more deeply determine the level of knowledge, as well as to provide tasks and examples within the framework of the questions of the exam ticket.

Evaluation policy. Final control (exam) - 100 points. The assessment is carried out according to the following scheme:

- Question 1-30 points;
- Question 2-30 points;
- Question 3-40 points.

The exam is conducted in accordance with the approved schedule, which is communicated to students. The scoring time in the certification inventory for the oral exam is 48 hours.

List of course topics for which exam questions are drawn up:

1. The legal nature of the Private International Law. The specifics of the Private International Law norms in the Kazakh legislation.
2. The history of the doctrines and their impact on the development of the Private International Law.
3. Features of Private International Law regulation methods.
4. Private International Law and Public International Law.

5. Features of the formation and collision of the norms of the Private International Law.
6. Issues of application of the norms of the Private International Law.
7. The legal position of the state in the Private International Law, the peculiarities of the legal regulation of oblique legal relations. The concept and elements of state immunity.
8. Property rights in the Private International Law. Conflict of laws issues of property rights. The concept of the property statute, its relation to the binding and marital status.
9. Credit and settlement relations in the Private International Law.
10. Contractual obligations in the Private International Law.
11. Non-contractual obligations in the Private International Law.
12. Family relations in the Private International Law.
13. Intellectual property in the Private International Law.
14. International civil procedure. The difference in the approaches of the Civil Procedure and Civil Codes of the Republic of Kazakhstan to determine the rights and legal capacity of foreign citizens.
15. International commercial arbitration. Problems of conflict of laws applied in international commercial arbitration.

Literature:

1. Private international law and international civil procedure. Textbook for universities (in 2 parts)/ M.K. Suleimenov. Almaty: LLP «Law Firm «Zanger», 2019.-496c.
2. Issad M. Droit international prive.-2 ed.%E2%80%94T. 1, 2.%E2%80%94Alger, 1983wolf M. Private International Law / Translated from English %E2%80%94 M., 2021;
3. Cheshire J., North P. Private International law / Translated from English%E2%80%94 M., 2020
4. Paras Diwan - Private International Law. 2019. Deep & Deep; 4th edition
5. James Nafziger, Anastasia Telesetsky. Private International Law: Avoiding and Resolving Conflict of Laws. Carolina Academic Press, 2022
6. Peter Hay, Patrick Borchers, Richard Freer. Conflict of Laws, Private International Law, Cases and Materials (University Casebook Series) 16th Edition // Foundation Press; 2021

THE RUBRICATOR OF THE CRITERIA ASSESSMENT OF THE FINAL CONTROL

Discipline: Theory of Private International Law. Level: Master's degree.

Form: Oral offline exam (standart). Platform: IS «Univer».

1	Analysis	1 question (30 points)	Analyzing the final content of a control, breaking it down into its component parts and identifying relationships, patterns, or connections.	Analyzes content with a high degree of complexity, offering in-depth information and revealing subtle relationships.	Competently analyzes content, identifying relationships and making in-depth observations.	He is engaged in basic analysis, identifying key points and relationships.	Demonstrates a limited ability to analyze content.	There is no ability to analyze content.
2	Synthesis	2 question (30 points)	Combining information from various sources or concepts to create a consistent and well-structured answer to questions or tasks.	Creatively synthesizes information, generating innovative solutions or perspectives.	Effectively integrates information to create well-structured responses.	Combines information to create responses with a basic structure.	Gives answers that lack consistency and structure.	Gives incoherent and incomplete answers.
3	Evaluation	3 question (40 points)	A critical assessment of the quality and reliability of the information presented in the final control, offering informed judgments.	Evaluates the content critically, making exclusively reasoned and well-founded judgments.	Competently evaluates the content, offering informed judgments.	Offers basic assessments of content, sometimes lacking depth or detail.	Offers minimal or undeveloped content ratings.	Practically does not demonstrate the ability to evaluate content.