

**KAZAKH NATIONAL UNIVERSITY
named after AL-FARABI**

FACULTY OF LAW

DEPARTMENT OF CUSTOMS, FINANCIAL AND ENVIRONMENTAL LAW

FINAL EXAM PROGRAM

103831 Problems of development of water legislation

Educational program Master of Law "7M04226 Jurisprudence"

Course – 1

Semester – 1

Number of credits – 4

Form of study: full-time, offline

ALMATY 2025

The final exam program was compiled on the basis of educational program «Issues in the Development of Water legislation" in the specialty 7M04226 JURISPRUDENCE by Ph.D., lecturer Jetibayev N.S.

Considered and approved at a meeting of the Department of custom, financial and environmental law

"29" 08 2024, Protocol No. 1

Head of the Department,
Doctor of Law, Professor

Byas -

G.A. Kuanalieva

"02" 09 2024, Protocol No. 1

Chairman of the Academic Committee on the Quality of education and Training

"02" 09 2024, Protocol No. 1

Presented at the Academic Council of the Faculty
Academic Secretary

Ha

A.A Urisbayeva

G. M. Atakhanova

Introduction

Studying in the master's program is carried out in accordance with the State Standard of Compulsory Education of the Republic of Kazakhstan and academic policy, the study of the discipline ends with a final exam, which consists of passing the exam. Only undergraduates who have scored the appropriate points upon completion of the educational process in the discipline in accordance with the curricula and working curricula of the master program are allowed to the examination and final control. The exam is held on the dates specified in the Academic calendar and the working curriculum.

Undergraduates who have received an unsatisfactory grade, passing the final control for this period is allowed only with the payment of the loan and re-training. An appeal is possible. A graduate student who received an unsatisfactory grade on the exam results is registered for re-training by order of the university, if he received 25 points for the exam, then FX exam will be retaken. Documents for health reasons issued after receiving an unsatisfactory grade are not considered. Retaking an exam to increase grades is not permitted.

Final exam on "Issues in the Development of Water legislation" will be held in verbal form in auditorium of Kazakh National University named after al-Farabi, in accordance to exam schedule.

Exam questions are reviewed and approved.

Exam rules

The exam form is standard verbal offline. Verbal exam: traditional - answering questions. Verbal examination - according to the examination schedule, the student is accepted by the teacher or representatives of the examination committee. The teacher or committee ensures compliance with the examination requirements from the beginning to the end of the examination.

The exam format is verbal offline.

Examinations are taken in accordance with the schedule approved by the faculty.

The process of passing a verbal examination by a student is carried out in the form of selecting an examination ticket, to which the student must answer verbally to the examination committee. When conducting a verbal examination, it is mandatory to carry out a commission.

A verbal examination is conducted:

- in an approved lecture hall;
- in the presence of the commission.

Supervision of the exam

Teacher or examination committee:

- explains the exam requirement,
- checks whether questions about tickets are repeated.

Duration

Preparation time is decided by the examiner or examination committee. The response time is decided by the examiner or examination committee. We recommend 15-20 minutes to answer all questions about the ticket.

The exam schedule must be known in advance to students and teachers taking the exam, that is, according to the approved schedule, it is carried out in an approved auditorium. This is the responsibility of departments and faculties.

The exam format is verbal offline. The student takes the exam in real time, offline.

Duration of the exam - the date and time are indicated in the approved schedule. Before the exam, students communicate through preliminary consultation.

Teacher

1. The Univer system contains the “final exam program” which should include:

- rules for conducting the exam;
- evaluation policy;
- schedule;
- exam platform

Important. Disclosure of exam questions is prohibited. In the final exam program the questions within the discipline should be written.

2. The teacher must, after setting the exam date in the schedule, inform students about where the rules for the final exam are located.

The exam rules are published:

- procedure for passing exams,
- preparation time,
- response time;
- allows, if necessary, to compose abstracts of answers on paper;
- with handle;
- warns that the examiner must show the sheet.

Teacher:

1. announces the surname, name and patronymic of the examinee;

2. the examinee is asked to present an identification document (identity card or passport. Taking the exam with an ID card is prohibited);

3. warns about the prohibition of using additional sources of information;

4. The chairman of the examination committee calls the full name of the master's student, reads the exam ticket and questions about the ticket;

6. The commission records the questions voiced by the student for subsequent questioning;

7. gives time to prepare an answer:

- preparation time is determined by the teacher and / or members of the commission;
- members of the commission and the teacher control the process of preparing students;
- if necessary, make comments or stop students' responses (if there is a rude violation of the rules of conduct during the exam, a violation report must be drawn up);

8. asks students about tickets;

9. After completing the students' answer, the examinee is allowed to leave;

10. Then the procedure is repeated with each student in the group.

NOTE. STUDENTS DO NOT HAVE THE RIGHT TO OPEN TICKETS UNTIL THE COMMISSION INVITES THEM IN PERSON TO TAKE THE EXAM.

ONLY AT THE REQUEST OF THE COMMISSION WILL THE STUDENT OPEN HIS TICKET.

When the exam begins, the student invited by the committee presents his identification card.

Important. It is prohibited to publish or send any exam papers to students before the start of the exam.

The time for issuing grades for the verbal exam in assessment sheet is 48 hours.

Evaluation Policy.

Criteria-based assessment: assessment of learning outcomes in accordance with descriptors (checking the development of competencies at intermediate controls and exams).

Final assessment: assessment of activity in the classroom (webinar); assessment of the completed task.

The rating scale is given in the syllabus.

Examination answers are evaluated on a 100-point scale, taking into account the degree of completeness of the undergraduate's answer:

Grade	Criterias
Excellent	1. Correct and complete answers to all theoretical questions are given; 2. Completely solved practical task; 3. The material is presented correctly in a logical sequence; 4. Demonstrated creativity.
good	1. Correct but incomplete answers to all theoretical questions are given, minor errors or inaccuracies are made; 2. The practical task was completed, but a minor mistake was made; 3. The material is presented correctly in a logical sequence.
Satisfactory	1. Answers to theoretical questions are in principle correct, but incomplete, there are inaccuracies in the wording and logical errors; 2. The practical task has not been fully completed; 3. The material is presented correctly, no logical sequence
Unsatisfactory	1. Answers to theoretical questions contain gross errors; 2. The practical task has not been completed; 3. In the presentation of the answer, grammatical and terminological errors were made, no logical sequence

Letter grade	Digital equivalent	Scores in percentage (%)	Grade under traditional system
A	4	95-100	Excellent
A-	3,67	94-90	
B+	3,33	85-89	good
B	3,0	80-84	
B-	2,67	75-79	satisfactory
C+	2,33	70-74	
C	2,0	65-69	
C-	1,67	60-64	
D+	1,33	55-59	unsatisfactory
D-	1,0	50-54	
FX	0,5	25-49	
F	0	0-24	

Main topics to prepare for the exam:

Topic 1. Fundamentals of Water Law: Concept and brief history of water law development. Water legislation and water relations. Constitutional norms on water relations. International sources of water law. Principles of water legislation. Structure of the water code of the Republic of Kazakhstan. Other laws and sub-legal acts in the field of water relations.

Discuss the concept of legal support Water legislation and water relations. Constitutional norms on water relations. International sources of water law. Principles of water legislation. Structure of the water code of the Republic of Kazakhstan. Other laws and sub-legal acts in the field of water relations.

Topic 2. Sources of water law: Concept and characteristics of sources of water law. Constitutional foundations of water law. Laws as sources of water law. Sub-legal normative acts as sources of water law. The role of judicial practice in regulating water relations. To discuss the sources of international legal and foreign regulation of ensuring environmental safety in the field of marine and energy relations Constitutional foundations of water law. Laws as sources of water law. Sub-legal normative acts as sources of water law. The role of judicial practice in regulating water relations.

Analysis of the Concept and brief history of water law development. Water legislation and water relations. Constitutional norms on water relations. International sources of water law. Principles of water legislation.

Topic 3. Water relations and ownership of water objects: Water relations. Concept of ownership rights to water. Procedures for water use. Water use agreements. Decisions on the provision of water objects for use

Concept of ownership rights to water. Procedures for water use. Water use agreements. Decisions on the provision of water objects for use

Topic, Concept of ownership rights to water. Procedures for water use. Water use agreements. Decisions on the provision of water objects for use

Topic 4. Functions and powers of water management authorities: General characteristics of water management authorities. State accounting of water resources. Control in the field of water use and protection. Basin agreements and councils, other basin management methods.

To discuss the problems general characteristics of water management authorities. State accounting of water resources. Control in the field of water use and protection. Basin agreements and councils, other basin management methods.

Topic 5. The diversity of water bodies and their primary uses: The legal regime governing various types of water bodies. The legal regime of maritime waters.

Discussion of the problems of water bodies and their primary uses: The legal regime governing various types of water bodies. The legal regime of maritime waters.

Analysis of the Concept and brief history of water law development. Water legislation and water relations. Constitutional norms on water

relations. International sources of water law. Principles of water legislation.

Topic 6. Primary uses of water bodies: Purposeful utilization and methods of safeguarding water bodies. Potable and domestic water supply. Hydrotechnical construction and land reclamation. Transportation and timber rafting. The significance of concessions in water management. Discuss the legal regulation purposeful utilization and methods of safeguarding water bodies. Potable and domestic water supply. Hydrotechnical construction and land reclamation. Transportation and timber rafting. The significance of concessions in water management

Topic 7.

Legal protection of urban and suburban water bodies a system of legally enshrined measures aimed at preventing their pollution, contamination and depletion. Water legislation recognises the deterioration of water quality as a result of the discharge into water bodies or otherwise of harmful substances (pollution) or objects or suspended particles (clogging) as pollution or clogging.

Topic 8. Legal Framework for the Economic Mechanism of Payment for the Use, Restoration, and Protection of Water Bodies: The concept and principles of the economic mechanism for payment related to the use, restoration, and protection of water bodies. Sources of legal regulation for the economic mechanism of water use payments. The concept of payment for water use. Components of the economic mechanism of payment

The concept and principles of the economic mechanism for payment related to the use, restoration, and protection of water bodies. Sources of legal regulation for the economic mechanism of water use payments. The concept of payment for water use. Components of the economic mechanism of payment

Topic 9. Legal Protection of Water Bodies: The concept of legal protection of water bodies. Legal protection of water bodies against pollution, contamination, and depletion. Legal measures for the protection of water bodies during the siting, design, construction, and operation of industrial and other facilities. Legal protection of groundwater resources.

The content of legal protection of water bodies against pollution, contamination, and depletion. Legal measures for the protection of water bodies during the siting, design, construction, and operation of industrial and other facilities. Legal protection of groundwater resources.

Topic 10. To study the features of the legal water Use Rights Related to Water Consumption: The concept and types of water use related to water consumption. The right to use water bodies for potable, domestic, and other public needs. The right to use water bodies for medical, spa, and wellness purposes. The right to use water bodies for agricultural and forestry activities.

To disclose the legal regulation of the concept and types of water use related to water consumption. The right to use water bodies for potable, domestic, and other public needs. The right to use water bodies for medical, spa, and wellness purposes. The right to use water bodies for agricultural and forestry activities.

Topic 11. Water Use Rights Not Related to Water Consumption: The concept and types of water use rights not associated with water consumption. The right to use water bodies for hydroenergy purposes. The right to use water bodies for hunting management. The right to use water bodies for transportation and timber rafting. The right to use water bodies for the discharge of wastewater and drainage.

To discuss the specifics of environmental and the right to use water bodies for hydroenergy purposes. The right to use water bodies for hunting management. The right to use water bodies for transportation and timber rafting. The right to use water bodies for the discharge of wastewater and drainage.

Topic 12. Legal Regime of Particularly Protected Water Bodies of International Significance: The concept and types of particularly protected water bodies of international significance. Normative-legal acts regulating the regime of particularly protected water bodies of international significance. International treaties concerning particularly protected water bodies of international significance. To discuss the concept and types of particularly protected water bodies of international significance. Normative-legal acts regulating the regime of particularly protected water bodies of international significance. International treaties concerning particularly protected water bodies of international significance.

Topic 13. Legal Liability for Violations of Water Legislation: The concept of legal liability and the grounds for its application. Criminal and administrative liability. Civil (property) liability. Disciplinary liability.

To discuss the specifics of the concept of legal liability and the grounds for its application. Criminal and administrative liability. Civil (property) liability. Disciplinary liability.

Topic 14. Foreign Water Law: The CIS and Baltic States. The relationship between water legislation in CIS countries and other branches of law. International river law in CIS countries. The legal institution of water fund land under the legislation of CIS countries.

The relationship between water legislation in CIS countries and other branches of law. International river law in CIS countries. The legal institution of water fund land under the legislation of CIS countries.

Topic 15. Water Legislation of Neighboring and Distant Foreign Countries: Water legislation in the Baltic States. European countries. Water legislation in the United States. Canada. The United Kingdom. Australia. China.

Water legislation in the Baltic States. European countries. Water legislation in the United States. Canada. The United Kingdom. Australia. China.

When preparing for the exam, the student is recommended to study the following regulations and literature:

List of Core Literature

Normative Legal Acts

1. Water Code of the Republic of Kazakhstan dated July 9, 2003, No. 481 (as amended and supplemented as of December 28, 2018).
2. On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Regarding Subsoil Use. Law of the Republic of Kazakhstan dated December 27, 2017, No. 126-VI.
3. Law of the Republic of Kazakhstan “On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Regarding the Reduction of Permitting Documents and Simplification of Permitting Procedures” (as amended and supplemented as of January 1, 2019).
4. Law of the Republic of Kazakhstan “On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Regarding the Delimitation of Powers between State Authorities” (as amended and supplemented as of January 1, 2019).
5. Law of the Republic of Kazakhstan dated May 4, 2018, No. 151-VI “On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Regarding the Regulation of Land Relations.”
6. On Amending the Order of the Minister of Agriculture of the Republic of Kazakhstan dated December 8, 2015, No. 6-4/1072 “On Approving the Standard of State Service ‘Subsidization of the Cost of Water Supply Services to Agricultural Producers.’”
7. Order of the Minister of Agriculture of the Republic of Kazakhstan dated December 2, 2015, No. 19-2/1054 “On Approving the Rules Defining Criteria for Classifying Dams as Declarable and the Rules for Developing a Dam Safety Declaration.”
8. Order of the Minister of Agriculture of the Republic of Kazakhstan dated December 8, 2015, No. 6-4/1072 “On Approving the Standard of State Service ‘Subsidization of the Cost of Water Supply Services to Agricultural Producers.’”
9. Joint Order of the Minister of Agriculture of the Republic of Kazakhstan dated December 25, 2015, No. 19-2/1131 and the Minister of National Economy of the Republic of Kazakhstan dated December 28, 2015, No. 809 “On Approving the Criteria for Risk Assessment and the Checklist in the Field of Water Fund Use and Protection, and Dam Safety.”
10. Order of the Acting Minister of Agriculture of the Republic of Kazakhstan dated March 18, 2016, No. 127 “On Approving the Standard of State Service ‘Sealing of Water Metering Devices Installed on Structures or Devices for Water Intake or Discharge by Physical and Legal Entities Engaged in Special Water Use.’”
11. Order of the Acting Minister of Agriculture of the Republic of Kazakhstan dated June 23, 2016, No. 272 “On Approving the Regulation of State Service ‘Sealing of Water Metering Devices Installed on Structures or Devices for Water Intake or Discharge by Physical and Legal Entities Engaged in Special Water Use.’”

12. Order of the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan dated December 30, 2016, No. 545 "On Approving the Methodology for Developing Specific Water Consumption and Discharge Norms."
13. Order of the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan dated October 27, 2016, No. 454 "On Approving the Regulation of State Service 'Registration of the Dam Safety Declaration.'"
14. Order of the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan dated November 14, 2016, No. 476 "On Approving the Natural Norms of Material Costs for Operational Expenses in Performing Work on Assessing the Meliorative State of Irrigated Lands."
15. Order of the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan dated December 25, 2017, No. 513 "On Approving the Natural Norms for Chemical Reagents, Laboratory Glassware, and Field Equipment Used in Monitoring and Assessing the Meliorative State of Irrigated Lands."
16. Reminder on Bringing Normative Legal Acts in Line with the Presidential Decree of the Republic of Kazakhstan "On Certain Issues of Administrative-Territorial Structure of the Republic of Kazakhstan."
17. Order of the Minister of Agriculture of the Republic of Kazakhstan dated June 30, 2015, No. 6-3/597 "On Approving the Rules for Subsidizing the Cost of Water Supply Services to Agricultural Producers."
18. Order of the Minister of Agriculture of the Republic of Kazakhstan dated March 31, 2015, No. 19-5/293 "On Approving the Rules for Leasing and Trust Management of Water Management Facilities."
19. Order of the Minister of Agriculture of the Republic of Kazakhstan dated December 2, 2015, No. 19-2/1053 "On Approving the Requirements for Organizations Accredited for Performing Works in the Field of Dam Safety."
20. Order of the Minister of Agriculture of the Republic of Kazakhstan dated November 30, 2015, No. 19-1/1051 "On Approving the Form of Application for Special Water Use Permission and the Form of Special Water Use Permission."

List of Additional Literature

21. Petrakov, I.A., Kenshimova, A.K. Practical Guide to the Application of the Articles of the Water Code of the Republic of Kazakhstan. Vol. 1. General Part. – Almaty, 2012. – 336 p.
22. Zhumagulov, T.B. Water Security of the Republic of Kazakhstan and Central Asia: International Legal Issues. Bulletin of KazNU, 2015. Available at: <https://articlekz.com/article/14878>
23. Bekisheva, S.D. Improving Water Legislation in the Context of Kazakhstan's Trans Suleimenova, S.Zh. Water Law of Kazakhstan: A Textbook. Almaty: 2012. – 286 p.
24. ition to a "Green Economy". Bulletin of KazNU, 2015. Available at: <https://articlekz.com/article/14831>

25. Absametov, M.K., Mukhamedzhanov, M.A., Sydykov, Zh.S., Murtazin, E.Zh. Monograph: Groundwater of Kazakhstan as a Strategic Resource for the Country's Water Security. – Almaty, 2017. – 86 p.
26. Glushko, O.A. Methodological Guidelines for Independent Work of Students in the Field of 20.03.02 "Environmental Engineering and Water Management", Specialization in Reclamation, Re-cultivation, and Land Protection (Qualification: Bachelor) on the Subject "Water, Land, and Environmental Law". – Krasnodar: Electronic Resource, 2016. – 13 p.
27. Methodological Guidelines: Organization and Procedure for Conducting Analytical Control of Water Pollution. Basic Requirements. Approved by the Order of the Minister of Environmental Protection of the Republic of Kazakhstan dated July 12, 2011, No. 183-P.

2. Online resources: educational material-abstracts of lectures on theoretical regulation of agrarian entrepreneurship , as well as educational and methodological material necessary for completing homework, projects, SRS, is available on your page on the website <http://adilet.zan.kz/rus/docs> and www.univer.kaznu.kz, in the UMCD section.

CRITERIA-BASED ASSESSMENT RUBRICATOR OF FINAL CONTROL

Discipline: Issues in the Development of Water legislation". Form: verbal (offline)

1 question. Maximum score – 33

№	Criterion	Score	DESCRIPTORS			
			"Great"	"Fine"	"Satisfactorily"	"Unsatisfactory"
		27-33 points	20-26 points	14-19 points	7-13 points	0-6 points
1	Understanding the general concept and brief history of water law development. Water legislation and water relations. Constitutional norms on water relations. International sources of water law. Principles of water legislation. Structure of the water code of the Republic of Kazakhstan. Other laws and sub-legal acts in the field of water relations.	Deep understanding of the nature of legal regulation of the theoretical problem of Concept and brief history of water law development. Water legislation and water relations.	Understanding of legal regulation of Constitutional norms on water relations. International sources of water law. Principles of water legislation.	Average understanding legal regulation of the theoretical problem of International sources of water law. Relevant and appropriate references (citations) to primary sources.	Limited understanding of legal regulation of International sources of water law. Relevant and appropriate references (citations) to primary sources.	Superficial understanding/misunderstanding of the legal regulation of International sources of water law. Relevant and relevant references (citations) to primary sources are not provided.

2 question. Maximum score – 33

№	Criterion	Score	DESCRIPTORS			
			"Great"	"Fine"	"Satisfactorily"	"Unsatisfactory"
			27-33 points	20-26 points	14-19 points	7-13 points
2	Understanding of the main Concept and characteristics of sources of water law. Constitutional foundations of water law. Laws as sources of water law. Sub-legal normative acts as sources of water law. The role of judicial practice in regulating water relations.	<p>It very well connects the comparison of the legislation of the Republic of Kazakhstan in the field of The theoretical problem of Agrarian Entrepreneurship</p> <p>Sources of water law: Concept and characteristics of sources of water law.</p> <p>Constitutional foundations of water law. Ideally ground arguments in evidence from empirical research (e.g., comparative legal or statistical analysis).</p>	<p>It very well connects the comparison of the legislation of the Republic of Kazakhstan in the field of the theoretical problem of</p> <p>Laws as sources of water law.</p> <p>Sub-legal normative acts as sources of water law. The role of judicial practice in regulating water relations.</p> <p>with international standards.</p> <p>Supports arguments with evidence from</p>	<p>Connects the comparison of the legislation of the Republic of Kazakhstan in the field of general characteristics of water management authorities</p> <p>Entrepreneurship with international standards.</p> <p>Limited connection between the concepts.</p>	<p>Limited use of empirical research evidence.</p>	<p>In comparison with the legislation of the Republic of Kazakhstan regulating legal regulation of General characteristics of water management authorities</p> <p>Connection is insignificant or absent. Little or no empirical research is used.</p>

		empirical research			
--	--	--------------------	--	--	--

3 question. Maximum score – 34

Nº	Criterion	Score	DESCRIPTORS				
			"Great"	"Fine"	"Satisfactorily"	"Unsatisfactory"	
			27-33 points	20-26 points	14-19 points	7-13 points	0-6 points
3	Political proposal or practical recommendations /suggestions	Preparation of competentscientific and/or practical recommendations relatedto subsoil use.	Offers some considerations and/or practical recommendation sand suggestions related to agrarian entrepreneurship .	Limited practical recommendations. The recommendations are superficial, not based on a thorough analysis, and not critical.	There are few or no practical recommendations, or recommendations of very poor quality.	There are few or no considerations and practicalrecommendations related toGeneral characteristics of water management authorities. Recommendations has very poor quality	