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transactions carried out in the tenge, and in the presence of the appropriate license of National Bank, and in foreign currency. The procedure for issuing licenses to carry out banking operations, including requirements for organizational and technical measures necessary for the implementation of banking operations, established by the National Bank and the Agency of the Republic of Kazakhstan on regulation and supervision of financial market and financial organizations in accordance with the laws of the Republic of Kazakhstan. In banking operations should allocate acts committed in the exercise of the rights and obligations of the parties in a particular legal relationship, and acts committed by virtue of existing standards, rules and customs. These acts are committed for the benefit of customers of banks and the banks themselves and, ultimately, the entire banking system.

Consider now the banking business as a whole, can not be reduced to a simple sovakupnosti banking operations, as one can not ignore the fundamental difference between the concepts of activities and operations. It consists in the fact that banking activities, as well as any type of activity, appears as a socio-legal phenomenon only in those cases where total operation acquires certain aggravating circumstances and the elements. But before we proceed to analyze the relationship of these concepts, it should be noted that the Law under the wide use these terms, there is little any expanded their definition. Even in those cases, when it comes to the regulation of specific activities, such as business, investment, stock market, the legislator gives only a general description thereof, without disclosing the content of the activities. Therefore it is necessary to use the philosophy and economic concepts and operations activities as basic in order to further articulate the legal concept of banking.

The characteristics of the above mentioned banking, economic and legal requirements for its implementation determine and update the system and the need for rules and institutions governing relations in the sphere of circulation of financial institutions.

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Yao Huilin

Master's student of the 1st year of the Department of Customs, Financial and Environmental Law of Al-Farabi KazNU.

Supervisor: Doctor of Law, Professor of the Department of Customs, Financial and Environmental Law of Al-Farabi KazNU. **G.A.Kuanalieva**

GENERAL CHARACTERISTICS AND SPECIFIC FEATURES OF INSURANCE ACTIVITY IN THE REPUBLIC OF KAZAKHSTAN

In the legal literature there is no common understanding of the definition of insurance activity. Thus, according to Smirnova M.B., insurance activity is a set of activities directly aimed at the creation of an insurance fund and the use of its resources for the payment of insurance compensation (insurance coverage) [1, p. 11]. L.N. Klochenko defines insurance activity as an activity to protect the property interests of legal entities, population and the state using insurance methods [2, p. 61]. This definition essentially identifies insurance activity with insurance itself [3, p. 8].

Analyzing the concept of insurance activity through the definition of its subjects, A.K. Shikhov concludes that the concept of "insurance activity" of an insurance organization is a broader concept than just the implementation of property or personal insurance of property interests of legal entities, individuals by concluding and executing insurance contracts [4, p. 51].

The insurer's insurance activity includes not only insurance operations related to the protection of property interests of the insured in connection with the possible occurrence of insured events, creation and placement of insurance reserves, but also extensive interaction with other participants of the insurance market and certain state authorities. That is to say, insurance activity of the insurer is a concept, the content of which includes directly insurance of property interests of legal entities and individuals.

According to A.K. Shikhov, in the conditions of licensing of insurance activity in the territory of the Russian Federation a narrower definition of the concept of insurance activity is given, which is reduced only

to the formation by the insurer of special monetary funds (insurance reserves) necessary for upcoming insurance payments [5, p. 51]. Thus, in the legislation of the neighboring state insurance activity (insurance business) is understood as the sphere of activity of insurers in insurance, reinsurance, mutual insurance, as well as insurance brokers, insurance actuaries to provide services related to insurance and reinsurance.

At the same time, A.G. Smirnykh understands insurance activity as the activity of subjects of insurance business in the field of insurance and reinsurance [6, p. 56].

In turn, A.I. Khudyakov defines insurance activity (insurance business) as the activity of insurers to carry out insurance, as well as the activity of other third parties (insurance agents who are not full-time employees of insurance organizations, insurance brokers, insurance actuaries, etc.) to provide services to insurers and policyholders related to insurance [7, p. 8].

In accordance with the Law "On Insurance Activity", which is in force in the Republic of Kazakhstan, insurance activity means the activity of an insurance organization related to conclusion and execution of insurance (reinsurance) contracts, carried out on the basis of a license of the authorized body in accordance with the requirements of the legislation of the Republic of Kazakhstan, as well as the activity of mutual insurance companies related to conclusion and execution of insurance contracts, carried out without a license in accordance with the legislation of the Republic of Kazakhstan.

In our opinion, this definition also does not exclude shortcomings. Thus, we believe that the definition unreasonably excluded such persons as insurance agents and insurance brokers from the subjects of insurance business.

Social economic relations arising in connection with the provision by insurance organizations of insurance services for insurance protection of property interests of individuals and legal entities against various kinds of adverse events are called insurance relations. The totality of insurance relations is heterogeneous in its composition and includes both relations arising at the conclusion and execution of the insurance contract, and relations arising in connection with the regulation by the state of the activities of insurance organizations and other subjects of the insurance market. Despite the heterogeneity of the listed legal relations: by their subject composition and sources of origin, they are unified in the fact that they owe their origin to the existence of a complex system of organization and provision by insurance organizations of insurance protection services to citizens and legal entities and the functioning of the insurance market [9, p. 186].

The main body regulating and controlling the insurance sector in the Republic of Kazakhstan is the National Bank of the Republic of Kazakhstan. In accordance with the Law of the Republic of Kazakhstan dated March 30, 1995 "On the National Bank of the Republic of Kazakhstan", the National Bank of Kazakhstan is the central bank - a state body that ensures the development and implementation of monetary policy of the state, functioning of payment systems, conducting currency regulation and control, state regulation, control and supervision of the financial market and financial organizations and contributes to ensuring the stability of the financial system of the republic [10].

Since 1998, the powers of the Insurance Supervision Department of the Ministry of Finance of the Republic of Kazakhstan have been transferred to the National Bank of Kazakhstan. Today, the National Bank of the Republic of Kazakhstan performs its functions on regulation of insurance and banking activities, supervision of accumulative pension funds, investment funds, securities market entities and credit bureaus through the Committee for Control and Supervision of Financial Market and Financial Organizations of the National Bank of the Republic of Kazakhstan.

Norms regulating insurance relations are created not individually, but as part of normative-legal acts. Normative-legal acts are laws, decrees, resolutions of various bodies. A characteristic feature of a normative legal act is that it is addressed not to someone in particular, but as they say, to an indefinite circle of persons, i.e. to all those who carry out activities described in this act [11, p.100].

All normative legal acts regulating insurance relations can be divided into two parts, into normative acts addressed to all potential participants of insurance relations and normative acts addressed only to insurers, as well as acts regulating their activities. These, the latter, are issued by a special state body of insurance supervision [12, p.100].

The Law of the RK "On Insurance Activities" consists of 13 chapters and 76 articles. These chapters establish legal norms regulating the organization of insurance activity in the Republic of Kazakhstan. These include issues of the insurance market, insurance intermediation, issues of actuarial activity, audit and reporting in the field of insurance, issues of creation, reorganization and liquidation of insurance (reinsurance) organization, the procedure for licensing its activities, the main powers of authorized bodies in the field of insurance, the procedure for regulating insurance activity (reinsurance organization) [8].

The Law of the Republic of Kazakhstan "About insurance activity", as the main legal act regulating insurance activity in the Republic of Kazakhstan, establishes provisions on conducting insurance as one of the

types of entrepreneurial activity, peculiarities of establishment of insurance and reinsurance organizations, as well as provisions on regulation of insurance brokers' activity, procedure of their licensing, termination of their activity, tasks of state regulation of the insurance market and principles of insurance activity supervision [8]. In accordance with Article 6 of this law, insurance in the Republic of Kazakhstan is divided into two branches such as "life insurance" and "general insurance". In turn, the industry of "life insurance" consists of the following classes: 1) life insurance; 2) annuity insurance; 3) insurance to the occurrence of a certain life event; 4) life insurance with the participation of the policyholder in the investment income of the insurer.

The "general insurance" industry includes the following classes in the voluntary form of insurance:

1) accident insurance; 2) sickness insurance; 3) automobile transportation insurance; 4) railroad transportation insurance; 5) air transport insurance; 6) water transport insurance; 7) cargo insurance, etc.

Types of compulsory form of insurance, as well as their content, are stipulated by the legislative act regulating the compulsory type of insurance.

The implementation of insurance activity in the Republic of Kazakhstan has its own peculiarities. Thus, the law "On Insurance Activities" states the following: "insurance of property interests of a legal entity or its separate subdivisions located in the territory of the Republic of Kazakhstan and property interests of an individual who is a resident of the Republic of Kazakhstan may be insured only by an insurance organization - resident of the Republic of Kazakhstan". The fact that citizens of the Republic of Kazakhstan, to a certain extent, have the right to insure their interests and property only in the insurance organization registered in the Republic of Kazakhstan, indicates that the state establishes protectionist measures in relation to domestic insurance organizations.

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Zhang Tao

Master's student of the 1st year of the Department of Customs, Financial and Environmental Law of AI-Farabi KazNU

Supervisor: Doctor of Law, Professor of the Department of Customs, Financial and Environmental Law of AI-Farabi KazNU. **G.A.Kuanaliyeva**

FINANCIAL POLICY AND FINANCIAL ACTIVITY OF THE REPUBLIC OF KAZAKHSTAN

To date, financial law of the Republic of Kazakhstan is one of the few disciplines that study the economic and legal category in the relationship, so in the present conditions of accelerated development of market relations, it has a huge potential for development.

Finance Law of the Republic of Kazakhstan - one of the branches of the law, undergoing rapid development stage today. Change in fiscal relations, creating a system of state budget funds, the emergence of new types of government debt, the formation of a fundamentally new tax and budget system, constant innovation in the field of currency legislation requires science to rethink many fundamental transformation of the structure of categories and former financial and legal institutions.

Financial policy - set of purposeful intentions and activities undertaken by the state in the field of finance to carry out their functions and tasks. Financial policy is an integral part of economic policy. Financial policy is implemented in real economic life through the financial mechanism. The latter is a system of types,

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