#### KAZAKH NATIONAL UNIVERSITY named after al-FARABI

**Faculty of Law**

**Department of Customs, Financial and Environmental Law**

**FINAL EXAM PROGRAM**

**PRGRPZ 3224- Legal regulation of registration of rights to land**

Specialty "5В030100 - Jurisprudence"

Number of credits - 3

#### Almaty 2020

The final exam program was drawn up by the deputy docent A.A. Tasbulatova

Based on the working curriculum for the specialty "Jurisprudence"

Reviewed and recommended at the meeting of the Department of Customs, Financial and Environmental Law

from " " 2020, protocol No. ... Head. chair Zhatkanbaeva A.E. (signature)

**Introduction**

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The final exam in the discipline " Legal regulation of registration of rights to land" for bachelors of the English Department will be held in Zoom in oral form.

Description of the forms of final control (exam).

Oral examination: the traditional answers to the questions.

Oral exam-the student contacts the teacher or representatives of the exam Board via an online webinar platform according to the exam schedule. The video recording of the exam is saved for 3 months from the end of the session. The exam format is synchronous.

The process of passing an oral exam by a student involves the automatic creation of an examination ticket, which the student must answer orally to the examination Board. When conducting an oral exam, video recording is required. The oral exam is conducted on the ZOOM platform.

Duration:

Preparation time is decided by the examiner or the exam Board.

Response time is decided by the examiner or the exam Board. It is recommended that 15-20 on the answer to all ticket questions. Exam schedule the exam is conducted according to a schedule.

The exam format is synchronous. Synchronous format – the student takes the exam in real time "here and now".

The duration of the exam is from 60 minutes to several weeks, depending on the form.

Students: before starting the oral exam, they should check:

• Internet connection on your work device (computer, monoblock, laptop, tablet), the device must be charged during the entire time of the exam;

\* the web camera and microphone are working properly.

30 minutes before the start of the exam, all students of the group enter the video conference hall organized by the teacher or members of the Commission using the link specified in the rules of the final exam (sent by the teacher/members of the Commission in case of disruption of the video service).

30 minutes before the start of the exam, the ability to log in to the Univer.kaznu system is checked.kz via any browser, but preferably via Google Chrome (if you lose your username and/or password, the student must contact the curator-adviser before the exam starts).

After verification, they log out of the account while waiting for the Commission invitation. The student is not allowed to open a ticket before the individual invitation by the Commission for the exam. Only at the request of the Commission, the student logs in to the univer account and opens their ticket under the video recording. When the exam starts, the student who is called by the Commission shows his / her identity card to the camera. Enables screen demonstration. Log in to your Univer account, go to the "exam Schedule" page, select the current exam by clicking on the "Pass oral exam"button.

• The "Take oral exam" function is only active after the exam time starts;

• The "Pass oral exam" function is only active for students who have incomplete final statements (exam, retake, Incomplete).

After clicking on the link " Pass the oral exam”, a window will open where the student will see the questions on their exam ticket. The student shows the screen with the ticket questions and reads them out loud. Translates the display of the VCS service to the camera and prepares for the response. Upon completion of his answer, he leaves the video conference room.

If ZOOM is used for technical reasons, the examiner must divide the exam into periods of 30 to 40 minutes for reconnection. The student must complete the exam in time for one session. It is forbidden to start responding in one session and end after reconnecting. If a student who has already opened their ticket is absent from the exam online for more than 10 minutes due to technical reasons (power outage, power outage, or low Internet speed), their answer is canceled. The exam is rescheduled for another date in consultation with the Department of academic Affairs. Video recording is turned off only at the end of the exam, when all the examinees ' answers are accepted.

Based on the results of the exam:

1. the Examination Board and the teacher certifies the exam participants.

2. Set points in the final statement in the UNIVER is. The time for putting points in the certification sheet for the oral exam is 48 hours.

Evaluation policy:

Criteria-based assessment: evaluation of learning outcomes in accordance with descriptors, checking the formation of competencies (learning outcomes) at intermediate control and exams.

Summative assessment: assessment of activity and participation in work in the audience; task completion, SRS assessment.

rating policy:

|  |  |  |  |
| --- | --- | --- | --- |
| Rating by letter system | digital equivalent | Points (%- s ' rate) | Assessment using the traditional system |
| A | 4 | 95-100 | Great |
| A- | 3,67 | 94-90 |
| B+ | 3,33 | 85-89 | Well |
| B | 3,0 | 80-84 |
| B- | 2,67 | 75-79 |
| C+ | 2,33 | 70-74 | Satisfactorily |
| C | 2,0 | 65-69 |
| C- | 1,67 | 60-64 |
| D+ | 1,33 | 55-59 |
| D- | 1,0 | 50-54 |
| FX | 0,5 | 25-49 | unsatisfactorily |
| F | 0 | 0-24 |

**Final Exam Program**

Topic 1. The concept of state registration of rights to immovable property and transactions with it

Concept, goals, objectives and principles of state registration. The place and role of registration activities in the Russian legal system. The main terms used in the implementation of registration activities (real estate, easement, restrictions (encumbrances), registration district, Unified state register of rights to real estate and transactions with it-EGRP, etc.). Recognition of previously created rights. Legal framework governing relations in the field of state registration. Obligation and terms of state registration. The history of "strengthen the rights" in Russia, the global registration system and their basic models (optional).

Topic 2. Public administration in the field of registration of rights to real estate and transactions with it

Bodies that perform state registration of rights to real estate and transactions with it (Federal service for state registration, cadastre and cartography of the Russian Federation-Rosreestr). The concept of development of legislation in this area of legal relations. Place in the system of Executive authorities of the Russian Federation, system, structure and competence of bodies in the field of state registration. The Federal body of the Federal registration service, its powers and the system of territorial authorities. Legal status of the state Registrar (qualification requirements, procedure for appointment to the position, responsibility for offenses committed during the state registration of rights).

Topic 3. Legal basis of registration activities

Subjects of civil legal relations in the field of state registration (individuals, legal entities, the state and other public legal entities). Institute of representation and power of attorney. Requirements for documents certifying the authority of representatives.

Topic 4. Objects of civil legal relations subject to state registration

The concept and types of objects of civil rights. Real estate as an object of civil rights. Legal classification of real estate objects. State registration of real estate objects. Cadastral registration of land plots and other real estate objects. Objects under construction, their legal regime. Linear properties. Complex properties. The principle of unity of the fate of a land plot and objects that are firmly connected with it.

Topic 5. real estate Transactions subject to state registration

Concept, types and forms of transactions. Real estate transactions subject to state registration. Invalidity of transactions. Legal consequences of invalidation of transactions. Major transaction. The transaction in which the interest exists.

Topic 6. Features of state registration of property rights and other property rights

Concept, features and types of property rights. Ownership. Methods of acquisition and grounds for termination of ownership. Concept and types of restricted property rights. Shared joint and shared shared ownership. Features of state registration of common property rights. The right of common joint property of the spouses. The legal and contractual regime of property of spouses. Ways to protect property rights.

Topic 7. Features of state registration of various types of contracts

The concept of a contract. Classification of contracts. Procedure and conditions for concluding, changing, and terminating contracts. Contract form. Features of state registration of the following types of contracts:purchase and sale of real estate, gift, barter, rent and lifetime maintenance agreements with dependents, lease, participation in shared construction. State registration of rights to an enterprise as a property complex and transactions with it. The state registration of the mortgage. Features of privatization of communal apartments and residential premises in them, state registration of the contract of transfer of residential premises to the property of a citizen in the order of privatization. Features of registration of real estate transactions involving minors.

Topic 8. Features of state registration of transactions and rights in the field of land relations

A land plot as an object of civil rights and an object of state registration. Rights and transactions with land plots subject to state registration. Types of restrictions (encumbrances) of rights to land plots subject to state registration. Recognition of previously created rights to land plots. State registration of rights to agricultural land plots, features of the legal regime of shares in the right of common ownership of agricultural land plots. Restrictions on land rights of foreign citizens, stateless persons, and foreign legal entities. Simplified procedure for registration of citizens ' rights to certain real estate objects ("dacha Amnesty»)

Topic 9. Procedure and conditions for state registration of rights to real estate and transactions with it

Participants in relations arising from state registration of rights to real estate and transactions with it. Sources of legal regulation. Unified state register of rights to real estate and transactions with it (EGRP). Public nature of state registration. Certificate of state registration. Procedure for providing information from the unified state register. Requirements for documents submitted for state registration. Procedure for state registration. Legal examination of documents submitted for state registration and verification of the legality of the transaction. Grounds for registration of rights, suspension of registration actions and refusal of state registration. Terms and procedure. Termination of state registration of rights. The timing of execution of registration. Correction of technical errors. Features of state registration of rights to real estate in an apartment building. State registration of rights established by court decisions.

**Literature:**

1. Bogolyubov S.A., Abdraimov B.Zh. Land law of Russia and Kazakhstan: development problems,
2. Procedural forms of implementation. Scientific monograph. - M .: Yurist, 2017
3. Bogolyubov S.A. Land law. - M., "Prospect", 2017.
4. Syrodoev N.A. Land law. A course of lectures: a tutorial. Moscow: Prospect, 2017.
5. Erofeev B.V. Land law. - M .: Publishing House "Forum" - Infra - M., 2018.
6. Khadzhiev A.Kh. Land law of the Republic of Kazakhstan. A common part; Special part: Study guide.
7. Abdraimov B.Zh. Land legislation and judicial practice. - Almaty, 2002.
8. Kosanov Zh.Kh. Ownership and other property rights to land. - Almaty, 2001.
9. Khadzhiev A.Kh. Land law of the Republic of Kazakhstan: Textbook for students on special
10. "Jurisprudence" / Khadzhiev A.Kh .. - Almaty: Lawyer, 2019
11. Land Code of the Republic of Kazakhstan
12. Law of the Republic of Kazakhstan "On registration of rights to real estate"

**Internet resurses:**

1. Educational material: abstracts of lectures, video lectures, guidelines for preparing for seminars, CDS, etc., available on the website www.univer.kaznu.kz in the UMKD section.
2. Normative legal acts in accordance with the subjects of the discipline, available in the legal database "Zakon".