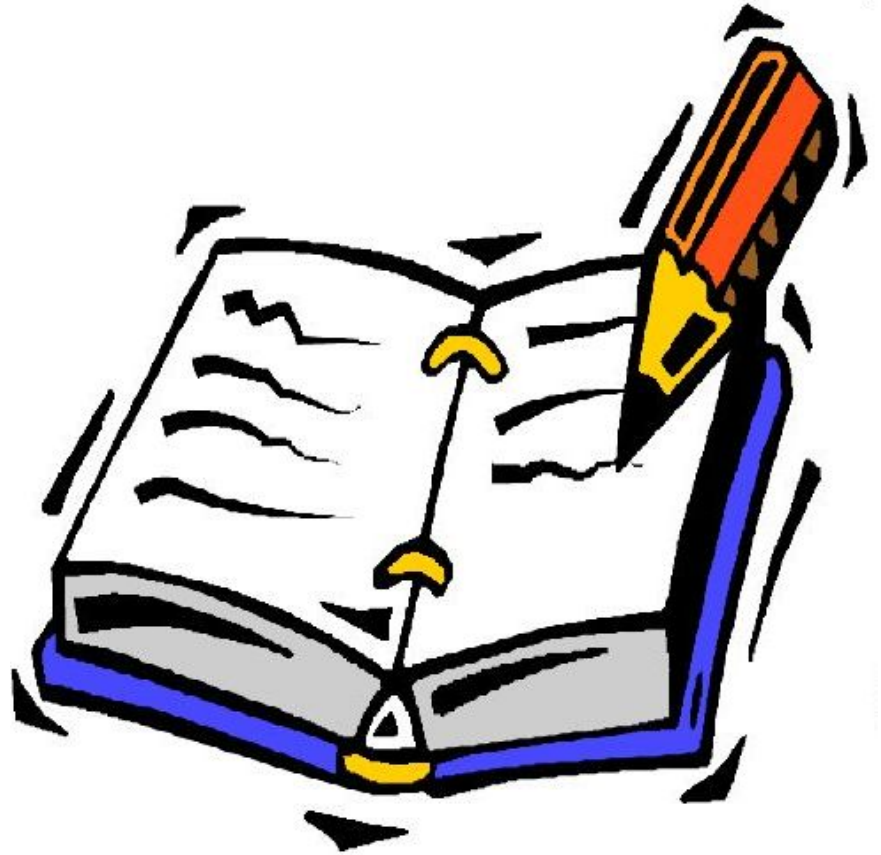

Introduction to Civil law #1

Business Law

Zhanat Alimanov, School of Law

Home assignment 3

4. **Chapter 2,**
Section 1, Civil Code
(General Part)



Terms

1. Presidential Decrees – указы Президента
 2. Resolutions of KZ Cabinet of Ministers – постановления Правительства
 3. Cabinet of Ministers – Правительство
 4. Local Governments – административно-территориальные единицы
 5. Physical entities – физические лица
 6. Legal entities – юридические лица
-

Plan for the next three lectures

- I. **Civil Legislation**
- II. **Focus (Subject) of the Civil Law**
- III. **Parties to Civil Relationships**



Table

**Constitution &
Constitutional
Statutes**

Civil Code

Labor Code

Tax Code

Other Codes

Statutes

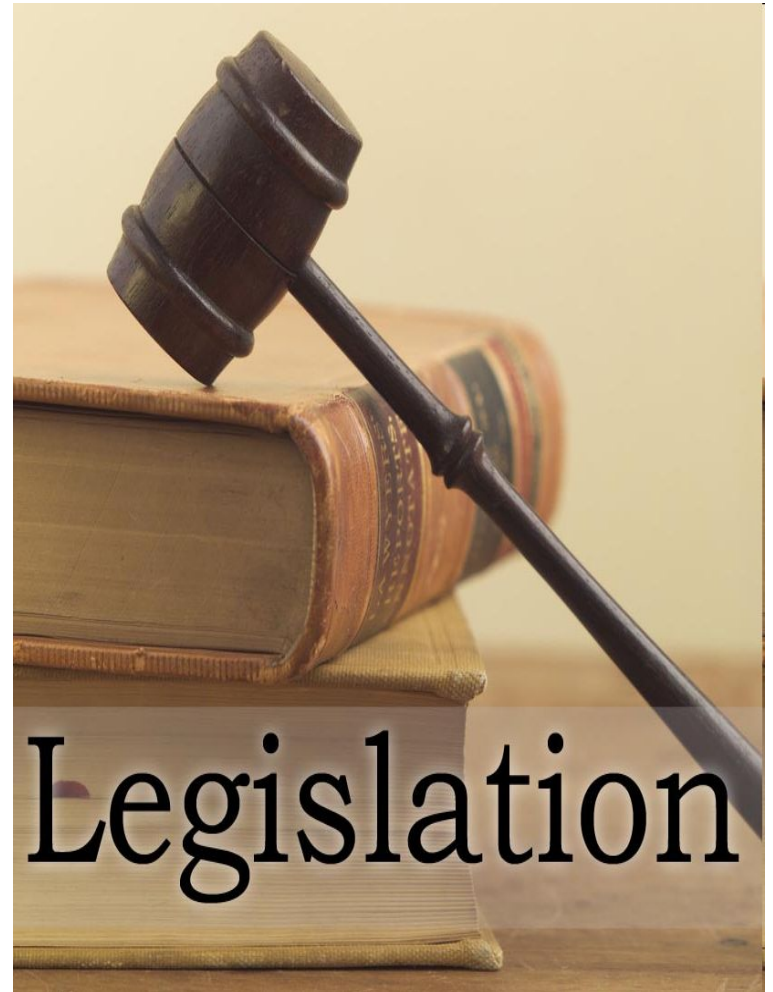
Statutes

Statutes

Statutes

I. Civil Legislation (гр. законод-во)

1. Constitution, constitutional statutes*
 - ▣ Resolutions of KZ Const. Council
2. Civil Code
 - ▣ Resolutions of KZ Supreme Court
3. Statutes
4. Presidential Decrees
5. Resolutions of KZ Cabinet of Ministers
6. Acts of local governments



*International Treaties, that KZ has joined, have priority over national legislation

II. Focus (Subject) of the Civil Law



II. Focus (Subject) of the Civil Law

**What relations
does Civil Law regulate?**



II. Focus (Subject) of the Civil Law

```
graph TD; A[II. Focus (Subject) of the Civil Law] --- B[Money/Property Obligations]; A --- C[Contract]; A --- D[Injury / Damages];
```

**Money/Property
Obligations**

Contract

Injury / Damages

Purchase / Sale (купле пролажа)



Рис. 1 / с. 1



Damages (Убытки, вред)



Personal Injury (Убытки, вред)



II. Focus (Subject) of the Civil Law

What relations does Civil Law regulate?

- Goods & Money Relations (affiliated with them personal rights) – art. 1, KZ Civil Code



II. Focus (Subject) of the Civil Law

Relations,
regulated
by Civil Law

Property
(Имущественные)
Relations

Personal
relations

Title relations
(Вещные Отношения =
=собственности)

Binding Relations
(Обязательственные
)

Inheritance relations
(Наследственные)

Connected with
Property relations

Connected
Intangible Assets
(Нематериальные
блага)

Example

Simpson called Boris

“Bastard!!”

several times over the phone.



Example

Boris would like to bring legal action against **Simpson**.

What area of law might
Boris use
against Simpson?
criminal or civil?



Example

Boris would like to bring legal action against **Simpson**.

What area of law might
Boris use
criminal or civil
against Simpson? **Both.**
Criminal – insult & Civil -
Emotional distress, i.e.,
moral damages.



Intangible Assets (нематериальные блага)



Personal dignity – достоинство => моральный вред

II. Focus (Subject) of the Civil Law

```
graph TD; A[II. Focus (Subject) of the Civil Law] --> B[Money/Property Obligations]; B --> C[Contract]; B --> D[Injury / Damages]; C --- E[Business Law will concentrate on contracts];
```

**Money/Property
Obligations**

Business Law
will concentrate
on **contracts**

Contract

Injury / Damages

What is **title** (право собственности)?



Remark

- What does it mean?
 - you **possess** (владеешь) the car
 - you **own** (собственник) the car
-

Remark

- What is **title** (право собственности)?
 1. Right to possess (владеть)
 2. Right to use (пользоваться)
 3. Right to dispose (распоряжаться)
-

What right do you give up (отдаете) to the pawnshop?



Right to **possess** (право владеть)



What right do you give up to the tenant
(арендатор)?



Right to **use** and right to **possess**



What right do you restrict when you take mortgage (ипотека)?



Right to **dispose** (распоряжаться)



Remark

- What is title (право собственности)?
 1. Right to possess (владеть)
 2. Right to use (пользоваться)
 3. Right to dispose (распоряжаться)
-