

Admission to the "8D04201 Law" PhD program
Questions on the profile of the educational program group D078 Law

LEVEL 1

Question 1

Composition of a criminal offense: concept, types and meaning. Elements of the composition of a criminal offense

Question 2

The concept and system of punishment. The main types of punishments for criminal offenses

Question 3

Unfinished crime. Delineation of the stages of the commission of a crime

Question 4

Characteristics of the state as a subject of International Law

Question 5

Means of expressing consent to be bound by a treaty

Question 6

Elements of customary International Law

Question 7

The concept and essence of law. Approaches to understanding law

Question 8

Functions of law: content and meaning

Question 9

Functions of the state: concept, meaning and classification

Question 10

Constitutional and legal status of an individual: concept, classification of the rights and freedoms of citizens. Legal status of foreign citizens in the Republic of Kazakhstan

Question 11

Fundamentals of the constitutional system of the Republic of Kazakhstan: concept, elements and content. The essence and meaning of the Constitution.

Question 12

Electoral law and electoral system: concept, principles and features. Types of the electoral system in the Republic of Kazakhstan

Question 13

Constitutional foundations of political pluralism and ideological diversity

Question 14

The ratio of the assignment of the right of claim and factoring: give a complete theoretical and doctrinal analysis.

Question 15

The civil nature of consent to legal action: legal effect and consequences

Question 16

Unilateral transactions in inheritance relations.

Question 17

Specificity of civil law regulation of "living" objects of civil law.

Question 18

Forum shopping: preconditions and ways to prevent (overcome)

Question 19

Public policy: the nature of the phenomenon and its role in Private International Law

Question 20

Renvoi: the nature of the phenomenon, arguments for and against use

Question 21

One-sided transactions requiring perception

Question 22

One-sided transactions that do not require perception.

Question 23

Legal nature of the penalty

Question 24

Registration system in Kazakhstan

Question 25

How are the sources of international law formed?

Question 26

What elements/characteristics should a state have to be recognized as a subject of international law?

Question 27

Expand the basic principles of international law and their place in the system of international law

Question 28

Structure, composition and procedure for the formation of the Parliament of the Republic of Kazakhstan. Competence of the Parliament of the Republic of Kazakhstan and organizational forms of its implementation.

Question 29

State sovereignty of the Republic of Kazakhstan: concept, content and essence.

Question 30

Responsibility in the constitutional law of the Republic of Kazakhstan

Question 31

The Constitution of the Republic of Kazakhstan is the basic law of the state and society.

Question 32

Implementation of the provisions of international legal acts on the criminalization of criminal offenses in national legislation: opportunities for improving legislation or risks of legislative technique?

Question 33

The concept and features of the subject of a criminal offense: ways to improve legislation.

Question 34

Systematization of criminal legislation: ways to improve the structure of the Criminal Code.

Question 35

Law system. Concept and structure. Branch of law. Legal Institute.

Question 36

Legal facts. Concept, types and meaning in legal regulation. Actual (legal) composition.

Question 37

Forms (methods) of implementing the rules of law

Question 38

Correlation of will and intent as structural elements of a civil law transaction.

Question 39

Development of the system of sources of law in modern legal systems.

Question 40

The legality of actions as a condition for transaction validity in the theory of transactions: a critical analysis.

Question 41

How are sources of international law formed?

Question 42

What elements/characteristics must a state possess in order to be recognised as a subject of international law?

Question 43

Disclose the basic principles of international law and their place in the system of international law.

Question 44

Transaction-like actions and their difference from a transaction.

Question 45

Characterize the normativity of law. How can the feature of normativity be applied to norms of various sources of law?

Question 46

How can the structure of a legal norm affect the quality of normative prescriptions?

Question 47

Describe the mechanism of legal regulation and its elements.

Question 48

Forms and Significance of Constitutional Accountability in the Republic of Kazakhstan.

Question 49

Distinctive features of the majoritarian and proportional electoral systems in the Republic of Kazakhstan.

Question 50

Labor legislation: scope of application in time and territory.

Question 51

Discrimination and differentiation in employment: the relationship of concepts.

Question 52

Abuse of the right in labor law.

Question 53

System of administrative law.

Question 54

System of sources of the administrative process.

Question 55

Concept and System of administrative bodies of Kazakhstan.

LEVEL 2

Question 1

Types of exemption from criminal liability and punishment. Legal basis for their application.

Question 2

The concept of circumstances precluding the criminality of an act. Differentiation of the types of circumstances.

Question 3

The concept and forms of guilt. The legal meaning of a crime committed with two forms of guilt.

Question 4

Extention of universal jurisdiction to crimes.

Question 5

Admissibility criteria for human rights restrictions under International and national law.

Question 6

Eligibility criteria for extradition under International Law.

Question 7

Application of law: concept, signs, features. Stages and acts of application of the law.

Question 8

Legal relations: concept, signs, composition, types. Legal fact: concept and types.

Question 9

Interpretation of law. Methods of interpretation of law, types of interpretation of law by subject and by volume. Features of acts of interpretation.

Question 10

Constitutional foundations of the organization and activities of public associations and political parties in the Republic of Kazakhstan.

Question 11

Constitutional and legal status of the President of the Republic of Kazakhstan. The procedure for the election of the President of the Republic of Kazakhstan and dismissal. Administration of the President of the Republic of Kazakhstan. Advisory and advisory bodies under the President of the Republic of Kazakhstan.

Question 12

Citizenship concept. The procedure for acquiring, terminating and changing citizenship.

Question 13

Constitutional foundations of the judiciary in the Republic of Kazakhstan. Judicial power: concept, essence, place in the system of separation of powers. Functions of the judiciary. Constitutional principles of justice. The system of the judiciary. Requirements for judges and selection procedure.

Question 14

The mechanism of judicial application of the principles of good faith, reasonableness and fairness.

Question 15

Innovation as a substitute for causa.

Question 16

Argument the presence or absence of binding of the assignee by the propagation agreement of the assignor.

Question 17

Problems of acquisitive law enforcement practice.

Question 18

The role of the closest connection principle in Private International Law

Question 19

The problems of application of the law of a country with multiple legal systems

Question 20

Lex mercatoria: the legal nature and problems of application

Question 21

Dispositional and obligatory transactions.

Question 22

Abstract transactions: legal implications.

Question 23

Elasticity of collateral.

Question 24

Deposit in the preliminary contract.

Question 25

Expand the criteria of legal personality in international law.

Question 26

Expand the main elements of an international treaty.

Question 27

Expand diplomatic privileges and immunities.

Question 28

The concept and principles, the subject of the republican referendum. Appointment and preparation of the republican referendum. The procedure for conducting and deciding the republican referendum.

Question 29

Institutions of state power. Implementation of state power through a system of checks and balances.

Question 30

Constitutional and legal foundations for the organization and activities of public associations in the Republic of Kazakhstan.

Question 31

Implementation of the fundamental ideas of natural law at the heart of the modern constitutional status of the individual.

Question 32

The role of normative resolutions of the Supreme Court of the Republic of Kazakhstan on the issues of determining the content of the provisions of the Criminal Code of the Republic of Kazakhstan.

Question 33

Criminal law as a legal means of ensuring the fight against corruption.

Question 34

Criminal offense: theoretical significance and practical significance.

Question 35

The structure of the legal norm. The rule of law and the article of the normative act, their correlation.

Question 36

Lawful behavior: concept, types and mechanisms of formation.

Question 37

Lawmaking: concept, principles, stages. Subjects and types of lawmaking

Question 38

Reveal the content of modern approaches to the analysis of the effectiveness of legal regulation.

Question 39

Discuss the criteria for the limits of liberty of contract when determining the terms of contracts.

Question 40

Discuss the content of the fairness doctrine in the law of property.

Question 41

Disclose the criteria of legal personality in international law.

Question 42

Disclose the main elements of a treaty (international agreement).

Question 43

Disclose diplomatic privileges and immunities.

Question 44

Explain the content and purpose of the "bankruptcy test".

Question 45

Characterize the main procedures of lawmaking. Are there differences in lawmaking forms depending on the type of legal source?

Question 46

How and in what cases can legal principles take precedence over legal norms in law enforcement/

Question 47

Analyze similarities and differences between a legal institution and a legal sub-branch.

Question 48

Legal Attributes Defining the People as a Subject of Constitutional Law.

Question 49

Constitutional and Legal Regulation and Assurance of the Checks and Balances Mechanism Among Branches of State Power in the Republic of Kazakhstan.

Question 50

Hierarchy of sources of labor law.

Question 51

Prohibition of forced labor in the labor law of Kazakhstan.

Question 52

The definition of employment relationship: problematic aspects.

Question 53

Concept of an administrative act and its characteristics.

Question 54

Theories distinguishing private and public law.

Question 55

System of administrative claims.

LEVEL 3**Question 1**

Forms of complicity. Delimitation of types of criminal group and its criminal legal significance.

Question 2

Theoretical and practical issues of establishing the criminal liability of legal entities.

Question 3

The system of punishments: new types of punishments and their practical significance.

Question 4

The role of the UN International Law Commission in the development and codification of International Law.

Question 5

Application of self-executing and non-self-executing provisions of treaties in the domestic legal system.

Question 6

Constitutionalism and Fragmentation in International Law.

Question 7

The ratio of the legal and social state. Individual rights in the context of the theory of the welfare state

Question 8

Methodological aspects of general and sectoral principles of law in the system of sources of Kazakh law

Question 9

Problems of the impact of globalization processes on the sovereignty of states and national legal systems

Question 10

Legislative process in the Parliament of the Republic of Kazakhstan. The main stages, the voting procedure and the adoption of the bill. Resolution of conflicts between the Houses of Parliament.

Question 11

Local self-government in the Republic of Kazakhstan: issues of legal regulation and improvement of the national model

Question 12

Constitutional supervision and constitutional control: origin, purpose, features.

Question 13

Legal status and guarantees of independence of the Commissioner for Human Rights.

Question 14

Correlation of the doctrine of frustration with the institution of impossibility of execution.

Question 15

Correlation of Iniusta causa and antisocial doctrines.

Question 16

Reflection of the doctrine of "Rei Vindicatio" (vindication) in law enforcement practice in cases of reclaiming a thing from someone else's illegal possession.

Question 17

Abstraction of managerial transactions: justification of positions "for" or "against".

Question 18

Impact of the unification of substantive law on the development of Private International Law

Question 19

Affiliation of Private International Law to international or national law

Question 20

Private International Law in the era of digitalization: new problems and methods of solution

Question 21

Accessory collateral.

Question 22

Proprietary security structures.

Question 23

Personal security structures.

Question 24

Expand the main elements of international custom as a source of international law.

Question 25

Expand the criteria for the admissibility of countermeasures in international law.

Question 26

Expand the legal criteria for the admissibility of restricting human rights in international law and / or national law.

Question 27

Institution of the Ombudsman, legal status and guarantees of independence.

Question 28

Constitutional and legal regulation of the organization and activities of state bodies with a special status.

Question 29

The role and competence of the Government of Kazakhstan in the system of separation of powers. Responsibility and accountability of the Government of the Republic of Kazakhstan.

Question 30

The significance of the constitutional reform of Kazakhstan in 2022 in the further modernization of society and the state.

Question 31

Subjects of corruption crimes: issues of classification and differentiation by type.

Question 32

The system of punishments as a tool for determining a fair measure of responsibility.

Question 33

The principle of humanism in criminal law and its impact on the fight against crime.

Question 34

Gaps in the law and ways to fill them. Collisions in law and ways to resolve them.

Question 35

Correlation between law and morality: unity, difference, interaction, contradictions.

Question 36

The concept of law and order. Relationship between law, order and democracy.

Question 37

The system of law and the system of legislation: correlation problems

Question 38

The will-substituting effect of the judicial act.

Question 39

Methods of analyzing causal relationships in law.

Question 40

Quasi-contract as a special legal category.

Question 41

Disclose the main elements of international custom as a source of international law.

Question 42

Disclose the criteria for the admissibility of countermeasures in international law.

Question 43

Disclose the legitimate criteria for permissible limitations of human rights in international law and/or national law.

Question 44

Accessoriness of security structures.

Question 45

Characterize the common law family and its sources of law. In which regulatory areas is precedent not the primary source of law?

Question 46

Fiqh as a source of Islamic law. Are there differences in the understanding of the role of doctrine in Islamic law and common law?

Question 47

Analyze similarities and differences between methods of scientific research in law and methods of interpreting legal norms."

Question 48

Mechanisms and Provisions of the Constitution Revealing the Principles of the Rule of Law

Question 49

Theoretical and Legal Significance of Interpretation of the Norms of the Constitution of the Republic of Kazakhstan

Question 50

Labor legislation: personal scope of application

Question 51

The right to form trade unions

Question 52

The combination of legislative and contractual regulation in labor law

Question 53

Administrative discretion and the criteria for its legality

Question 54

Non-formalised constitutional principles and their application in public administration

Question 55

Criteria for the reasonableness of a claim for contestation (4 elements)