**Full name**

**Telephone number**

**Email**

**Country**

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| **Original**  In accordance with articles 10, 2, 358 of  the Code of Business of 27 October 2013 the Government **DECIDES**:  **Article 6. Legality**        1.The court, in considering and in resolving of civil cases, must exactly respect the requirements of the Constitution of the Republic of Kazakhstan, of constitutional laws of the Republic of Kazakhstan, of the present Code, of other laws and regulations to be applied of the international contracts of the Republic of Kazakhstan.        2. The courts are not entitled to apply laws and other legislation that restrict the human rights and freedoms or the rights of citizens enshrined in the Constitution. If a court finds that a law or other regulatory legal act subject to application infringes on the rights and liberties of an individual and a citizen it shall suspend legal proceedings and address the Constitutional Council of the Republic of Kazakhastan with a proposal to declare that law unconstitutional. Upon the court's receipt of the final decision of of the Constitutional Council the case proceeding is renewed.        3. The court applies provisions of the law, when it establishes a disparity of deed of public or other authority to law, or it's publication in excess of authority in considering and in resolving of case.        4. In the absence of rule of law governing the controversial relationship, the court applies the rules of law governing similar relationships, and in the absence of such rules resolves the dispute based on the general principles and meaning of the legislation of the Republic of Kazakhstan.        5. Unless the law or the agreement of the parties of the dispute provides for the resolution of relevant issues by the court, the court must resolve these issues based on the criteria of fairness and reasonableness.  **Article 176.**  **Misappropriation and embezzlement entrusted to another person's property**  1. Misappropriation and embezzlement, that is theft of others' property entrusted to the convicted person.   shall be punished by a fine of between two hundred and five hundred monthly notional units or in wages, or another  prisoner's income  over a period of two to five months, or by involvement in public works for a period of one hundred twenty to one hundred and eighty hours, or correctional labor for up to two years, or arrest for up to six months, or imprisonment for up to three years. | **Translation** |