**Surname, first name and patronymic:**

**Phone number:**

**E-mail address:**

**Country:**

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| **Source**  In accordance to the Articles 10, 2, 358 of the Commercial Code of October 27, 2013, the Government **DECREES**:  **Article 6. Legitimacy**        1. The court, when considering and resolving civil cases, is obliged to strictly comply with the requirements of the Constitution of the Republic of Kazakhstan, constitutional laws of the Republic of Kazakhstan, this Code, and other regulatory legal acts subject to the application of international treaties of the Republic of Kazakhstan.        2. The courts are not entitled to apply laws and other regulatory legal acts that derogate the rights and freedoms of a person and citizen secured by the Constitution. If the court finds that a law or other regulatory legal act to be applied derogates the rights and freedoms of a person and citizen secured by the Constitution, he is obliged to suspend the proceedings and apply to the Constitutional Council of the Republic of Kazakhstan with a submission to declare this act as unconstitutional. The proceedings are resumed upon receipt of the final decision of the Constitutional Council by the court.        3. When the court during proceeding and solution of a case establishes that an act of a state or other body doesn't comply with the law or was issued ultra vires, it applies the norms of the law.        4. In the absence of legal rules governing the disputed relationship, the court applies the legal rules governing similar relationships, and in the absence of such rules settles the dispute on the basis of the general principles and meaning of the legislation of the Republic of Kazakhstan.        If the law or the agreement between the disputing parties prescribes settlement of the relevant issues by a court, the court is obliged to settle such issues on the basis of justice and reasonableness.  **Article 176**  **Appropriation or embezzlement of entrusted property**  1. Appropriation or embezzlement, that is theft of the property entrusted to the guilty party -  are punished either with a penalty at the rate of from two hundred to five hundred monthly calculated rates or at the rate of the job wage or other income of the convicted person for the period from two to five months, or with community service for a period from one hundred twenty to one hundred eighty hours, or with arrest for a period up to six months, or with imprisonment for a period up to three years. | **Translation** |