**Full name:**

**Telephone:**

**E-mail:**

**Country:**

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| **Original**  According to articles 10, 2, 358 of Commercial code from 27 October 2013 the Government **DECREES**:  **Article 6. Legitimacy**        1. While hearing and adjudging a civil case, the court must act in accordance with the Constitution of Republic of Kazakhstan, constitutional laws of Republic of Kazakhstan, present Code, other normative legal acts and suitable international treaties of Republic of Kazakhstan.        2. Courts shall not execute laws and other normative legal acts that prejudice the human and civil rights and liberties enshrined in the Constitution. If a law or other normative legal act that is to be executed will be recognized as the one prejudicing human and civil rights and liberties enshrined in the Constitution, the court must stay of proceedings and apply to the Constitutional Council of Republic of Kazakhstan with a submission to recognize that act as unconstitutional. When received the final decision of the Constitutional Council, the court may resume proceedings.        3. Having recognized the lack of conformity of the government act or any other institutional act with law while hearing and adjudging the case, the court must enforce the rule of law.        4. In case of lack of legislation on matter in controversy, the court enforces the law of similar relations. In case of lack of such law, the court decides a dispute according to general principles of legislation adopted in Republic of Kazakhstan.        5. If settlement of such dispute by court is provided in law or agreement of the parties, the court must settle the questions in accordance with justice and common sense.  **Article 176.**  **Embezzlement of entrusted property of another**  1. Embezzlement, or in other words, stealage of the property entrusted to the guilty person, -  is punishable by a fine from 200 to 500 of Monthly Calculation Index or 2 to 5 months of job wages or other income of the convicted, or 120 to 180 hours of community service, or up to 2 years of community service, or up to 6 months of arrest, or up to 3 years imprisonment. | **Translation** |