**Full name:**

**Tel:**

**E-Mail:**

**Country:**

|  |  |
| --- | --- |
| **Original**  Due to articles 10, 2, 358 of Business Codes dated 27 of October 2013 The Government **Decides**:  **Article 6. Legitimacy**        1. The Court in proceeding and resolution of civil cases has to strictly respect the requirements of the Constitution of Republic of Kazakhstan, constitutional laws of the Republic of Kazakhstan, hereby Code, other regulations and to be applied international treaties of the Republic of Kazakhstan.        2. The courts are prohibited from applying laws and other regulations which infringe enshrined in the Constitution the rights and liberties of a human and citizen. If a court finds that a law or other regulatory subject to application infringes enshrined in the Constitution the rights and liberties of a human and citizen it shall suspend legal proceedings and address the Constitutional Council of Republic of Kazakhstan with a proposal to declare that such law unconstitutional. As soon as the court receipts the final decision of the Constitutional Council the proceedings are renewed.        3. If while proceeding and resolution a case it be that the state or other authority law inconsistent to The law or its issuing abuse of power so The court applies The law.        4. In the absence of law governing the controversial legal relationship, the court applies the law governing similar relationships, and in the absence of such rules resolves the controversy based on the general principles and meaning of the legislation of the Republic of Kazakhstan.        5. If the resolution of relevant issues by the court is defined by the law or by agreement of the controversy parties, the court is to resolve these issues based on the criteria of fairness and reasonableness.  **Article #176.**  **Misappropriation or embezzlement of another person's property entrusted to**  1. Misappropriation or embezzlement, i. e. theft of another person's property entrusted to the convicted person, -  is punished with a fine in the amount of from two hundred to five hundred nominal monthly units or in the amount of the months wages or other convict income for a period of two to five months, or by subjection to community service for a period of one hundred twenty to one hundred eighty hours, or by correctional labor for up to two years, or by arrest for up to six months, or by imprisonment for up to three years. | **Translation** |