**Full Name:**

**Telephone Number:**

**E-mail:**

**Country:**

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| **Original**  In accordance with Articles 10, 2, 358 of the Business Code of October 27, 2013, the Government **DECIDES**:  **Article 6. Legality**        1. During examining and considering civil cases, a court is strictly bound by the requirements of the Constitution of the Republic of Kazakhstan, the constitutional laws of the Republic of Kazakhstan, this Code, and other regulatory legal acts, international treaties of the Republic of Kazakhstan.        2. The courts shall have no right to apply laws and other regulatory legal acts infringing on the rights and liberties of an individual and a citizen established by the Constitution. If a court finds that a law or other regulatory legal actsubject 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 Kazakhstan with a proposal to declare that law unconstitutional. Upon the court’s receipt of the final decision of the Constitutional Council the proceedings resume.        3. When examining and considering proceedings a court establishes that state or other body act is inconsistent with the law or issuance of it of ultra vires and applies the provisions of law.        4. When faced with the absence of a rule of law governing matter in controversy a court applies the rules of law governing similar relations and in the absence of such rules decides the difference based on the general principles and legislation of the Republic of Kazakhstan.        5. If the law or agreement of the parties to the dispute provides for the resolution of the relevant issues by the court, the court is obliged to resolve these issues based on the criteria of fairness and knowledge.  **Article 176.**  **Misappropriation or embezzlement of another person's property**  1. Misappropriation or embezzlement, i.e. misappropriation of property of another entrusted to the convicted person, -  shall be punishable by a fine of 200 to 500 times the monthly accounting index or wages or another convict income or by community service for 120 to 180 hours or by punitive work for periods of up to two years or by rigorous imprisonment for up to six months or by deprivation of liberty from to 3 years. | **Translation** |