IRSTI 10.27.01 https://doi.org/10.26577/JAPJ.2023.v105.i1.09

M. Bayan

«Turan» University, Kazakhstan, Almaty
e-mail: mirarixos@mail.ru

TO THE DEFINITION OF THE PLACE OF INSURANCE LAW IN THE SYSTEM OF KAZAKHSTANI LAW AT THE PRESENT STAGE OF DEVELOPMENT OF INSURANCE RELATIONS

This article analyzes one of the theoretical problems of modern insurance law. The complex of norms regulating insurance relations with their development acquires a new status. Insurance legislation is no longer an institution of financial law, but a complex legal formation. This is evidenced by a separate subject of legal regulation – insurance relations, methods of legal regulation – containing more dispositive norms, principles of legal regulation, distinguishing features of insurance law from other branches of law. All these issues are considered by the author in the article below. The conclusions made by the author are based on a comprehensive study of the essence and characteristics of insurance relations, as well as modern insurance legislation and state policy in the regulation of insurance activities in the Republic of Kazakhstan.

The practical significance of this article lies in the possibility of using theoretical results in further research in the field of insurance law, development and improvement of norms and insurance legislation of the Republic of Kazakhstan.

It should be noted that questions related to the definition of the place of insurance law in the system of law have always been the subject of study by many scientists in developing insurance relations in a closed economy, and in the new market relations already in the independent states.

Key words: insurance law, insurance activity, insurance legislation, insurance relations.

М. Баян

«Тұран» Университеті, Қазақстан, Алматы қ.
e-mail: mirarixos@mail.ru

Қазіргі сақтандыру қатынастарының даму кезеңіндегі қазақстандық құқық жүйесінде сақтандыру құқығының орнын анықтау мәселесі туралы

Бұл мақалада қазіргі сақтандыру құқығының теориялық мәселелерінің біріне талдау жасалады. Сақтандыру қатынастарын реттейтін нормалар жиынтығының дамуы арқылы жаңа мәртебеге ие болады. Сақтандыру заңнамасы енді қаржылық құқықтың институты емес, күрделі құқықтық білім болып табылады. Бұған құқықтық реттеудің жеке пәні – сақтандыру қатынастары, құқықтық реттеу әдістері – сақтандыру құқығының белгілерін құқықтың басқа салаларынан ерекшелендіретін диспозитивті нормаларды, құқықтық реттеу принциптерін көп мөлшерде қамтуы дәлел. Бұл сұрақтардың барлығын автор төмендегі мақалада қарастырады. Автор жасаған тұжырымдар сақтандыру қатынастарының сипаты мен ерекшеліктерін, сондай-ақ қазіргі заманғы сақтандыру заңнамасын және Қазақстан Республикасындағы сақтандыру қызметін реттеу саласындағы мемлекеттік саясатты кешенді зерттеуге негізделген.

Осы мақаланың тәжірибелік маңыздылығы теориялық нәтижелерді сақтандыру құқығы саласындағы одан әрі зерттеулерде, Қазақстан Республикасының сақтандыру заңнамасы мен нормаларын әзірлеу мен жетілдіре пайдалану мүмкіндігінде болып табылады.

Сонымен қатар, қажетті қолданыстағы құқық саласы ретінде сақтандыру құқығының орнын анықтауға байланысты мәселелер әрдайым жабық экономика жағдайында сақтандыру қатынастарын дамытуда да, тәуелсіз мемлекеттерде де, жаңа нарықтық қатынастарда да көптеген ғалымдардың зерттеу тақырыбы ретінде қарастырылп келеді.

Түйін сөздер: сақтандыру құқығы, сақтандыру қызметі, сақтандыру заңнамасы, сақтандыру қатынастары.

М. Баян
Университет «Тұран», Казахстан, г. Алматы
e-mail: mirarixos@mail.ru

К вопросу об определении места страхового права в системе казахстанского права на современном этапе развития страховых отношений

В данной статье проводится анализ одной из теоретических проблем современного страхового права. Комплекс норм, регулирующих страховые отношения, с их развитием приобретает новый статус. Страховое законодательство уже не институт финансового права, а комплексное правовое образование. Об этом свидетельствует обособленный предмет правового регулирования – страховые отношения, методы правового регулирования – содержащие в большей степени диспозитивные нормы, принципы правового регулирования, отличающие особенности страхового права от других отраслей права. Все эти вопросы рассматриваются автором в изложенной ниже статье. Выводы, сделанные автором, основаны на всестороннем исследовании сущности и особенностей страховых отношений, а также современного страхового законодательства и государственной политики в области регулирования страховой деятельности в Республике Казахстан.

Практическая значимость настоящей статьи заключается в возможности использования теоретических результатов при проведении дальнейших исследований в области страхового права, разработке и совершенствовании норм и страхового законодательства Республики Казахстан.

Следует отметить, что вопросы, связанные с определением места страхового права в системе права, всегда были предметом изучения многих ученых как при развитии страховых отношений в условиях закрытой экономики, так и при новых рыночных отношениях уже в независимых государствах.

Ключевые слова: страховое право, страховая деятельность, страховое законодательство, страховые отношения.

Introduction

As is known, for the development of insurance relations, their comprehensive legal regulation is of no small importance. Creation of norms that would fully regulate all aspects of insurance relations, systematization and even codification of insurance legislation will contribute to the successful development of appropriate relations in society. In order to understand what the norms should be regulating insurance relations, what should be the insurance legislation, it is necessary to consider in detail the essence of insurance law, its theoretical aspects such as the subject, method, system of sources, principles of legal regulation of insurance relations, the relationship of insurance law norms with other branches of law, etc.

It should be noted that questions related to the definition of the place of insurance law in the system of law have always been the subject of study of many scientists in the development of insurance relations and in a closed economy in the Soviet Union, and in the new market relations already in the independent states.

The institute of insurance and insurance activities were the subject of research by post-Soviet legal scholars, including Alexeev S.A., Luntz L.A., Abramov V.Y., Polenina S.V., Reicher V.K., Grave K.A. and others. Kazakhstan scientists paid attention to various aspects of insurance law, which were mainly concerned with revealing the essence of insurance law and insurance activity, as well as the analysis of legal problems of regulation of insurance relations. These are studies of Khudyakov A.I., Mukhitdinov N.B., Porokhov E.V., Sman B.U., Alimzhanova M.G. and others.

Undoubtedly, all conducted studies in the field of insurance law have contributed to the legal science and positively influenced the development of insurance legal relations in the country. But the processes of historical development of the state, the impact of the world market on the economy of the country, and, sometimes, the transformation of those or other relations, require a new approach in legal science to the legal provision of market relations, the creation and improvement of the rules of law regulating social relations, including insurance. Therefore, legal science is not standing still, there is a constant rethinking of scientific approaches, theories and features of this or that branch of law. Insurance law is no exception. After all, the issues of determining the place of insurance law in the system of law, ultimately affect the features, methods and forms of legal regulation of insurance relations,

the improvement of insurance regulations and the formation of state policy in the field of insurance activities. This explains the relevance of the study of issues that are the subject of this article.

Materials and methods

In the process of analysis and interpretation of theoretical issues, which are the subject of research in the framework of this article, methods of research known in legal science were used.

The method of historical analysis allowed to trace the stages of formation and development of insurance law norms in the context of development of insurance relations. Along with this, the theoretical provisions of insurance law, the authors of which are both classics of legal theory and modern researchers in the field of jurisprudence, were also subjected to historical analysis.

Most often used the comparative legal method of research. This method includes a wide range of tools that allow to most fully study and reveal the features, distinctive features of insurance law as a whole, its subject, methods and principles of legal regulation in particular. Such tool of comparative legal method as normative comparison allowed to make conceptual conclusions about the characteristics of insurance law norms and the place of insurance legislation in the system of Kazakh law. As a result of applying the method of problem comparison the author was able to identify and systematize the most pressing issues in the theory of modern insurance law.

Concrete-sociological method, without which no study can do, allowed to collect, process and analyze the scientific material on the issue under study, the regulatory framework governing insurance relations and practical material on the main problems of insurance law.

Results and discussion

The issues of determining the place of insurance law have been relevant throughout the development of insurance relations in different periods of historical development of states in the post-Soviet space. We cannot consider the theory of Kazakhstan's insurance law in isolation from the context of Kazakhstan's historical development. The history of Kazakhstan for more than seventy years is connected with the presence of the country as a part of the USSR. Insurance relations, as well as other social relations, developed in the direction the state needed. The totalitarian and closed economy with the only legalized form of property – the state – has left a mark on the formation and development of insurance relations. But research on the place of insurance law in the system of law regardless of the form of state and political regime remains relevant for modern insurance relations.

If we summarize the theories on the issue under study, we can distinguish three main directions in determining the place of insurance law in the system of law. A number of scientists express the opinion that insurance law is an institution of financial law. Others argue that insurance law contains features of contractual legal relations and include insurance law in the system of civil law, as its independent institute. The third group of legal scholars puts forward the position about the independence of insurance law as a branch of law.

By analyzing all three of these positions, as well as relying on theoretical provisions on the system of law, we will try to find the most evidence-based position on the state of modern insurance law and its place in the system of law.

Insurance law is recognized as an institution of civil law by virtue of the contractual method inherent in the legal regulation of insurance relations. Thus, according to Luntz L.A., Grave K.A. «relations arising in connection with voluntary and compulsory insurance are regulated by insurance law as a sub-branch of civil law» (Grave 1960). This position is also supported by legal researcher L.I. Reitman, who, based on the selection of features of insurance relations proper, attributes them to the subject of civil law (Reitman 1998).

And Kazakhstani legal researcher Sman B.U. supports the opinion of Russian scientists, justifying his position by the fact that the norms of the Civil Code of the RK (https://online.zakon.kz/).

Kazakhstani legal researcher Sman B.U. also supports the opinion of Russian scientists, justifying his position by the fact that the norms of the Civil Code of the RK (https://online.zakon.kz/) regulate relations arising on the basis of the insurance contract between the insured and the insurer, he puts forward the position that insurance law can be an institution of civil law (Sman 2002: 90-91).

The position on the definition of insurance law as an institute of financial law is put forward by a number of scientists who highlight the administrative and legal component of the subject of insurance law. The position of the Kazakhstan scientist, doctor of law, professor Khudyakov A.I. is stated more clearly. Having studied the position of the civilistic approach in determining the place of insurance law in the system of law, Khudyakov A.I. specifies that this position can be considered correct if we mean

only material insurance relations. But, according to the scholar, in addition to «insurance proper» to the relations regulated by the norms of insurance law also include organizational insurance relations. They constitute «insurance business», for example. Organizational insurance relations, Khudyakov A.I. emphasizes, are characterized as relations of power and subordination. Therefore, insurance law cannot be considered only an institute of civil law, the professor asserts (Khudyakov 2010).

The supporters of a position of recognition of insurance law as an institute of financial law are also Mamedov A.A. and Kolesnikov J.A. According to the latter, insurance law is a sub-branch of financial law. Here are his arguments: «insurance has a monetary and distributive nature, that is, it has the same attributes as finance», «the attribute of insurance relations is that they have a volitional character», «insurance relations have a public character. Moreover, according to Kolesnikov Y.A., the public nature is defined: «1) socio-economic importance of insurance is to ensure continuity and continuity of the reproductive process; 2) insurance funds formed by insurers are untouchable, independent, not subject to withdrawal to the higher budget, at the expense of them can not pay penalties, taxes, pay the economic needs of the insurer. On the basis of his statements, Kolesnikov draws the following conclusion: «even entering into private law, civil law relations, the parties are limited to a strictly delineated framework, which is already set by the very specifics of the insurer's activity, which consists in the formation of insurance reserve funds (Kolesnikov 1996: 229-331).

Criticizing the position of scientists who see insurance law as an institution of civil law, the Kazakh researcher M.G. Alimzhanova in her dissertation research writes: «...the adherents of this position absolutely forget about those norms that are an integral part of insurance law, which in their essence cannot be classified as institutions of civil law, because they have administrative (i.e. unilateral) content and are designed to ensure effective state control over the activities of insurance organizations» (Alimzhanova 2012: 62).

Legislation on insurance referred to the civil law, for example, a leading legal scholar, Doctor of Law, Professor J.B. Fogelson (Fogelson 2001a).

However, it should be noted that the scientist has changed his opinion in favor of the complexity of insurance law. His main theoretical approaches to the definition of the place of insurance law in the system of law are set out in the monograph «Insurance Law: theoretical foundations and practice of application». Classifying the norms of insurance law, the scientist divides them into two groups «civil-law and public-law» (Fogelson 2012b: 83). Based on this Fogelson J.B. asserts that «insurance law is complex – it is neither purely private nor purely public». In confirmation of his thoughts Fogelson J.B. writes «It is clear that the private and public components of insurance law cannot be separated from each other. Indeed, civil law relations regarding the conclusion and execution of insurance contracts are inextricably linked with financial and legal relations regarding the formation of an insurance fund and the management of this fund – it is this relationship, as I have shown, that constitutes the essence of insurance relations» (Fogelson 2012b: 84).

The analysis of theoretical provisions on the place of insurance law in the system of law in relation to the historical context of state development allows to make some assumptions. We believe that the assignment of insurance law to the system of financial law, civil law depended on the historical moment in the development of insurance relations. In the period of the Soviet Union, when the totalitarian method of management and the only state form of property were reflected in the nature of legal regulation based on the power-subordinate method of law. Accordingly, the legal theory substantiated its positions on the basis of the administrative and legal regulation of insurance relations.

The collapse of the USSR, the formation of independent states with a market path of economic development led to the need for new, market methods of legal regulation of insurance relations – contractual. And the legalization of private property has contributed to the emergence of private insurance organizations and the need for legislative level regulation of their activities by civil law methods of regulation. From this comes scientific research, which substantiates the civil-law method of regulation of insurance relations. By virtue of this insurance law refers to the institute of civil law.

In order to clarify the main question of our study, let us turn to theoretical approaches to the system of law, consider the criteria for assigning the set of norms to a branch of law, to a sub-branch and to an institute of a branch of law.

One of the strongest theorists of law is Alekseev S.S. With regard to the issues determining the system of law, he states «In legal science, a branch of law is understood as a set of rules governing special types of social relations, which in their depth economic and social content require separate, independent legal regulation» (Alekseev 2001: 244).

As is known, in the theory of law when dividing the law into branches different criteria are considered. The main such criteria are the subject, the method of legal regulation and the state of the relevant legislation.

In this article, we will not consider and justify the independence of the subject and methods of insurance law. We will rely on already proven theories concerning the fact that the subject of insurance law is a sufficiently separate social relation.

In particular, let us cite the generalized position of N.A. Kavalevskaya and L.I. Kornevskaya concerning the subject of insurance law. They structure the subject of insurance law as follows: 1) civil legal relations between the insurer and the insurant (insured person, beneficiary), which arise on the basis of conclusion, action and execution of an insurance contract; 2) administrative legal relations between insurance organizations, insurance intermediaries and insurance supervision bodies and other state bodies that arise in connection with the implementation of insurance activities; 3) financial legal relations between insurance organizations and insurance supervision bodies, tax authorities on the formation and use of insurance reserves, receiving insurance premiums and making insurance payments (Kornevskaya 1998).

This position seems to us the most fully revealing the essence of insurance relations as the subject of insurance law.

As for the second criterion – the method of legal regulation – we explain the following. As is known, the law applies two methods of legal regulation of social relations – imperative and dispositive. The imperative method is applied by public branches of law, which are characterized by inequality of the parties to relations. Dispositive or contractual method is characteristic of private law branches of law. This method is characterized by equality of parties in relations and their free expression of will.

According to Professor Mukhitdinov N.B., we must not forget that the method of legal regulation is derived from the subject of legal regulation, due to the superstructural nature of law in relation to the actual (economic) relations. On the basis of this there is a theory that the method of legal regulation cannot be applied as an independent principle in the systematization of legal norms because it is derived from the subject of regulation. Public relations as a subject of regulation do not depend on the method of legal regulation. On the contrary, the method of legal regulation is determined by the nature of social relations, which are the subject of legal regulation. In administrative and civil law, the principles of imperative and dispositive legal regulation are expressed most directly. In other branches of law (financial, environmental, land, etc.) they act in more complex combinations, including one or the other principle to a certain extent depending on the specifics of social relations regulated by the norms of a particular branch, and on different phases of social development (Mukhitdinov 1983: 33).

We cannot but agree with the opinion of Professor Mukhitdinov N.B. in his judgments about the method of legal regulation. He correctly states: «it is generally recognized in the theory of law that depending on the nature of subjective rights and obligations regulatory norms are divided into three types: binding – these are legal norms that establish the obligation of a person to perform certain positive actions; prohibitive, which oblige persons to refrain from action of a certain kind (bans) and empowering, which establish subjective rights with positive content. This division is organically linked to the nature of the regulatory impact, which is carried out by means of binding injunctions (binding norms), prohibitions (prohibitive norms) and permissions (enabling norms). That is why there is no branch of law that does not contain all of these types of instructions. And both injunctions, prohibitions, and permissions are so closely connected that the existence of one of them is inconceivable without the other two» (Mukhitdinov 1983: 34).

Let's see what norms are applied to regulate insurance relations. Since the method of legal regulation directly depends on the nature of social relations, we will apply the following approach.

The above-mentioned types of insurance relations constituting the subject of insurance law are regulated by different legal methods. Thus, relations concerning the conclusion, validity and performance of an insurance contract are regulated by the contractual method (dispositive method). Relations that arise in connection with the implementation of insurance activities between insurance companies, insurance intermediaries and insurance supervisory bodies are regulated by the imperative method. The imperative method also regulates relations between insurance companies and insurance supervisory bodies, tax authorities on the formation and use of insurance reserves, receipt of insurance premiums and insurance payments.

Thus, we see a special combination of all the methods available in the law: imperative and dispositive. This gives us the right to assert that insurance law is characterized by a special method

of legal regulation, in which imperative norms prevail.

The third criterion is the state of legislation. If the legislation regulating homogeneous social relations is codified, then it can be argued that this legal entity is an independent branch of law.

At the present moment of development of insurance relations in Kazakhstan insurance legislation is represented by the Laws of the Republic of Kazakhstan: «On Insurance Activity» (https://online.zakon.kz/).

«On Mutual Insurance» (https://online.zakon.kz/), «On compulsory insurance of civil liability of owners of facilities, activities of which are related to the danger of causing harm to third parties» (https://online.zakon.kz/), «On Compulsory Insurance of Civil Liability of Carriers to Passengers» (https://online.zakon.kz/), «On Compulsory Insurance of Civil Liability of Owners of Motor Vehicles» (https://online.zakon.kz/), «On Compulsory Civil Liability Insurance of Tour Operators and Travel Agents» (https://online.zakon.kz/), «On Compulsory Civil Liability Insurance of Private Notaries» (https://online.zakon.kz/), «On mandatory environmental insurance» (https://online.zakon.kz/) and a number of subordinate normative legal acts.

As we see, at present there is no codified normative legal act in Kazakhstan, which would regulate the whole complex of insurance relations.

But it should be noted that the state of legislation, which regulates these or those relations, depends on the will of the state. It is undeniable that the system of legislation is always adjusted to social relations. If the state is interested in comprehensive legal regulation of insurance relations it may initiate codification of insurance legislation. This is a matter of time.

The development of new complex legal formations is the result, as a rule, of a transition period in society. A striking example of this is the collapse of the Soviet Union and the emergence of new sovereign states, among which was the Republic of Kazakhstan.

Orientation of economy of Kazakhstan on a market course promoted occurrence of a number of public relations which demanded their legal regulation. Development of such public relations led to the fact that the state initiated the codification of the normative-legal base of regulation of corresponding public relations. Thus appeared the Land Code (https://online.zakon.kz/), the Business Code (https://online.zakon.kz/), the Code on marriage (matrimony) and family (https://online.zakon.kz/) and others.

The classics of the theory of law state that «the theory of law knows the formation of new branches of law as a result of redistribution of the sphere of legal regulation between the branches of law. The redistribution of the sphere of legal regulation may be associated with the formation and development of complex «boundary» institutions formed at the junction of several branches of law. «Boundary» institutions are characterized by the presence between the norms of law, which form the institution, of a mobile subject-regulatory connection. Most often, this connection is manifested in the fact that the subject of one branch of law is superimposed on some elements of the method characteristic of another branch» (Alekseev 1972: 141).

In the works on the theory of law of the Russian legal scholar Polenina S.V. the issues related to the emergence of inter-branch institutions and their further development are considered. According to Polenina S.V., inter-branch «boundary» institutes can develop in three directions. «It is possible that such an institute will develop predominantly as an institute of the «parent» branch of law. In this case, the equated features of another related homogeneous branch of law will occupy less and less specific weight in the regulation of these relations, and, thus, the institute will gradually lose its complex character. The opposite is also possible, when as the «boundary» relation develops further, the number of borrowed features will steadily increase, and the institute itself will begin to «specialize» as an institute of a related branch. In the end, this process will also lead to the fact that this legal institute will lose its complex character and will move from the system of the «parent» branch of law to the system of a related homogeneous branch. However, in the process of specialization of «boundary» institutions, there often comes a moment when the number of «parent» and borrowed features are as it were balanced, becomes almost equal. Then the assignment of a «boundary» institute to one or another branch of law is essentially conditional in nature. If the state of such an equilibrium lasts long enough, «mutation» of features of adjacent homogeneous branches of law interacting within the framework of the given complex institute is possible.

At the beginning it may appear only in the form of minor modifications of the subject, method, as well as the mechanism of legal regulation, not previously inherent in these branches of law. However, remaining for a long time, such «mutation» can take a persistent character, gradually deepening and expanding, giving the «boundary» institution new qualities and properties. This third possible variant

of development of «boundary» institutions often leads to the emergence of a new branch of law in the future (Polenina 1979: 165).

Of all the theoretical approaches to the system of law, to legal formations that appear in transitional periods of development of social relations, these conclusions of Polenina S.V. seemed to us the most reasonable and explaining all the processes associated with the transformation of the fundamental branches of law and the emergence of new branches of law.

Conclusions

Thus, summarizing the above, we come to the following conclusions.

First. In our reasoning above, we have shown that at the present stage insurance law has signs of a complex branch of law, namely:

1) has a subject of legal regulation, different from the subjects of other branches of law – the totality of social relations which arise between the insurer and the insured (insured person, beneficiary); social relations which arise between insurance organizations, insurance intermediaries and insurance supervision bodies and other state bodies in connection with the implementation of insurance activities; social relations between insurance organizations and insurance supervision bodies, tax authorities on the formation and use of insurance reserves, receipt of insurance premiums and insurance payments;

2) has a method of legal regulation of insurance relations, different from the method of other branches of law, which is a combination of dispositive norms and imperative norms, and such a combination is characteristic only of insurance law;

3) has legislation, which includes a whole layer of laws and subordinate normative legal acts and refers to various branches of law (financial and civil).

These attributes allow us to conclude that insurance law at the present stage of development of insurance relations is a complex branch of law.

Second. In relation to the issue of further development of insurance law, based on the conclusions of Polenina S.V., we can assume the following variants of its development:

1) insurance law will follow the path of development as an institution of financial law. In this case, the civil law features of insurance law will be reduced;

2) insurance law will become an institution of civil law. In this case the norms of insurance law will become dispositive, and insurance relations will be regulated by civil legislation;

3) insurance law will become an independent branch of law. In this case, insurance law will increasingly have independent characteristics and in the case of the adoption of a codified normative legal act regulating the entire complex of insurance relations, it will gain full independence as a branch of law.

References

Grave K.A., Luntz L.A. Insurance. – M., 1960. – 67 p.

Insurance Business / Edited by L.I. Reitman. – M., 1998. – 621 p.

Civil Code of the Republic of Kazakhstan (Special Part) of July 1, 1999 № 409-I // https://online.zakon.kz/document/?doc_id=1013880&pos=443;-78#pos=443;-78

Sman B.U. Improving the effectiveness of state regulation of insurance legal relations in the Republic of Kazakhstan – Almaty, 2002. – 134 p.

Khudyakov A.I. Theory of insurance. – M., 2010. – 326 p.

Kolesnikov Y.V. Insurance law as a sub-branch of financial law // Проблеми фінансового права. – Чернівці, 1996. – 472 p.

Alimzhanova M.G. Theoretical and practical problems of legal regulation of insurance activity in the Republic of Kazakhstan and Malaysia (in the field of Islamic insurance). Dissertation of Doctor of Philosophy (PhD) in Jurisprudence. – Almaty, 2013, 126 p. // https://www.enu.kz/downloads/doctorantura/alimzhanova-dissertacia.pdf

Fogelson J. Introduction to Insurance Law. Simply about the complex. – M., 2001. – 236 p.

Fogelson J.B. Insurance law: theoretical foundations and practice of application. – M.: Norma: Infra-M., 2012, 576 p.

Alekseev S.S. General theory of law. – M.: Legal literature, 1981. – Vol. 1. – 314 p.

Kornevskaya L.I., Shiminova M.Y. Insurance law – a complex branch of law // Insurance law. №1. 1998; Kovalevskaya N.A. System of insurance law and system of insurance legislation // Insurance law. №3. 2000.

Mukhitdinov N.B. Fundamentals of Mining Law: Some Important Provisions of the Theory and Practice. – Alma-Ata: Kazakhstan, 1983. – 248 p.

Law of the Republic of Kazakhstan of December 18, 200 «On Insurance Activity» № 126-II // https://online.zakon.kz/Document/?doc_id=1021136&doc_id2=1021136#pos=5;-100&pos2=177;-100

Law of the Republic of Kazakhstan No. 163-III of July 5, 2006 «On Mutual Insurance» // https://online.zakon.kz/Document/?doc_id=30062644

Law of the Republic of Kazakhstan No. 580-II of July 7, 2004 «On Compulsory Civil Liability Insurance of Owners of Facilities, Activity of Which is Related to the Danger of Causing Harm to Third Parties» // https://online.zakon.kz/Document/?doc_id=1049280

Law of the Republic of Kazakhstan dated July 1, 2003 № 444 «On compulsory insurance of civil liability of carrier to passengers» // https://adilet.zan.kz/rus/docs/Z030000444_/z030444.htm

Law of the Republic of Kazakhstan dated July 1, 2003 № 446-II «On compulsory insurance of civil liability of owners of vehicles» // https://online.zakon.kz/Document/?doc_id=1041172

The Law of the Republic of Kazakhstan of December 31, 2003 № 513-II «On Compulsory Insurance of Civil Liability of Tour Operators and Travel Agents» // https://online.zakon.kz/Document/?doc_id=30194193

Law of the Republic of Kazakhstan No. 435-II of June 11, 2003 «On Compulsory Civil Liability Insurance of Private Notaries» // https://online.zakon.kz/Document/?doc_id=1040299

Law of the Republic of Kazakhstan of December 13, 2005, No. 93-III «On Mandatory Environmental Insurance» // https://online.zakon.kz/Document/?doc_id=30037258

Land Code of the Republic of Kazakhstan of June 20, 2003, No. 442-II // https://online.zakon.kz/Document/?doc_id=1040583&show_di=1

Entrepreneurial Code of the Republic of Kazakhstan No. 375-V of October 29, 2015 // https://online.zakon.kz/document/?doc_id=38259854#sub_id=0

Code of the Republic of Kazakhstan of December 26, 2011 № 518-IV On marriage (marriage) and family // https://online.zakon.kz/Document/?doc_id=31102748

Alekseev S.S. Problems of the Theory of Law. – Sverdlovsk: [B.I.], 1972. – T. 1. – 396 p.

Polenina S.V. Theoretical Problems of the System of Soviet Legislation – Moscow: «Nauka» Publish., 1979. – 205 c.