

PROGRAM
on the entrance examination
for the applicants for the Master degree program
Major 7-06-0421-01 "Jurisprudence"

The program of the entrance test for applicants for the Master degree program in the Major 7-06-0421-01 "Jurisprudence" was developed on the basis of standard curricula for academic disciplines of the Bachelor degree programs: - "General Theory of Law"; - "Civil Law"; - "Civil process". The content of the program is of a complex, systemic, interdisciplinary nature and is focused on identifying general professional and special knowledge and skills acquired at the Bachelor degree programs in applicants, which are necessary for admission to the magistracy. The program determines the list of questions, the knowledge of which is necessary for passing the entrance test, and includes a list of recommended literature, which contains regulatory, scientific, educational and other materials. An applicant for the Master degree program, admitted to passing an entrance test in a specialty, must show a high level of theoretical and practical training, knowledge of legal terminology and skills in working with theoretical sources, knowledge of current legislation, understanding of the processes taking place in the state and society, competence in matters of related to the legal support and management of the state and society, assessing the effectiveness of the activities of public and non-state actors, as well as the ability to apply their knowledge to solve specific research and applied problems. The entrance test is conducted orally by tickets. The mark of the examine is set on a ten-point scale.

*List of questions
for the entrance examination in the specialty
1-24 80 01 "Jurisprudence"*

1. Structure and levels of methodology: scientific paradigms, philosophical foundations of science, concepts, theories, principles, axioms and methods of knowledge. The relativity of the distinction between general scientific and particular scientific methods of cognition.

2. The main theories of the origin of law: theological, contractual, historical, dialectical-materialistic, psychological, institutionalist, modern natural law, the theory of the origin of law by order of power, the theory of arbitrary establishment of law, the theory of the natural historical development of law.

3. Law as a regulator of the most significant external social relations, as a measure of external freedom, justice, a criterion for delimiting interests, the scale of external behavior.

4. Functions of law (regulatory, protective, communicative, educational, value, informational, etc.); general characteristics.

5. Principles of law, their classification. Principles of law in a broad sense: moral and legal, political and legal, economic and legal, environmental and legal. Principles of law in the narrow sense. General legal, sectoral, intersectoral principles of law.

6. Regulation: essence, types, functions and structure. Social and technical, normative and non-normative regulation. The concept of social regulators.

7. Human rights, freedoms and legitimate interests. "Generations" of human rights and freedoms: selection criteria and general characteristics. Human and civil rights. Restriction of the rights and freedoms of the individual. Abuse of rights and human rights.

8. Genesis of the concept of human rights. Relationship between natural law and human rights. Factors that determine human rights. Classification of human rights.

9. Personal (civil) rights and freedoms of a person.

10. Political, economic, social, environmental, informational rights.

11. Basic duties of a person. Restrictions on human rights.

12. The concepts of "form of law" and "source of law", their relationship. Main sources of law: general characteristics. Correlation of sources of law in different legal families.

13. Features of the system of sources of law of the Republic of Belarus and trends in its development.

14. The concept of a legal norm, its features. The content of the rule of law. Positive obligation, permission, prohibition in the content of the law. The structure of the legal norm. Types of legal norms.

15. The place of legal relations in the system of social relations. Classification of legal relations. The composition (elements) of the legal relationship. Conditions for the emergence, change and termination of legal relations.

16. The concept and main features of the state. Interpretation of the essence of

the state in modern science. Structure and classification of state functions.

17. Forms of government as a way of organizing the highest authorities, their relationship with other government agencies and citizens (subjects). Types and evolution of forms of government.

18. The form of government as a way of organizing the unity of the state and its differentiation. Simple (unitary) and complex (confederal and federal) states.

19. Political (state) regime as a way of exercising state power. Classification of political regimes.

20. The concept of the realization of the right. The main forms of realization of the right. Direct and indirect realization of the right. Direct realization of the right: observance, use, execution of the right.

21. Application of law as a special form of realization of law. Subjects of application of law. Specificity of law enforcement activity. Requirements for the correct application of law. The main stages of law enforcement activity.

22. Collisions in legislation and ways to resolve them. legal force rule. specialty rule. Chronology rule. Gaps in the legislation. The concept of legal analogy. Analogy of law and analogy of law.

23. The concept of the interpretation of law. Clarification and explanation of the legal content of legal norms. Subjects of the interpretation of the rules of law. Types of interpretation of rights by subjects. Official and unofficial interpretation. Varieties of official interpretation: authentic and legal, normative and casual.

24. The concept of offense. The main signs of the offense. Offense as a socio-biological phenomenon. Causes and conditions that form offenses, their prevention and overcoming. The legal structure of the offense.

25. General characteristics of the elements of the offense: object, subject, objective, subjective side of the offense. Wrongfulness, harm, guilt and causation.

26. Subject, method and principles of civil law.

27. The concept and types of civil legal relations.

28. Citizens (individuals) as subjects of civil law (legal and legal capacity of citizens, limitation of legal capacity, deprivation of legal capacity).

29. The concept, features and essence of a legal entity. Creation and termination of the activities of a legal entity.

30. Objects of civil rights.

31. The concept and ways of exercising civil rights.

32. Protection of civil rights.

33. Transactions and their types. Conditions for the validity of transactions.

34. Invalid transactions and their legal consequences.

35. Real rights in civil law.

36. Acquisition and termination of ownership.

37. Ways to protect property rights.

38. Civil law contract (concept, types, procedure for concluding, changing and terminating).

39. Ways to ensure the fulfillment of obligations.

40. The concept and principles of fulfillment of obligations.

41. Termination of civil obligations.

42. Civil liability.
43. Contract of sale, exchange and donation: general and special
44. Contract of rent and life maintenance with a dependent
45. Lease agreement and gratuitous use agreement, as an obligation to transfer the right to possession and (or) use.
46. The concept and general characteristics of a work contract (subject of the contract, form, term, price in the contract, types of work contract).
47. The concept and general characteristics of the contract for the provision of services.
48. General characteristics of loan obligations (loan agreement, loan agreement, factoring agreement).
49. General provisions on inheritance: the concept of inheritance law, inheritance legal relationship, basic concepts of inheritance law.
50. Obligations due to harm (general characteristics).
51. Subject and system of civil procedural law
52. Principles of civil procedural law
53. Civil procedural legal relations and their subjects
54. Jurisdiction of civil cases
55. Jurisdiction in civil cases
56. Parties in civil proceedings
57. Third parties in civil proceedings
58. Representation in civil court
59. Participation of the prosecutor in civil proceedings
60. Participants in civil proceedings who have no legal interest in the outcome of the case
61. General provisions on proof and evidence in civil proceedings
62. Means of proof in civil proceedings
63. Claim (general provisions)
64. Court expenses
65. Initiation of proceedings in a case in a court of first instance
66. Preparation of the case for trial in the court of first instance
67. Litigation in the Court of First Instance
68. Judgments of the court of first instance (in civil cases)
69. Proceedings in cases arising from administrative-legal relations (general characteristics)
70. Special proceedings in civil proceedings (general characteristics)
71. Order proceedings in civil proceedings
72. Proceedings on appeal
73. Proceedings in the order of supervision
74. Proceedings for the revision of court decisions on newly discovered circumstances
75. Proceedings related to the execution of court decisions, other decisions and acts

Normative and legislative acts

1. Constitution of the Republic of Belarus of March 15, 1994, No. 2875-XII (with amendments and additions adopted at the Republican referendum on November 24, 1996: as amended by the Decision of the Republican referendum of November 17, 2004 // Consultant Plus: Belarus [Electronic resource] / YurSpektr LLC, National Center for Legal Information of the Republic of Belarus, Minsk, 2022.

2. Civil Code of the Republic of Belarus [Electronic resource]: 7 Dec. 1998, No. 218-Z: passed by the House of Representatives on 28 Oct. 1998: Approved Council of the Republic November 19, 1998: in ed. Law of the Rep. Belarus dated December 31, 2021 // ETALON. Legislation of the Republic of Belarus / Nat. center of legal information. Rep. Belarus. – Minsk, 2022.

3. Civil Procedure Code of the Republic of Belarus: Code of the Rep. Belarus, 11 Jan. 1999, No. 238-3 // Nat. register of legal acts Rep. Belarus. - 1999. - No. 18-19.-2/13.

4. Code of the Republic of Belarus on the judiciary and the status of judges: Code of the Rep. Belarus, June 29, 2006, No. 139-3 // Nat. register of legal acts Rep. Belarus. - 2006. - No. 107. - 2/1236. one

5. Tax Code of the Republic of Belarus (Special Part): Code of the Rep. Belarus, 29 Dec. 2009, No. 71-3 // Nat. register of legal acts Rep. Belarus. - 2010 - No. 4. - 2/1623

6. Banking Code of the Republic of Belarus: adopted by the House of Representatives on 3 Oct. 2000: approved. Council of the Republic Oct 12 2000: ed. Law of the Rep. Belarus dated November 11, 2021 // ETALON. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. – Minsk, 2022.

7. On business companies: Law Rep. Belarus dated December 09, 1992, No. 2020-XII: as amended. Law of the Rep. Belarus from 01/05/2021 // ETALON. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. - Minsk, 2022.

8. On economic insolvency (bankruptcy): Law Rep. Belarus, July 13, 2012, No. 415-Z : as amended. Law of the Rep. Belarus dated October 24, 2016 // ETALON. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. – Minsk, 2022.

9. On objects that are only in the ownership of the state, and types of activities, the implementation of which is subject to the exclusive right of the state: Law of the Rep. Belarus dated July 15, 2010: as amended. Law of the Rep. Belarus dated December 18, 2019 // REFERENCE. Legislation of the Republic of Belarus

[Electronic resource] / Nat. center of legal information. Rep. Belarus. – Minsk, 2022.

10. On the securities market: Law Rep. Belarus from 5 Jan. 2015, No. 231-3 : in red. Law of the Rep. Belarus dated 01/05/2021// ETALON. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. – Minsk, 2022.

11. On state regulation of trade and public catering in the Republic of Belarus: Law of the Rep. Belarus January 8, 2014 No. 128-Z: as amended. Law of the Rep. Belarus dated 01/04/2021 // ETALON. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. - Minsk, 2022.

12. On consumer protection: Law Rep. Belarus dated January 9, 2002, No. 90-Z: as amended. Law of the Rep. Belarus from 05.01.2022 // ETALON. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. – Minsk, 2022.

13. On road transport and road transport: Law Rep. Belarus dated August 14, 2007, No. 278-Z: as amended. Law of the Rep. Belarus dated July 17, 2019 // ETALON. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. – Minsk, 2022.

14. On railway transport: Law Rep. Belarus dated January 6, 1999, No. 237-Z: as amended. Law of the Rep. Belarus dated July 17, 2018 // ETALON. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. – Minsk, 2022.

15. On the basics of transport activities: Law Rep. Belarus dated May 5, 1998, No. 140-Z: as amended. Law of the Rep. Belarus dated July 17, 2020 // ETALON. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. - Minsk, 2022.

16. On Forwarding Activities Law Rep. Belarus dated June 13, 2006, No. 124-Z: as amended. Law of the Rep. Belarus from 06.11.2018 // ETALON. Legislation of the Republic of Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. - Minsk, 2022.

17. On some measures to protect the rights of citizens performing work under civil law contracts: Decree of the President of the Rep. Belarus, July 6, 2005 No. 314 (as amended on April 14, 2014) // ETALON. Legislation of the Republic of Belarus / Nat. center of legal information. Rep. Belarus. – Minsk, 2022.

18. On the regulation of leasing activities: Decree of the President of the Rep. Belarus, 25 Feb. 2014 No. 99 (as amended on May 25, 2021) // ETALON. Legislation of the Republic of Belarus / Nat. center of legal information. Rep. Belarus. – Minsk, 2022.

19. On Mediation: Law Rep. Belarus, July 12, 2013, No. 58-3 // Nat. register of legal acts Rep. Belarus. - 2013. - No. 29.-2/2056.

20. On bailiffs: Law Rep. Belarus dated October 24, 2016, No. 440-Z // Nat. register of legal acts Rep. Belarus. - 2016. - No. 43.-2/2438.

21. On the Prosecutor's Office of the Republic of Belarus: Law of the Rep. Belarus, May 8, 2007, No. 220-3 // Nat. register of legal acts Rep. Belarus. - 2007. - No. 119. - 2/1317.

22. On advocacy and advocacy in the Republic of Belarus: Law of the Rep. Belarus, 30 Dec. 2011, No. 334-3 // Nat. register of legal acts Rep. Belarus. - 2012. - No. 2.-2/1884.

23. On enforcement proceedings: Law Rep. Belarus, 24 Oct. 2016 No. 439-Z // Nat. register of legal acts Rep. Belarus. - 2016. - No. 44.-2/2437

24. On certain amounts payable in criminal, civil, administrative and economic proceedings: Decree of the Council of Ministers Rep. Belarus from 30 Dec. 2006 No. 1775 // Etalon. Legislation Rep. Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. - Minsk, 2022.

25. On some issues of representation in court in civil cases: the decision of the Constitution. Courts Rep. Belarus, July 2, 1999, No. R-85/99 // // Etalon. Legislation Rep. Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. - Minsk, 2022.

26. On ensuring the right to judicial protection and the culture of judicial activity: Decree of the Plenum of the Supreme. Courts Rep. Belarus, 22 Dec. 2016, No. 9 // Etalon. Legislation Rep. Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. - Minsk, 2022.

27. On the practice of collecting court costs in civil cases and procedural costs in criminal cases: resolution of the Plenum of the Supreme. Courts Rep. Belarus, June 2, 2011, No. 1 // Etalon. Legislation Rep. Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. - Minsk, 2022.

28. On the practice of application by the courts of the norms of the Civil Procedure Code of the Republic of Belarus, which regulates the proceedings on appeal: resolution of the Plenum of the Supreme. Courts Rep. Belarus, March 31, 2021, No. 1 // Etalon. Legislation Rep. Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. - Minsk, 2022.

29. On the practice of consideration of civil cases in the order of judicial supervision: resolution of the Plenum of the Supreme. Courts Rep. Belarus, June 26, 2003, No. 7 // Etalon. Legislation Rep. Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. - Minsk, 2022.

30. On the practice of consideration by the courts of cases on recognizing a citizen as partially capable or incapacitated, as well as on recognizing a citizen as capable or on the abolition of disability: Resolution of the Plenum of Verkhov. Courts Rep. Belarus, 16 Dec. 2004, No. 13 // Etalon. Legislation Rep. Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. - Minsk, 2022.

31. On the practice of consideration by the courts of cases on complaints about notarial acts or refusal to perform them: Resolution of the Plenum of the

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33. On the application of the norms of the Civil Procedure Code in the consideration of cases in the court of first instance: resolution of the Plenum of the Supreme. Courts Rep. Belarus, June 28, 2001, No. 7 // Etalon. Legislation Rep. Belarus [Electronic resource] / Nat. center of legal information. Rep. Belarus. - Minsk, 2022.

34. On local government and self-government in the Republic of Belarus: Law of the Rep. Belarus, 04 Jan. 2010 No. 108-3 (as amended and supplemented) // Nat. register of legal acts of the Republic of Belarus. - 2010. - No. 17. - 2/1660; National legal Internet portal Resp. Belarus. – 12/26/2019. - 2/2711.

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38. On political parties: Law Rep. Belarus, 05 Oct. 1994, No. 3266-XII (as amended by the Law of July 19, 2005, 35-3 with amendments and additions) // Nat. register of legal acts Rep. Belarus. - 2005. - No. 120. - 2/1132; National legal Internet portal Resp. Belarus. – 06/06/2015. - 2/2266.

39. On the procedure for exercising the right of legislative initiative by citizens of the Republic of Belarus: Law of the Republic of Belarus. Belarus, 26 Nov. 2003, No. 248-3 (as amended and supplemented) // Nat. register of legal acts Rep. Belarus. - 2003. - No. 133. - 2/997; National legal Internet portal Resp. Belarus. – 06/04/2015. - 2/2266.

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41. On giving the status of a constitutional law to the Declaration of the Supreme Council of the Belarusian Soviet Socialist Republic on the state sovereignty of the Belarusian Soviet Socialist Republic: Law of the BSSR, 25 August. 1991 // Vedomosti Verkhovn. Council of the BSSR. - 1991. - No. 28. - Art. 425.

42. On the Prosecutor's Office of the Republic of Belarus: Law of the Rep. Belarus, May 8, 2007, No. 220-3 (as amended and supplemented) // Nat. register of legal acts Rep. Belarus. - 2007. - No. 119. - 2/1317; National legal Internet portal Resp. Belarus. - 12/15/2020. - 2/2782.

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