

APPROVED BY

Rector of Educational Institution

«Belarus State Economic University»

A.V. Egorov

«19»

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2024

Registration № 6381-241

**LAWMAKING OF REPRESENTATIVE, EXECUTIVE AND JUDICIAL
AUTHORITIES**

The Curriculum of Educational Institution of Higher education
in the academic discipline for the specialty
7-06-0421-01 «Jurisprudence»

The curriculum is based on the educational standard of advanced higher education OSVO 7-06-0421-01-2023 «Jurisprudence» and the curriculum for speciality 7-06-0421-01 «Jurisprudence»

COMPILER:

H. Shafalovich, associate Professor of the Theory and History of Law Department of the Educational Institution “Belarus State Economic University“, PhD in Law, associate Professor.

REVIEWERS:

N. I. Rudovich, Deputy Dean of the Faculty of Law of the Educational Institution “Belarusian State Economic University“, PhD in Law, associate Professor;

I. V. Orlova, Dean of the Faculty of International Law, EI «BIP - University of Law and Socio-Information Technologies», PhD in Law.

RECOMMENDED FOR APPROVAL:

Civil Law Disciplines Department of the Educational Institution “Belarus State Economic University“ (Protocol № 10 of “29” 05 2024)

Methodological Committee for the specialties «Jurisprudence» of the educational institution “Belarus State Economic University” (Protocol № 4 of “5” 12 2024)

Scientific and methodological Council of the Educational Institution «Belarus State Economic University» (Protocol № 2 of “18” 12 2024)

EXPLANATORY NOTE

The discipline is aimed at teaching students the necessary doctrinal and normative provisions in the field of law-making and acquiring the specialised knowledge in this field necessary for lawyers.

The discipline «Law-making of representative, executive and judicial authorities» is based on the science of the same name, which studies the state and legal practice in this area and is based on the results of the study of the general theory of law and constitutional law, as well as disciplines of the international legal cycle. The content of the curriculum of the academic discipline «Law-making of representative, executive and judicial authorities» equips students with knowledge that ensures effective digitalisation of lawmaking and law-implementing activities and serves to increase the level of efficiency of legal work in the information society.

The main attention in the study of this academic discipline is paid to the norms of legislation, primarily national legislation. At the same time, the curriculum reflects the comparative legal aspect of the study of law-making.

The purpose of teaching the discipline is to obtain knowledge in the field of organisation of lawmaking process by the state bodies, mastering by master students of the relevant legal categorical apparatus, widely used in modern lawmaking and rule-making activity, creation of a solid knowledge base, necessary for further effective use in professional activities related to lawmaking competences.

Achievement of the set goal presupposes the solution of the following **tasks**:

1) to trace the evolution of scientific views on the history and theory of lawmaking;

2) to systematise the main scientific approaches to the concept, principles, types and stages of lawmaking and rule-making process;

3) to identify the peculiarities of rule-making activity in the system of other types of legal activity;

4) identify the features of representative, judicial, contractual, doctrinal and canonical rule-making;

5) trace changes in the rule-making competences of various state bodies and officials of the Republic of Belarus;

6) identify specifics and trends in the development of judicial rule-making in the Republic of Belarus;

7) identify deviations from the norms of rule-making technique, technique of systematisation of normative legal acts and other legal documents, interpretation, enforcement and law enforcement technique;

8) to form practical skills to apply the main legal and technical means, techniques, methods, methods and rules in various types of legal activities;

9) to study the problems of improving the quality of rule-making activity in the Republic of Belarus;

10) creatively comprehend the processes of evolution of legal doctrine and legal practice in the Republic of Belarus;

11) master the methods of scientific analysis of legal reality and the ability to find optimal solutions in specific legal situations.

As a result of the study of the academic discipline «Law-making of representative, executive and judicial authorities», the following **universal competence** is formed

UC-4. Provide communication, display leadership skills, be capable of team building and development of strategic goals and objectives;

UC-5. Develop innovative sensitivity and the ability to innovate:

UC-6. To be capable of forecasting the conditions of realisation of professional activity and solving professional tasks under conditions of uncertainty.

UPC-4. To characterise problematic issues of the theory and history of the state and law, to use the acquired knowledge for successful mastering of branch legal disciplines, to identify possible discrepancies in the correlation of constitutional principles and norms with the provisions of acts of branch legislation, to ensure the implementation of the principle of supremacy and direct action of the Constitution, to analyse and apply in practice the norms of administrative regulation of public-law relations.

As a result of studying the discipline «Law-making of representative, executive and judicial authorities», the master's student must:

know:

- basic scientific-theoretical and legal concepts and their content in the field of law-making process of the Republic of Belarus;
- basic stages, procedures and their content of the law-making process in the Republic of Belarus;
- basic sub-institutions, procedural forms, subjects, objects of law-making process in the Republic of Belarus;
- peculiarities of the national systems of normative legal acts and law sources (experience of foreign countries);
- consolidation of the legal status of the subjects of the law-making process in the national legislation;
- forms of citizen participation in law-making process;

to be able to:

- justify the formation and further development of principles and concepts concerning the law-making process;
- describe and disclose the content of the main stages and procedures of the law-making process in the Republic of Belarus;
- analyse national and international legal acts and scientific and legal literature on the issues under review;
- apply the rules regulating the law-making process in practice;
- understand the rights and duties, responsibilities of state bodies and organizations, citizens as subjects of the law-making process;
- analyse legal situations, including legal conflicts and find solutions to them, particularly through interpretation of the principles of the law-making process and application of the national legislation and international law norms in the field of the law-making process;

- navigate and interpret decisions of representative, executive and administrative judicial and other bodies and organisations in the Republic of Belarus in the field of law-making process;

get skills:

- special legal theoretical and official terminology and skills of interpreting normative legal acts in the field of law-making process;
- practical skills of applying norms of the Constitution and other legal acts of the Republic of Belarus to solve legal cases in the field of law-making process in practice;
- political and legal, ideological values to judge and discuss current problems in the field of law-making process;
- analytical skills, scientific and practical forms and methods of implementation of the acquired knowledge, taking into account current trends in the development of international law, legislation of the Republic of Belarus and its interaction with other branches of the national legal system.

As part of the educational process in this discipline, the student should acquire not only theoretical and practical knowledge, skills and abilities in the speciality, but also develop his/her value-personal, spiritual potential, form the qualities of a patriot and citizen, ready for active participation in the economic, industrial, socio-cultural and public life of the country.

Place of the educational discipline (module) in the system of training of specialists with higher education. The academic discipline «Law-making of representative, executive and judicial authorities» belongs to the module «Modern problems of jurisprudence».

The academic discipline «Law-making of representative, executive and judicial authorities» is integrative and interdisciplinary, is closely connected with such academic disciplines as «General Theory of Law», «Constitutional Law», «Lawmaking Process», in the process of studying which students acquire deeper, more specific knowledge on some topics. Some topics are supposed to be studied in-depth within the framework of other academic disciplines. For example, the study of the categorical apparatus and classification (typology) of normative legal acts and their characteristics is envisaged by the academic discipline «General Theory of Law». On the issues of digitalisation and informatisation in lawmaking, the academic discipline «Law-making of representative, executive and judicial authorities» correlates with many topics of the academic discipline «Legal support for the development of the electronic government». The issues of competence of state bodies fall within the scope of the «Constitutional Law» course. Procedural aspects of lawmaking are reflected in the academic discipline «Lawmaking Process».

The study of the academic discipline «Law-making of representative, executive and judicial authorities» is an important part of the educational and upbringing process in the system of modern education, contributing to the development of independent legal thinking, broad outlook and professional erudition of future lawyers.

In teaching, it is recommended to use a variety of forms of classes, including interactive, with the use of equipment, as well as other methods of active learning.

The necessary amount of time is allocated for students' independent training in order to provide them with the opportunity to individually master the study material on the basis of recommended sources.

The scientific and legal basis of the curriculum and the academic discipline «Law-making of representative, executive and judicial authorities» are the works of Belarusian, Russian and other foreign scientists, as well as the most important international and national legal norms.

The methodological basis of the discipline is historical, sociological, comparative-legal, formal-logical and other scientific methods used in jurisprudence.

Form of education: full-time.

In accordance with the curriculum of the university for the study of the academic discipline is allocated:

The total number of study hours is 90:

– For the full-time form of general higher education 36 hours of classroom training are provided.

Distribution of classroom time by types of classes:

1 semester: lectures – 20 hours; seminars – 16 hours;

Independent work of the student – 54 hours.

The labour intensity of the discipline is 3 credit units.

Forms of interim certification – credit.

CONTENT OF EDUCATIONAL MATERIAL

Topic 1. Theoretical foundations of the law-making of the representative, executive and judicial power bodies

Theoretical foundations of the law-making process in the Republic of Belarus

Introduction into the course. Relevance of the law-making process for the Republic of Belarus. Historical development of law-making institution in the Republic of Belarus.

Notion, essence and types of law-making (law establishment). Law-making and the process of law-making (law-formation). Law-making and law-making.

Normative legal acts: definition, attributes. Normative legal acts as a result of law-making. Law: concept, attributes and types. Legislative acts: terms, signs and types. Statutory acts: a concept, indications, types. Publication and entry into force of statutory acts. The system and hierarchy of normative legal acts. Legal force of normative legal acts. Operation of normative legal acts in space, time and among persons. Retroactive force of law. Survival of the law. Gaps and conflicts and ways of overcoming (eliminating) them.

Law-making as a form of state activity. Factors effecting the law-making process. General principles of law-making process: democracy, legality, priority of universally recognised principles of international law, humanism, protection of rights, freedoms and lawful interests of citizens, legal entities, the state, social justice. Special principles of the law-making process: science; socio-economic conditionality; professionalism, consistency and complexity, stability of legal regulation of public relations. Local law-making.

Systematisation of legislation: notion and characteristics of the main types. Codification as the main direction of improving legislation. Classification of the legal regulatory array. The unified legal classifier of the Republic of Belarus.

Entities involved in law-making. Law-making bodies. Subjects of law-making. Subjects of law-making. Subjects of law-making. Law-making by state law-enforcement institutions. Law-making by non-state law-enforcement entities. Direct law-making by the population. Republican referendum. The stages of organising and holding a referendum. Legislation of international organisations. The competence of law-making. Delegation.

Forms of law-making. Direct law-making activity. Authorisation and its forms. Authorisation of customs. Authorisation of corporate norms.

Effect of the rules of international law on law-making in the Republic of Belarus. The ratio of the legal systems of national and international law. Norm-formation in international law. International treaties. International customs. Acts of a recommendatory character (resolutions).

Legal (legislative) technique The correlation between legal, law-making and legislative technique. The concept and meaning of legal technique in the process of drafting, registration, adoption and systematisation of normative legal acts. General rules (requirements) of legislative technique of normative legal acts.

Topic 2. The law-making process and its stages and special features in the Republic of Belarus

The law-making process. The rule-making process. Rule-making process. Informatisation of the law-making process.

Tasks of forecasting in law-making process. Planning of law-making as a necessary condition for optimisation of law-making system. Law-making initiative. Subjects of law-making initiative. Approval of a normative legal act. Mandatory legal expertise of normative legal acts. Criminological expert examination of normative legal acts. Public discussion of draft normative legal acts. Legal forum in Belarus. Adoption of normative legal acts. Publication of normative legal acts of normative legal acts. National Register of Legal Acts of the Republic of Belarus.

Topic 3. The President of the Republic of Belarus and the All-Belarusian People's Assembly and the All-Belarusian People's Assembly as subjects of lawmaking

The place and role of the President of the Republic of Belarus in the law-making process. Normative legal acts of the President and their legal nature. Delegation of legislative powers to the President by the Parliament. Temporary decrees of the President. The mechanism for their issuance and their legal effect. Decrees of the President of the Republic of Belarus: notion, types and legal force. The decrees of the President of the Republic of Belarus.

The tasks and functions of the Presidential Administration in the law-making process. The procedure for submitting draft enforceable enactments to the President of the Republic of Belarus, their consideration and enforcement.

Relations of the President with the Parliament (National Assembly) of the Republic of Belarus in the area of law-making. Implementation of the right of legislative initiative of the President in the House of Representatives. The procedure for seeking the consent of the President to submit a draft law which may result in the reduction of state funds, creation or increase of expenditures. The declaration of a bill as urgent for consideration. Appeals to Parliament by the President.

The interaction of the President with the bodies of state administration of the Republic of Belarus in the area of law-making. Forms and mechanism of interaction between the President and the Government in the sphere of lawmaking. Control functions of the President. President's relationship with ministries, state committees, executive committees of local councils of deputies, and other bodies of executive power.

The interaction between the President and the judicial power of the Republic of Belarus in the field of law-making. The President shall initiate judicial verification of the conformity of normative legal acts to the Constitution of the Republic of Belarus. Providing for the constitutional control over the acts of the President.

Local Councils of deputies and the President of the Republic of Belarus in the sphere of law-making. Forms of cooperation. Control functions of the President. The mechanism whereby the President suspends the decisions of local Councils of Deputies.

The interaction between the President and other bodies of state power in the sphere of lawmaking. Law-making bodies that are subordinate (accountable) to the President of the Republic of Belarus.

The place and role of the All-Belarusian People's Assembly in the law-making process. Its constitutional status and law-making powers. Features of the All-Belarusian People's Assembly as a law-making body.

Topic 4. The Parliament (National Assembly of the Republic of Belarus) – as a subject of law-making

The concept and stages of the legislative (law-making) process. Concept and types of laws, subject matter of legislative competence.

Legislative initiative. Subjects of the right of legislative initiative. Mechanism for implementation of legislative initiative by citizens of the Republic of Belarus. Data bank of draft laws of the Republic of Belarus.

Preparation of a draft law for consideration at a session of the House of Representatives of the National Assembly of the Republic of Belarus (preparatory, main and final stages). Legislative work of the standing commissions of the lower chamber of the Parliament. Tasks and functions of the leading commission. Announcement of a bill as urgent for consideration. Consideration of draft laws in the first reading session of the House of Representatives. Preparation and consideration of draft laws in the second reading. Voting in the House of Representatives. Adoption (rejection) of a bill. Ratification and denunciation of international treaties.

Consideration of a bill in the Council of the Republic of the National Assembly of the Republic of Belarus. Legislative work of the standing commissions of the upper house of the Parliament. The tasks and functions of the standing commissions. Voting in the Council of the Republic. Approval (non-approval) of a draft law.

Re-consideration of draft laws rejected by the Council of the Republic. Mechanism and principles of conciliation commission. Procedure of its functioning. Voting of conciliation commission members. The final decision on a draft law.

The signing of the law by the President of the Republic of Belarus. The right of a Presidential veto on a law or on separate provisions thereof. Mechanism to override a Presidential veto.

The publication of a law and its entry into force. The procedure for amending and supplementing the law. Interpretation of the law.

Peculiarities of adopting constitutional laws by the Parliament. Ratification and denunciation of international treaties of the Republic of Belarus.

Topic 5. The Government (Council of Ministers of the Republic of Belarus) and republican bodies of state administration as subjects of lawmaking

Place and role of the Government of the Republic of Belarus in the mechanism of state law-making. Forms of law-making activity of the Government. The mechanism for the Government to carry out law-making activities. Acts of the Government. The decrees of the Council of Ministers and their juridical power. The juridical force of the acts of the Government. Publication and entry into force of acts of the Government.

The interaction of the Government with the President of the Republic of Belarus and the Parliament about law-making. The right of legislative initiative. Joint law-making by the President and the Government. The responsibility of the Government of the Republic of Belarus.

The republican bodies of state administration in law-making. Competence. Types of normative legal acts of the republican bodies of state administration. Decisions and orders. The legal force of acts. The specifics of law-making activity.

The role of the Ministry of Justice and the Council of Ministers in law-making. Mandatory legal expertise at the Ministry of Justice, Department of Justice.

Topic 6. The judiciary and the prosecutor's office in lawmaking

Interaction between the judiciary and other state bodies in the field of law-making. The importance of judicial practice in law. Court practice and court statistics as a form of planning law-making activity of the state.

Activity of courts of the Republic of Belarus in law-making sphere. Mechanism and forms of participation of judicial bodies of the Republic of Belarus in law-making process. Legislative activity of the Supreme Court of the Republic of Belarus. Decisions of the Supreme Court of the Republic of Belarus.

The significance of the activity of the Constitutional Court of the Republic of Belarus in the law-making process in the Republic of Belarus. Conclusions and decisions of the Constitutional Court of the Republic of Belarus. Exercise of judicial control over the constitutionality of normative legal acts. Forms of judicial response to revealed legal collisions.

Interaction of judicial bodies with legislative and executive branches of power on law-making issues.

The law-making activity of prosecution bodies of the Republic of Belarus. Features of participation of prosecution bodies in the law-making process.

Topic 7. Lawmaking by Local Representative Bodies and Public Administration

Characteristics of the law-making process in the administrative-territorial units of the Republic of Belarus. Features of the law-making process in the administrative-territorial units of the Republic of Belarus.

Local subjects of the law-making process. Local assemblies. Citizens' law-making initiative. The population and their form of participation in law-making activities. Initiative of the population on adopting the decisions of a local Council of Deputies. Bodies of public territorial self-government and their law-making activities. Meetings of citizens at their place of residence (local assemblies). Local referendum and its stages. The procedure of local referendums in the Republic of Belarus. The act of holding a local referendum.

Legislative activity of the local Councils of deputies. The forms and the mechanism of implementation. Legislative activity of the standing commissions of local Councils of Deputies.

Legislative activity of the executive committees and administrations. Forms and implementation mechanism. Forms of interaction between the subjects of local

governance and self-government with one another in the process of law-making activities.

Types of normative legal acts of local governance or self-government. Decisions. Legal effect of normative legal acts of representative and executive-administrative bodies. Publication and entry into force, annulment and suspension of decisions of local representative and executive-administrative bodies. Control over the activities of representative and executive-administrative bodies.

**EDUCATIONAL AND METHODOLOGICAL CHART
OF THE ACADEMIC DISCIPLINE «LAWMAKING OF REPRESENTATIVE, EXECUTIVE AND JUDICIAL
AUTHORITIES»
90 HOURS
For the full–time form of receiving education**

Number of the Theme	Title of the Theme	Number of classroom hours							Practical trainings	Forms of knowledge control
		Lectons	Practical trainings	Seminars	Laboratory researches	Number of hours of supervised independent work				
						Lectons	Seminars	Practical trainings		
1	2	3	4	5	6	7	8	9	11	12
1 semester										
Topic 1.1	Theoretical foundations of the law–making of the representative, executive and judicial power bodies	8							[1–2], [3–11], [12–55]	
	Theoretical foundations of the law–making of the representative, executive and judicial power bodies			4					[1–2], [3–11], [12–55]	The presentations, discussion panel, tests
Topic 1.2	The law–making process	2							[1–2], [3–11], [12–	

	and its stages and special features in the Republic of Belarus								55]	
	The law-making process and its stages and special features in the Republic of Belarus			2					[1–2], [3–11], [12–55]	The presentations, discussion panel, tests
Topic 1.3	The President of the Republic of Belarus and the All-Belarusian People's Assembly as subjects of lawmaking	2							[1–2], [3–11], [12–55]	
	The President of the Republic of Belarus and the All-Belarusian People's Assembly as subjects of lawmaking			2					[1–2], [3–11], [12–55]	The presentations, discussion panel, tests
Topic 1.4	The Parliament (National Assembly of the Republic of Belarus) – as a subject of law-making	2							[1–2], [3–11], [12–55]	
	The Parliament (National Assembly of the Republic of Belarus) – as a subject of law-making			2					[1–2], [3–11], [12–55]	The presentations, discussion panel, tests
Topic 1.5	The Government (Council of Ministers of the Republic of Belarus) and republican bodies of state administration	2							[1–2], [3–11], [12–55]	

	as subjects of lawmaking									
	The Government (Council of Ministers of the Republic of Belarus) and republican bodies of state administration as subjects of lawmaking			2					[1–2], [3–11], [12–55]	The presentations, discussion panel, tests
Topic 1.6	The judiciary and the prosecutor's office in lawmaking	2							[1–2], [3–11], [12–55]	
	The judiciary and the prosecutor's office in lawmaking			2					[1–2], [3–11], [12–55]	The presentations, discussion panel, tests
Topic 1.7	Lawmaking by Local Representative Bodies and Public Administration	2							[1–2], [3–11], [12–55]	
	Lawmaking by Local Representative Bodies and Public Administration			2					[1–2], [3–11], [12–55]	The presentations, discussion panel, tests
	In total 1 semester	20		16						Credit
	In total hours:	20		16						

INFORMATION AND METHODOLOGICAL PART

Literature

Main literature:

1. Minko, N. S. Norm-making activity : educational and methodological manual / N. S. Minko, N. M. Yurashevich. – Minsk : Amalfeya, 2019. – 202 с.
2. Shafalovich, A. A. Law-making process of the Republic of Belarus : textbook / A. A. Shafalovich. – Minsk : RIVSH, 2022. – 220 с.

Additional literature:

3. Василевич, Г. А. Vasilevich, G. A. Problems of rule-making and law enforcement / G. A. Vasilevich // Pravo.by. – 2017. – № 5. – С. 56–63.
4. Kurak A. I. Law-making process : a course of lectures / A. I. Kurak. – Minsk : Amalfeya, 2015. – 279 с.
5. Kuchin, M. V. Judicial lawmaking: conceptual foundations: textbook / M. V. Kuchin. – Moscow: Yurait, 2019. – 275 с.
6. Pashentsev, D. A. Innovations of lawmaking in the conditions of digitalisation of public relations / D. A. Pashentsev, D. R. Alimova // State and Law. – 2019. – № 6. – С. 102–106.
7. Law-making process : textbook for students of institutions of higher education on specialities "Economic Law", "Jurisprudence", "International Law" / [A. N. Bodak et al.] ; ed. by G. A. Vasilevich. – Minsk : Vysheyschaya shkola, 2015. – 271 с.
8. Law-making : textbook / G. F. Ruchkina, E. G. Antonova, A. V. Popova [et al] ; ed. by G. F. Ruchkina. – Moscow : Rusains, 2024. – 227 с. – ISBN 978-5-466-03867-5. – URL: <https://book.ru/book/951753> (date of reference: 31.05.2024). – Text : electronic.
9. Sadokhina, N. E. Law-making process as a kind of legal process / N. E. Sadokhina // Law: History and Modernity. – 2020. – № 1. – С. 200–201.
10. Digitalisation of law-making: the search for new solutions / D. A. Pashentsev, M. V. Zaloilo, O. A. Ivanyuk, A. A. Golovina; ed. by D. A. Pashentsev. – Moscow: Institute of Legislation and Comparative Law under the Government of the Russian Federation; INFRA-M, 2019. – 234 с.
11. Shagieva, R. V. Lawmaking: textbook / R. V. Shagieva, A. S. Gukov. – Moscow: Yurait, 2019. – 254 с.

Normative legal acts:

12. Конституция Республики Беларусь от 15 марта 1994 г. (с изм. и доп., принятыми на респ. референдумах 24 нояб. 1996 г., 17 окт. 2004 г., 27 февр. 2022 г.) // ЭТАЛОН. Законодательство Республики Беларусь / Нац. центр правовой информ. Респ. Беларусь. – Минск, 2024.
13. Кодекс Республики Беларусь о судоустройстве и статусе судей : Кодекс Респ. Беларусь, 29 июня 2006 г., № 139-З (с изм. и доп.) // ЭТАЛОН.

14.06.2024

Г. Василевич

Пашентsev Д.А.

Законодательство Республики Беларусь / Нац. центр правовой информ. Респ. Беларусь. – Минск, 2024.

14. О Всебелорусском народном собрании: Закон Респ. Беларусь, 7 февр. 2024 г., № 248–З // ЭТАЛОН. Законодательство Республики Беларусь / Нац. центр правовой информ. Респ. Беларусь. – Минск, 2024.

15. О государственной службе : Закон Респ. Беларусь, 1 июн. 2022 г., № 175–З : в ред. Закона Респ. Беларусь от 07.02.2024 г. // ЭТАЛОН. Законодательство Республики Беларусь / Нац. центр правовой информ. Респ. Беларусь. – Минск, 2024.

16. О гражданстве Республики Беларусь: Закон Респ. Беларусь, 1 авг. 2002 г., 136–З (в ред. 05.01.2024) // ЭТАЛОН. Законодательство Республики Беларусь / Нац. центр правовой информ. Респ. Беларусь. – Минск, 2024.

17. Об основах гражданского общества : Закон Респ. Беларусь, 14 февр. 2024 г., № 250–З // ЭТАЛОН. Законодательство Республики Беларусь / Нац. центр правовой информ. Респ. Беларусь. – Минск, 2024.

18. О Комитете государственного контроля Республики Беларусь и его территориальных органах : Закон Респ. Беларусь, 1 июл. 2010 г., № 142–З (с изм. и доп.) // ЭТАЛОН. Законодательство Республики Беларусь / Нац. центр правовой информ. Респ. Беларусь. – Минск, 2024.

19. О конституционном судопроизводстве : Закон Респ. Беларусь, 8 янв. 2014 г., № 124–З (с изм. и доп.) // ЭТАЛОН. Законодательство Республики Беларусь / Нац. центр правовой информ. Респ. Беларусь. – Минск, 2024.

20. О Концепции правовой политики Республики Беларусь: Указ Президента Респ. Беларусь, 28 июня 2024 г., № 196 // Нац. правовой Интернет–портал Респ. Беларусь. – 30.06.2024. – 1/20916.

21. О международных договорах Республики Беларусь : Закон Респ. Беларусь, 23 июл. 2008 г., № 421–З (с изм. и доп.) // ЭТАЛОН. Законодательство Республики Беларусь / Нац. центр правовой информ. Респ. Беларусь. – Минск, 2024.

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List of questions for the credit

1. The History of the development of scientific ideas about lawmaking in foreign and Russian pre-revolutionary, Soviet and post-Soviet jurisprudence.
2. Subject and content, methodology of the study of the academic discipline.
3. The concept of law-making and correlation with related concepts.
4. Types of law-making.
5. Principles of law-making.
6. Subjects of law-making. Law-making bodies of the Republic of Belarus.
7. Types of laws and regulations.
8. The concept of normative competence of a state body. Problems of determining the limits of competence of a state body.
9. Peculiarities of judicial law-making in the process of formation of judicial precedent. Judicial precedent as a source of law: concept, stages of formation, types and significance in the systems of sources of law of different legal families.
10. Features of contractual law-making in the process of formation of a normative legal contract. Normative legal agreement as a source of law: concept, spheres of distribution, types and significance in the systems of sources of law of different legal families.
11. Features of law-making in the process of formation of a normative legal act. Normative legal act as a source of law: concept, features, types.
12. Features of doctrinal law-making in the process of formation of doctrine. Doctrine as a source of law: concept, features of formation and development, significance in the systems of sources of law of different legal families, trends of evolution.
13. Features of canonical law-making in the process of formation of canonical norms of law. Religious texts as a source of law: concept, types and significance in the systems of sources of law of different legal families.
14. Features of law-making in the context of the system of sources of law of the Republic of Belarus and trends of its development.
15. Informatisation of the rule-making process.
16. Codification as the main direction of improvement of legislation.
17. Systematisation activity as a type of legal activity, its correlation with rule-making.
18. Interpretative activity as a type of legal activity, its correlation with rule-making.
19. Law enforcement and rule-making processes: problems of correlation of concepts. Elements and stages of the law enforcement process, their correlation with the stages of the rule-making process.
20. Delegation of normative powers. Features of delegated lawmaking.
21. Normative legal acts, their types and characteristics.
22. The content and structure of a normative legal act.
23. Legal force of normative legal acts and their hierarchy.
24. Action of normative legal acts.

25. Influence of norms of international law on law-making in the Republic of Belarus.
26. Law-making process and its stages.
27. Planning of preparation of drafts of normative legal acts.
28. Normative initiative.
29. Approval of a normative legal act.
30. Mandatory legal expertise of normative legal acts. Criminological expertise of normative legal acts.
31. Public discussion of draft normative legal acts.
32. Adoption of normative legal acts.
33. Publication of normative legal acts of normative legal acts.
34. Place and role of the President of the Republic of Belarus in the law-making process.
35. Normative legal acts of the President, their legal nature.
36. Interaction of the President with other bodies of state power in the sphere of law-making.
37. The place and role of the All-Belarusian People's Assembly in the law-making process.
38. The concept and stages of law-making.
39. The concept and types of laws, the subject of legislative competence. Legislative acts.
40. Legislative initiative. Mechanism of realisation of legislative initiative by citizens of the Republic of Belarus.
41. Consideration of a draft law in the House of Representatives of the National Assembly of the Republic of Belarus.
42. Consideration of a draft law in the Council of the Republic of the National Assembly of the Republic of Belarus.
43. Signing of the law by the President of the Republic of Belarus.
44. Peculiarities of adoption of constitutional laws by the Parliament.
45. Ratification and denunciation of international treaties of the Republic of Belarus.
46. The role of the Council of Ministers of the Republic of Belarus in law-making activity.
47. Normative legal acts of the Government. The procedure for adopting normative legal acts of the Government.
48. Legal acts of the republican bodies of state administration.
49. The importance of the Ministry of Justice and the Apparatus of the Council of Ministers in the law-making process.
50. Mandatory legal expertise in the Ministry of Justice, Justice Department.
51. Interaction of the judiciary with other state bodies in the sphere of law-making. Significance of judicial practice in law.
52. Law-making activity of the Supreme Court of the Republic of Belarus.
53. The significance of the activity of the Constitutional Court of the Republic of Belarus in the law-making process in the Republic of Belarus.

54. Opinions and decisions of the Constitutional Court of the Republic of Belarus.
55. Law-making activity of the prosecutor's office of the Republic of Belarus.
56. Features of the law-making process in administrative-territorial units of the Republic of Belarus.
57. Law-making activity of local Councils of Deputies and local executive-administrative bodies.

Organisation of students' independent work

For obtaining competences in the academic discipline an important stage is the independent work of students.

Independent work of students is an important stage in mastering the knowledge of the academic discipline «Law-making of representative, executive and judicial authorities». It is recommended to budget time for independent work on average 2–2.5 hours per 2-hour classroom lesson.

54 hours are allocated for independent work of a full-time student.

The content of independent work of students includes all the topics of the academic discipline from the section 'Content of educational material'.

The following forms of independent work are used during the study of the academic discipline:

- initially detailed acquaintance with the curriculum of the academic discipline;
- familiarisation with the list of recommended literature on the academic discipline as a whole and its sections, its availability in the library and other available sources, study of the necessary literature on the topic, selection of additional literature;
- independent fulfilment of test tasks in the system of the educational platform Moodle;
- independent in-depth study of sections, topics, individual issues and concepts;
- preparation for practical, laboratory and seminar classes, including preparation of messages, thematic reports, information and demonstration materials, abstracts, presentations, essays, etc.;
- working with educational, reference, analytical and other literature and materials;
- preparation for interim certification.

Quality control of knowledge assimilation

Diagnostics of the quality of knowledge assimilation is carried out within the framework of current control and interim certification.

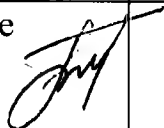
Current control activities are carried out during the semester and include the following forms of control:

- test tasks;
- abstracts;
- individual assignments;
- creative work;
- other forms.

Methodology of mark formation on the academic discipline

In accordance with the Regulations on the rating system of assessment of knowledge, skills and abilities of BSEU students.

NEGOTIATION PROTOCOL FOR THE CURRICULUM
FOR HIGHER EDUCATION ESTABLISHMENT
IN THE ACADEMIC DISCIPLINE
«LAWMAKING OF REPRESENTATIVE, EXECUTIVE AND JUDICIAL
AUTHORITIES»

Academic discipline title, with which approval required	Name of the department	Offers on changes in the content of the curriculum in the educational discipline	Decision taken by the department that developed the curriculum (with the date and number of the protocol)
Lawmaking process	Department of the Theory and History of Law	none 	

ADDITIONS AND CHANGES TO THE CURRICULUM
IN THE ACADEMIC DISCIPLINE «LAWMAKING OF REPRESENTATIVE,
EXECUTIVE AND JUDICIAL AUTHORITIES»

Registration № _____/

for the ____/____ academic year

№	Additions and changes	Basis


Curriculum revised and approved at the meeting of the Civil Law Disciplines Department (protocol No. ____ of _____ 20 ____)

Head of Department,
Professor

T. S. Taranova

Approved
Dean of the Faculty of Law,
PhD in Law, associate Professor

A. N. Shklyarevsky

 A. N. Shklyarevsky