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Problems of insurance law and their solution in the legislation of the Republic of Kazakhstan

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Abstract

Relevance. The relevance of the study is explained by the growing interest of the world's legislative systems in regulating the insurance services market, especially in the private law sector market. In particular, the sale by the state to private legal entities of the rights of a claim for the obligations of the Insurance Benefit Guarantee Fund substantially liberalised the insurance services market under study.

Purpose. The purpose of the study is to conduct a formal legal analysis of the national insurance legislation of the Republic of Kazakhstan and the use of comparative legal tools to examine promising institutions of insurance legislation in other countries.

Methodology. The study used a systematic approach, epistemological tools of cognition, formal legal method.

Results. The study on current problems of insurance law in the Republic of Kazakhstan and other countries revealed challenges such as the fragmentation of regulatory frameworks and a lack of public confidence due to undeveloped insurance mechanisms. The legislation amendments introduced in the Republic of Kazakhstan aimed to enhance accessibility, quality, and consumer rights protection in insurance services, focusing on mandatory types like civil liability and optional types such as life insurance and real estate coverage.

Conclusions. The results of this study can be used both for further studies on the features of the insurance legislation of the Republic of Kazakhstan and for the regulatory work of legislative authorities, in particular in the field of insurance of construction activities.

Keywords: insurance legislation; insurance payments; civil liability insurance; medical insurance; insurance of construction activities.

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Introduction

The transition of the Republic of Kazakhstan to a market economy model laid the foundation for changing the balance between state centralised insurance (reserve) funds, self-insurance funds, and insurance companies of economic entities. State insurance (reserve) funds are gradually losing their former dominant importance. The development of market relations is inextricably linked with the growing interest in insurance mechanisms. The post-industrial economy is characterised by: intensive use of knowledge and services; priority of intellectual services over industrial production; concern for the environment; market globalisation; development of virtual markets; rapid market change; virtual money; electronic payment cards; distribution based on merit and social justice; equalisation of the share of knowledge and investment capital [1].

Insurance law, as a multifaceted legal domain, encompasses diverse social relations and incorporates norms from various branches of law. Its toolkit integrates methods of legal regulation borrowed from the main branches of law, enabling its norms to function within the regulatory framework of other complex legal domains [2].

The development of insurance law and legislation in the Republic of Kazakhstan is justifiably associated with the adoption of the first profile law on July 3, 1992 [3]. Along with the current Law of the Republic of Kazakhstan No. 126-II "On insurance activity" [4], the basis of legal regulation of insurance relations in the Republic of Kazakhstan is Law of the Republic of Kazakhstan No. 286-VI "On compulsory social insurance" [5]; Law of the Republic of Kazakhstan No. 423-II "On Fund of guaranteeing insurance payments" [6]; Law of the Republic of Kazakhstan No. 435-II "On compulsory insurance of civil responsibility of private notaries" [7]; Law of the Republic of Kazakhstan No. 440-II "On compulsory insurance of civil responsibility of auditing organizations" [8]; Law of the Republic of Kazakhstan No. 444-II "On compulsory insurance of civil responsibility of carrier to passengers" [9]; Law of the Republic of Kazakhstan No. 446-II "On compulsory insurance of civil responsibility of owners of vehicles" [10]; Law of the Republic of Kazakhstan No. 513-II "On compulsory insurance of the tourist" [11].

Despite the steady development of the insurance market in the Republic of Kazakhstan, it is still possible to encounter typical prejudices and stereotypes associated with insurance. Thus, there is an erroneous opinion that insurance payments are difficult to obtain, and insurance companies in every way prevent the issuance of these payments [12]. Insurance relations are often understood as exclusively compulsory, i.e., they are considered only within the boundaries of mandatory types of insurance. In this regard, it is relevant to examine the legal regulations of insurance law in other countries, particularly those where the industry under study has a broader application.

The possibility of reviewing insurance disputes with the application of mediation procedures was created as part of a pilot project to introduce mandatory mediation for certain categories of disputes in civil proceedings. In this case, the tools of judicial mediation are used, i.e. the judge at the stage of preparation for the consideration of the case

simultaneously acts as a mediator and directs the parties in developing the mediation agreement's provisions. Practice shows that claims by way of recourse (subrogation) brought by insurance companies to court (which constitute the main share of insurance disputes) can be resolved by settling the dispute in a pre-trial manner within the framework of judicial (pre-judicial) or private mediation [13].

The need to ensure the real economic independence of the state determines the development and reform of national insurance legislation. Despite the developed system of legal regulation of insurance relations, a number of national insurance law institutions have signs of gaps in the law. Thus, the insurance of civil liability of subjects of construction activity has not yet been reflected in the relevant insurance legislation. However, as international practice shows, this type of insurance substantially increases the threshold of public confidence in the construction services market.

The purpose of the study is to conduct a formal legal analysis of the national insurance legislation of the Republic of Kazakhstan and the use of comparative legal tools to examine promising institutions of insurance legislation in other countries.

Materials and Methods

The methodology of the conducted research is a set of approaches and techniques that, in their interaction, were designed to most accurately contribute to the analysis of the problems of insurance law and legislation of the Republic of Kazakhstan and other countries. Considering the complex nature of insurance law, the study of its features includes an appeal to the social and economic sciences. In this regard, it is necessary to use a systematic approach and epistemological tools of cognition. The systematic approach provides an integrative understanding of the legal institutions of insurance legislation and their interaction with the relevant management and economic sectors. Epistemological tools aim to understand the nature of insurance in general and the potential of insurance law in the modern mechanism of national legal regulation.

The research supports the communicative concept of law proposed by A.V. Polyakov [14], who defends the possibility of not only the interaction of legal provisions and legal texts in conducting a comprehensive legal analysis but, first of all, the influence of psychosociocultural realities on the process of law establishment. In addition, successful research of a complex branch of law, such as insurance law (which contains interdisciplinary features), can simultaneously solve the researcher's methodological, organisational and informational tasks [15].

The formal legal method acquires the greatest actualisation in the research to analyse the current legislation. This technique forms a scientific position on national and foreign insurance legislation norms and develops conceptual proposals for their optimisation. The comparative method is used to analyse the norms of the insurance legislation of the Republic of Kazakhstan and other countries, particularly the doctrines of the insurance law of the European Union (EU). The studies of such researchers as M.G. Alimzhanova [16], Zh.K. Zhetibaev

[17], Yu.A. Spletukhov [18], M.G. Chengelbaeva [19] are devoted to the investigation of the insurance law of the Republic of Kazakhstan and the possibilities of implementing foreign insurance institutions into it. These papers have become the scientific basis for writing this study. In addition, to analyse the prospects for the legal regulation of health insurance guarantees for the least protected segments of the population, the materials of the report of the United Nations Refugee Agency “Refugees in Kazakhstan: an analysis of national legislation and practice” [20], were used. Given the dynamics of social relations in modern society, the demand for certain types of insurance is increasing. In this regard, the research on the optimisation of the insurance law of the Republic of Kazakhstan will have scientific potential for a long time.

The study was conducted in three stages. In the first stage, a formal legal analysis of the scientific concepts of insurance law as a complex branch of law, the profile insurance legislation of the Republic of Kazakhstan and other countries was conducted. The second stage of the study reflects the prospects for using foreign insurance institutions (in particular, in the framework of medical insurance and construction activities) in national insurance legislation. The third stage of the research includes the systematisation of the results and the establishment of scientific proposals. The types of insurance and proposals for optimising the regulatory mechanism of their regulation are systematised.

Results

The conducted study on current problems of insurance law and ways of their solution in the legislation of the Republic of Kazakhstan and other countries have yielded the following results. Insurance law, as a complex branch of law, faces problems of legal regulation inherent in all complex legal entities – the fragmentation of the regulatory framework and the high dynamics of the law-making industry.

The main problem of insurance law, and as a result – the insurance legislation of Kazakhstan, remains an undeveloped toolkit of insurance mechanisms, primarily due to the low level of public confidence in insurance in general. The use of the mechanisms of insurance legislation in other countries should be preceded by a legal examination of the possibility of their implementation. The insurance law of the Republic of Kazakhstan, in the process of its development, adapted to the requirements of the market economy, and legal insurance relations ceased to be the sphere of exclusively state regulation. However, the social perception of insurance in many respects has signs that were formed before the de-monopolisation of this sphere. Many believe that the state is still responsible for the activities of insurance companies, regulates them, and determines the rules and conditions of insurance. As a result, many real or potential consumers of insurance services are often insufficiently prepared for the conclusion of an insurance contract and choice of insurance type, lack knowledge about the rights and obligations of the insurer and the insured, and cases of insurance payment [19].

The Law of the Republic of Kazakhstan No. 166-VI “On amendments and changes to certain legislative acts of the Republic of Kazakhstan on Insurance and Insurance

Activities, the Securities Market” [21] was designed to partially resolve the problems of insurance in the Republic. The law optimised the availability, quality, and cost of insurance services for the population and businesses, protected the rights of consumers, and increased the attractiveness of insurance services for the stock market. The systematisation of insurance law institutions should be conducted based on the criterion of the obligation to conclude an insurance contract. Following this criterion, mandatory types of insurance include: civil liability of vehicle owners, medical (within limits covered by the package of primary insurance risks), environmental insurance, and bank deposits for individuals.

Optional types of insurance include: life insurance, real estate, investment risks, and construction activities. The list of optional types of insurance is not exhaustive and may expand with the development of demand for insurance in specific areas of social life. The establishment and development of social demand for optional types of insurance can simultaneously be considered an indicator of their consolidation as stable legal institutions and the level of public confidence in the dynamically developing insurance market offer. Based on the spheres of social influence and the needs of the consumer market, it is necessary to focus on two of the most dynamically developing areas of legal regulation that are of interest to the insurance law of the Republic of Kazakhstan – medical insurance and insurance of construction activities.

Compulsory medical insurance in the Republic of Kazakhstan is a relatively new institution, the full functioning of which began in 2018. The model of such national insurance mainly covers basic risks (ambulance services and primary health care services). Such services are provided to citizens of the Republic and persons permanently residing on its territory. The report of the United Nations High Commissioner for Refugees “Refugees in Kazakhstan: an analysis of national legislation and practice” [20], draws attention to the medical insurance problem for refugees and persons who have applied for protection. Amendments made in 2021 to the Code of the Republic of Kazakhstan “On the health of the people and the health care system” [22] and the Law of the Republic of Kazakhstan No. 405-V “On Compulsory Social Health Insurance” [23] provide that foreigners and stateless persons permanently residing in the territory of the Republic of Kazakhstan have the rights and responsibilities in the system of compulsory social health insurance equal to citizens of the Republic of Kazakhstan.

Persons seeking shelter and refugees residing in the Republic of Kazakhstan are not subject to these laws due to the temporary nature of their resident status and are excluded from the health insurance system [20]. This approach is conditioned by interdependence between insurance premiums and insurance payments. It provides that the person on whose behalf insurance contributions were made to the special fund has the right to cover medical expenses at the expense of insurance payments. Since refugees and persons seeking protection are not payers of insurance premiums, their insurance risks are not covered. The opposite approach will burden the special health insurance fund, which is serviced mainly at the expense of the working population.

United States of America (USA) legislation includes a broader list of instruments in health insurance. Insurance there is conducted according to two models: compensation and managed services insurance. Compensation insurance is the most common and implies the coverage of hospital bills for treating a particular patient by the insurance company. Managed services insurance assumes that the insurance company contracts with doctors, other medical professionals, and institutions, including hospitals, to provide all services covered by this type of insurance. Usually, medical institutions receive a fixed amount of payments in advance for each insured person. Particular attention should be paid to the Medicaid programme to ensure the medical risks of socially vulnerable groups of the population (pregnant women, disabled people, refugees, etc.). Persons insured under the Medicaid programme receive coverage of 100% of insurance risks from the list of services of the programme [24]. The introduction of appropriate programmes into the insurance mechanisms of the Republic of Kazakhstan is possible only in the case of the establishment of additional insurance funds (public and private).

Insurance of construction activity is not mandatory; however, it has an advisory potential. The first concept of construction activity insurance is reflected in the Decree of the Government of the Republic of Kazakhstan No. 683 “On the Draft Law of the Republic of Kazakhstan “On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Equity Participation in Housing Construction”” [25].

The concept proposed conducting an insurance examination before the start of construction work based on the project documentation provided by the developer and documents for the land plot. Subsequently, the insurance company assumes the obligation to cover insurance risks and monitors the ratio in constructing the developer's own capital and the funds raised through shareholders' contributions [26]. The draft law was not adopted in this version but only provided for creating a Housing Construction Guarantee Fund (it stopped working in 2020). The implementation of a full-fledged institution of insurance for construction activities in the Kazakh legislation will be beneficial not only for shareholders but also for the constructor.

Ultimately, the conclusion of an insurance contract will mean the presence of a positive examination from the insurer (in particular, for the reliability of structures and the safety of construction work technologists), which in the future should minimise the risks of accidents during construction. The most interesting here is the experience of France, which establishes a hybrid mechanism of control in construction activities both on the part of government agencies and an insurance company. In France, in addition to general types of insurance for construction activities, there is a standard practice of ensuring hidden defects of a construction object for up to 10 years [27]. Analysing the problems and prospects of insurance law and legislation of the Republic of Kazakhstan, it is possible to identify such promising areas of their reform:

1. Development of information mechanisms (creation of information policy) of the state on insurance issues, the establishment of insurance culture of the population. Insurance companies can use modern marketing

technologies to promote their services. However, at the stage of building confidence in the insurance services market, informing about insurance should include state regulation. In particular, the scope of regulation should include control over the quality and volume of information the insurer provides to the insured person.

2. Legal regulation of a more extensive list of optional types of insurance (such as insurance for construction activities, life, and real estate). The implementation of insurance mechanisms in the most common areas of social life (in particular, real estate) will increase the capital turnover of insurance companies and the investments of individuals and legal entities in the development of these sectors of the economy.

3. Accumulation of long-term investment resources in the field of insurance for the development of the state economy. This goal is possible by stimulating insurance for small amounts with a low risk of insurance events (for example, minimum monthly insurance contributions as accident insurance) and exemption from taxation of insurance payments.

Discussion

The economic content of insurance lies in the fact that this type of human activity is aimed at protecting the property interests of legal entities and individuals who have suffered in connection with the occurrence of insurance cases regulated by legislation or a contract at the expense of formed insurance funds [28; 29]. The expansion of the tools of insurance law in the national mechanism of legal regulation will not only be an indicator of an increase in the level of regulatory technology of the legislator but will also ensure an increase in the confidence of individuals and legal entities in concluding various contracts (and conducting activities), the risks of which can be insured. In particular, introducing the institution of compulsory insurance of civil liability of vehicle owners has substantially reduced the burden on the judicial system in terms of consideration of disputes on recovery of damage caused by a road accident.

The expansion of legally regulated types of insurance and increasing public awareness of their benefits will have a positive impact on the sphere of private law relations (the conclusion of various types of executable contracts will increase) and the public law sector (reducing the burden on the judicial system and increasing revenue to the state budget from insurance companies). Borrowing the regulatory mechanisms of other countries (to the extent that does not violate the principles and dogmas of national law) can substantially accelerate the development of insurance law and legislation in the Republic of Kazakhstan [30; 31].

In particular, in the United States of America, as noted by Zh.K. Zhetibaev [17], the absence of state insurance funds determines a massive increase in the share of insurance services in the market (the total capital of insurance companies is about \$100 billion). Insurance agencies have five main functions: risk, investment, preventive, accumulative, and control. In the USA, the first place in terms of the number of contracts concluded falls on life insurance, and in the second place is real estate insurance (motor vehicles, yachts, diamonds, etc.). In addition, deposits in banks are actively insured. The

organisation to ensure the operation of this system is the Federal Deposit Insurance Corporation. Life insurance and health insurance are mandatory. This applies not only to USA citizens but also to immigrants. Regulation of insurance relations in the state is primarily determined by the existing control model (insurance supervision).

In world practice, national control and supervision of insurance activities can be conducted: an independent state authority (state organisation), specially created to conduct supervision and control over insurance activities; a supervisory authority related to a branch of subordination to another larger state authority; a state authority (state organisation) performing other supervisory functions. In the USA and Canada, the responsibility for regulating the insurance market is divided between central and regional (local) authorities [32; 33].

The insurance law of Kazakhstan has chosen a continental model of legal regulation of the activities of the insurance supervision authority, entrusting such powers to the National Bank of Kazakhstan. The profile Law of the Republic of Kazakhstan on insurance activity determines that the issues of insurance supervision are regulated by the laws of the Republic of Kazakhstan and acts of the President. The ambiguity of the legal regulation of the status of the authorised body in the field of insurance is expressed in the fact that the powers of the National Bank are defined in the legislative acts on insurance, and its position and structure are approved by the Decree of the President [16; 34].

Therewith, the hierarchy of legal regulations puts the Republic of Kazakhstan's laws above the President's Decrees. However, this does not exclude the possibility of legislative conflicts when regulating the activities of the insurance supervision authority. Activity in the field of insurance services is impossible without insurance funds. M.G. Alimzhanova [16] identifies three types of insurance funds: centralised, decentralised, and the insurer's fund. The latter deserves special attention in countries with dynamically developing market economies. The insurer's fund is created at the expense of the monetary contributions of policyholders. The funds are spent for compensation of damage and payment of insurance amounts in accordance with the rules and conditions established by insurers. The monetary resources of the fund necessary for paying insurance compensation and insurance amounts are determined based on statistics, empirical forecasts, and probability theory. The larger the number of fund participants, the more reliable the indicators that determine its financial resources are.

The Republic of Kazakhstan has chosen a mixed model of insurance funds functioning. Thus, the development and maintenance of insurance funds have been transferred to the competence of legal entities of private law. The state reserves the function of supervision and the guarantor of insurance payments. This function of the guarantor is implemented in establishing the insurance benefit guarantee fund by the state. The Fund is a non-profit organisation in the form of a joint-stock company and operates based on the Law of the Republic of Kazakhstan No. 423-II "On Fund of guaranteeing insurance payments" [6] and constituent documents. In accordance with the Prospectus of the issue of shares of the Joint Stock Company "Fund of guaranteeing insurance payments", the

shareholders are insurance organisations taking part in the fund. Under this Law, the Fund is the only organisation in the territory of the Republic of Kazakhstan that guarantees insurance payments to policyholders in case of compulsory liquidation of an insurance company under compulsory insurance contracts [16; 35].

The next regulatory stage of insurance supervision is the imperative consolidation of requirements imposed directly on persons working in insurance relations. The states of the Eurasian Economic Union require high standards for employees in the insurance sector. Among the main requirements is higher education and work experience in the speciality for a certain time. In Kazakhstan, the required work experience for some leading employees in the speciality is estimated to be one year. Work in the speciality is considered to be the provision or regulation of financial services, including those related to the audit of international financial organisations. A higher standard is fixed in the legislation of the Republic of Belarus. In addition to having experience, the corresponding employee must have a specialised education – the head of the insurance organisation and their deputies must have a higher economic or legal education, and the chief accountant must have a higher economic education [6; 36].

Referring to the international experience of the functioning of the insurance law industry, it is necessary to investigate the trends in insurance legislation formed by the European Union. M. Masher [37] examines the three main principles of the insurance law of the European Union developed in the decisions of the Judicial Chamber of the EU. The first is the right of anti-discrimination, i.e., the guarantee of equality of men and women. This principle is a ban on considering the gender of a person for calculating the insurance premium and evaluating insurance services. Insurance companies are required to provide so-called unisex insurance.

The following principle is the insurance of refusal from a tourist trip. The Judicial Chamber of the EU in 2012 decided that it is prohibited to pre-configure Online insurance of refusal of a tourist trip. It is necessary that the buyer put the appropriate check mark and decide on such a refusal. The last one is the principle of informing, which defines the obligation of the insurance company to provide the insured person with all the necessary information to compare all the pros and cons of insurance. In particular, the next must be specified precisely: the cost of insurance in euros and cents, all additional costs, insurance services in case of an insured event [38].

Researchers interpret the principle of informing in its broad sense as the principle of good faith. In particular, A. Khudyakov [39] quotes the words of D. Bland: "All business transactions must be conducted in compliance with the principle of good faith. In other words, there should be no intention to deceive. Insurance operations differ in the fact that only one person knows everything about the insured object. This person asks to insure something, and they must report all the facts to the insurer. The principle of the highest integrity is integral in insurance, and therefore even the defects of the insured object must be reported to the insurer". The listed principles (doctrines) of EU insurance law are easily adapted to the legislation of countries outside the EU, as

they contain mainly blank norms and norms-principles. The introduction of these mechanisms into the national legislation of Kazakhstan will contribute to its adaptation to internationally recognised human rights standards.

The experience of Germany may become relevant for the reform of the insurance legislation in Kazakhstan. German insurance companies are making huge strides in the micro-insurance sector. The Allianz company has implemented micro-insurance projects that are designed for low-income citizens. As a result, over 50 million people in Asia, Africa, and Latin America are insured under Allianz micro-insurance programmes. Allianz cooperates on a large scale with telecommunications companies, retailers, and consumer companies to expand the provided services market [40-42]. The German institute of professional activity insurance is remarkable, particularly in law, notary, and medical. If such insurance is not concluded or the insurance contract is terminated, the relevant chamber, for example, the Chamber of Lawyers, deprives the lawyer's license. The problem of insurance law and legislation in the Republic of Kazakhstan remains a narrow list of application areas.

In many ways, this results from a low confidence level in insurance mechanisms due to the relative novelty of insurance in the consumer services market. The increase in demand for insurance services in Kazakhstan should be accompanied by a broad information campaign to explain the specific features and types of insurance, along with legislative regulation of new types of insurance, such as insurance for construction activities, medical care outside the “basic” package of compulsory medical insurance (including palliative medicine), life insurance.

Conclusions

Scientific interest in the issue of legal regulation of insurance relations in the Republic of Kazakhstan will not lose relevance in the coming years. The development of society in an industrial state is inextricably linked with the emergence of a new range of social relations that require legal regulation. Although the insurance institute in Kazakhstan is still at the maturation stage, interest in certain types of insurance is growing dynamically. Moreover, other countries' positive experience in legal insurance relations obliges the development of a national regulatory mechanism for insurance. The crisis of confidence in insurance in Kazakhstan is caused by the lack of state mechanisms for monitoring the subjects of

insurance activity and the low awareness of the population about the specific features of legal insurance relations. The reform of insurance law in Kazakhstan should include: the development of information mechanisms (creation of information policy) of the state on insurance issues, the development of an insurance culture of the population; legal regulation of a larger list of optional types of insurance (such as insurance of construction activities, life insurance, real estate insurance); accumulation of long-term investment resources in the field of insurance for the development of the state economy.

The analysis of foreign legislation demonstrates the possibilities for developing national insurance legislation. It is possible to use the US experience to create a medical risk insurance model for private business entities in health insurance. This model provides coverage of the insured person's medical expenses from 80% to 100%. In addition, the insured person's involvement in paying medical expenses is minimal – insurance companies interact directly with healthcare institutions. In the field of construction insurance, it is appropriate to use the French model, which provides the possibility of ensuring the construction object before the start of construction work and hidden defects that may appear on the object after its commissioning. Reflection in the legislation of the mandatory obligation of the insurer to inform the client before entering into an insurance contract all information about the type and features of the contract, the circumstances that will be considered an insured event, the procedure and timing of compensation payment will have a positive impact on the establishment of the insurance culture of the population.

Therewith, it is necessary to fix the insurer's responsibility for violating such a notification procedure. In general, the analysis of the problems of insurance law and ways to solve them in the legislation of the Republic of Kazakhstan, along with comparative studies of insurance legislation of other countries, are of scientific interest for further studies in connection with the dynamics of the development of insurance markets in Kazakhstan and abroad.

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Conflict of Interest

None.

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Проблеми страхового права та їх вирішення в законодавстві Республіки Казахстан

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Анотація

Актуальність. Актуальність дослідження зумовлена зростаючим інтересом законодавчих систем світу до регулювання ринку страхових послуг, особливо в секторі приватного права. Зокрема, продаж державою приватним юридичним особам прав вимоги за зобов'язаннями Фонду гарантування страхових виплат суттєво лібералізував досліджуваний ринок страхових послуг.

Мета. Метою дослідження є проведення формально-юридичного аналізу національного страхового законодавства Республіки Казахстан та використання порівняльно-правового інструментарію для вивчення перспективних інститутів страхового законодавства інших країн.

Методологія. У дослідженні використано системний підхід, гносеологічні інструменти пізнання, формально-юридичний метод.

Результати. Дослідження актуальних проблем страхового права в Республіці Казахстан та інших країнах виявило такі виклики, як фрагментарність нормативно-правової бази та брак довіри населення через нерозвиненість механізмів страхування. Зміни до законодавства, внесені в Республіці Казахстан, були спрямовані на підвищення доступності, якості та захисту прав споживачів страхових послуг, зосереджуючись на обов'язкових видах страхування, таких як страхування цивільної відповідальності, та необов'язкових видах, таких як страхування життя та страхування нерухомості.

Висновки. Результати цього дослідження можуть бути використані як для подальших досліджень особливостей страхового законодавства Республіки Казахстан, так і для нормотворчої роботи законодавчих органів, зокрема у сфері страхування будівельної діяльності.

Ключові слова: страхове законодавство; страхові виплати; страхування цивільної відповідальності; медичне страхування; страхування будівельної діяльності.