

**Ministry of Education and Science of Ukraine
Yaroslav Mudryi National Law University
Civil Justice and Advocacy Department**

PROGRAM
of the academic discipline
«Notary and notary actions of consular institutions»

The level of higher education- the second (Master's) level

The degree of higher education - Master's degree

Field of knowledge - 29 "International Relations"

Specialty - 293 "International Law"

The status of the academic discipline - compulsory

Approved at the meeting Academic council
Protocol No. 1 of June 30, 2022
(put into effect by the Rector's order No. 164 of 30.08.2022)



Rector

Anatoliy Getman

Kharkiv 2022

The program of academic discipline «Notary and Notary Actions of Consular Institutions» for students of the second (master's) level of higher education in the field of knowledge 29 "International Relations" of the speciality 293 "International Law". Kharkiv: Yaroslav Mudryi National Law University, 2022. 30 p.

Developers:

Barankova Viktoriia Valeriivna – PhD in Law, Associate Professor of Civil Justice and Advocacy Department

Kolomiets Yana Leonidivna – PhD in Law, Assistant of Civil Justice and Advocacy Department

Cherevatenko Iryna Mykolaivna – PhD in Law, Assistant of Civil Justice and Advocacy Department

Approved at the meeting of the Civil Justice and Advocacy Department
(protocol № 8, 18.05.2022)

The head of the department Gusarov Kostiantyn Volodymyrovich, Doctor of Legal Sciences, Professor of Civil Justice and Advocacy Department

Content

1. Introduction	4
2. Description of the academic discipline (educational units).....	10
3. Content of the curriculum of the academic discipline	10
4. Resource provision of the academic discipline.....	12
4.1. Forms of organization of the educational process and educational classes.....	12
4.2. Individual work of students.....	12
4.3. Educational technologies and teaching methods	13
4.4. Forms of pedagogical control and quality assessment system of formed competences for the learning outcomes	13
4.5. Information support of the discipline.....	17
 Annex 1 Map of program competences in the academic discipline	 22
Annex 2. Map of learning outcomes, formulated in terms of competences	26
Annex 3. Matrix of links of the academic discipline modules, learning outcomes and program competences in the academic discipline program	29

1. Introduction

1.1. *The purpose and tasks of the academic discipline.*

The purpose of the academic discipline «Notary and Notary Actions of Consular Institutions» is to form the knowledge and competences regarding the main categories and institutions of notarial law, the system of bodies and officials who perform notarial actions, general and special rules for the commission of notarial actions by consular institutions, procedural features of the commission of notarial actions by consular institutions.

Tasks:

- acquiring skills of independent practical work with notarial norms;
- understanding the essence of the legal categories of the notarial process,
- awareness of the content of notarial procedural legal institutions;
- understanding of objective laws of development of notarial procedural legal relations;
- the ability to determine the specific content of the rules of notarial procedural law;
- skills of interpretation and correct application of the law when performing specific notarial actions by consular offices;
- understanding and correct interpretation of judicial practice on issues related to the commission of notarial activity and the consideration of civil cases arising from the previous commission of a notarial action or refusal to commit it;
- acquisition of research experience in the field of notarial procedural law.

1.2. *Status of the academic discipline in the structure of the educational and professional programme: compulsory.*

1.3. ***Pre-requisites:*** European Private International Law, Law of the European Union and its System, International Contract Law, Topical Problems of Scientific Research Methodology, Tax Law.

1.4. ***Co-requisites:*** International Intellectual Property Law, EU Corporate Law and Governance, Problems of Law Enforcement (Professional and Practical Competence).

1.5. Post-requisites: -

1.6. List of subject competences higher education applicants:

SC 1. The ability to critically analyze the gaps and inconsistencies of notarial legislation, as well as the synthesis of views and beliefs about the trends of its further improvement, change and development.

SC 2. Ability to analyze, interpret, correctly apply the studied categories from the notary.

SC 3. Ability to identify, set and solve problems of organizational aspects of notarial activity in terms of implementation of the basic principles of the Latin notary.

SC 4. Ability to adapt and act in accordance with the will of the persons concerned regarding the results of notarial actions, ensuring their compliance with the law and the intentions of the participants in the notarial process.

SC 5. Ability to carry out explanatory and advisory powers of notary authorities, to provide legal assistance to the subjects of the notarial process, taking into account the specific circumstances of the notarial case and the need to eliminate the legal ignorance of its participants.

SC 6. Ability to carry out notarial activities in accordance with the law, the rules of professional ethics and the oath of notary.

SC 7. Ability to investigate problems of organization and functioning of notaries, content of special principles of notarial activity, procedural and legal aspects of notarial actions.

SC 8. Ability to draft documents, give explanations on the commission of notarial acts and legal advice, as well as assist individuals and legal entities in the exercise of their rights and protection of legitimate interests, explain rights and obligations.

SC 9. Ability to work in accordance with the legal foundations of the notary activities and take into account the peculiarities of sources of notarial procedural law, including international legal treaties, as well as the peculiarities of the legislation of the host countries in the event of notarial acts by consular

institutions.

SC 10. Ability to use the positive potential of electronic notary, professionally anticipating and eliminating the relevant risks and challenges.

SC 11. Ability to be the subject of the evidence process in the notarial process, to draw up notarial procedural acts-documents as a form of fixing the notary's decision to resolve a notarial case on the merits or on its occurrence, movement and completion, to motivate and justify their decisions, referring to the proof of facts of legal significance in a particular legal situation.

SC 12. Ability to fulfill the requirements of notarial legislation on compliance with obligations to constantly improve their professional level and undergo advanced training.

SC 13. Ability to understand the specifics of the Notariat as a body of indisputable civil jurisdiction, the peculiarities of the profession of a notary and notarial bodies, to ensure the legality and validity of notarial acts, preventively preventing possible violations of the rights and interests of civil legal entities.

SC 14. Ability to communicate with colleagues within the notarial community, cooperate with foreign justice bodies, ensure the application of foreign laws and the adoption of documents drawn up abroad.

SC 15. Ability to critically comprehend the problems and patterns of functioning of modern world notary systems and determine the basic standards of classical type notaries, as well as to trace their reproduction in the legislation of Ukraine.

SC 16. Ability to ensure the realization of the right to judicial protection, taking into account the peculiarities of the notary's participation in civil litigation as third parties that do not declare independent claims regarding the subject of the dispute or as witnesses and implement the function of assisting individuals and legal entities in the realization of their rights and interests.

SC 17. Ability to provide the evidence necessary to conduct business in foreign countries.

SC 18. Ability to work and represent the interests of Ukraine in the International Union of Notaries.

SC 19. Ability to ensure the implementation of international legal standards of the Latin notary in the notarial law of Ukraine.

SC 20. Ability to ensure the adoption of documents drawn up abroad, to determine their legal nature and proper details.

SC 21. Ability to provide proper legal assessment of evidence in a notarial case, ensure compliance with the requirements for documents submitted for notarial actions, as well as compliance with the requirements of the notarial procedural form regarding the procedure for performing notarial actions, be aware of the rules for distinguishing between judicial and notarial jurisdiction

SC 22. Ability to communicate effectively in an international environment using knowledge in the field of transnational notaries, private international law, European law and applying the rules of international treaties.

The explanation of general and special competencies is defined in the map of subject competencies (Annex 1)

List of students' learning outcomes:

LOR AD 1.1. Demonstrate knowledge of key concepts, principles, institutions and doctrines of notarial procedural law.

LOR AD 1.2. Determine indicators of the quality and effectiveness of notarial practice, ensure compliance of the will with the actual intentions of the parties to the transactions and the requirements of the law.

LOR AD 1.3. Characterize the strategic directions of Ukraine's foreign policy activities regarding notarial activities and relations with the notary of different countries, the effectiveness of cooperation in relevant areas.

LOR AD 1.4. Carry out the functioning of the notary as a system of preventive justice, providing the possibility of proving facts of legal significance, giving official importance to rights and documents.

LOR AD 1.5. Protect the interests of their own state at international conferences, highlighting the uniqueness of the institution of notaries as an extrajudicial link in the system of protection and protection of civil rights.

LOR AD 1.6. Formulate and provide proposals for eliminating gaps and inconsistencies in notarial legislation, bringing the norms of notarial law in line with the standards of the Latin notary system.

LOR AD 1.7. To be aware of the mechanism and consequences of the implementation of the norms of international treaties and decisions of international courts in the system of civil legal circulation of Ukraine, to assess their impact on the formation of legal positions of courts on the consideration of rights related to the previous commission of notarial actions.

LOR AD 1.8. Demonstrate communication skills with representatives of the Ministry of Justice of Ukraine, the Ukrainian Notary Chamber, notary archives, the judicial system, enforcement authorities, experts, property appraisers; the ability to work in an international and intercultural environment in the field of the formation of documents of legal importance abroad and the adoption of documents drawn up abroad in the field of relations with foreign justice bodies and foreign courts; organize and conduct negotiations between the subjects of civil legal relations, acting as a legal adviser to the parties.

LOR AD 1.9. Demonstrate skills in organizing notarial activities, selection and management of notary assistants; organizing and conducting a notarial process in a particular notarial case, the correct maintenance and organization of the preservation of documents of notarial record keeping and archive; resolving issues regarding the notary's liability for his illegal or negligent actions.

LOR AD 2.1. Acquire new knowledge in the notarial sphere, monitor changes in notarial and material legislation to be applied when committing notarial actions, constantly improve the level of notarial qualification, including using measures organized by the Ministry of Justice of Ukraine and the Ukrainian Notary Chamber.

LOR AD 2.2. Demonstrate the ability to draw up draft transactions and other

documents, the ability to draw up judicial procedural documents in civil cases, provide additional legal and technical services that are not related to notarial actions; explaining to the subjects of the notarial process their rights and obligations, warning about the consequences of the notarial actions performed so that legal ignorance could not be used to their detriment.

LOR AD 2.3. Characterize modern world notary systems on the basis of an analysis of such a factor as their distribution, as a system of law in the respective countries and peculiarities of legal significance in their legal circulation of notarized documents as evidence of different legal significance; knowledge of the features of the international legal system in the field of transnational notaries.

LOR AD 2.4. Determine the content, legal nature, and features of each type of the sources of notarial law, identify conflicts between the norms of international treaties, concerning the commission of notarial acts, and acts of notarial national legislation and propose ways to solve them.

LOR AD 2.5. Conduct research of the doctrine of the international notarial process, applying the primary sources and techniques of legal interpretation of complex problems arising from this study, argue conclusions and present the results of the study.

LOR AD 2.6. Fluently use state and notarial registers in the context of notarial activity, being their user, making extracts and working with their contents.

The explanation of the results of mastering the educational discipline and the results of training by specialty and specialization is determined in the map of training results, formulated in terms of competencies (Annex 2)

1.7. Program modules academic discipline.

Module 1. Common features of the notary in Ukraine.

Module 2. Notary actions of consular institutions.

The program of the academic discipline is a set of modules, their certain sequence, which contributes to the mastery of certain competencies necessary to achieve specific learning outcomes. Each

module has a certain logical completeness in relation to the necessary results of mastering the educational and professional program as a whole. Topics are not defined within the module.

The modular principle of building the curriculum of an academic discipline ensures the flexibility of the content of an academic discipline, which is reflected in the possibility of its differentiation and integration. Continuity of a meaningful and logical transition between the modules of the academic discipline program, as well as the increase of new knowledge become possible thanks to the application of the principle of the "didactic spiral".

The number of educational units (didactic volume) of the content of the academic discipline must correspond to the structure of the academic discipline and the actual study time of the students.

The didactic scope of the academic discipline is determined by the developer in an expert manner with a focus on the subject area of the academic discipline, as well as competences and learning outcomes.

Quantitative and qualitative indicators of the implementation of the academic discipline program within the didactic structure are defined in the taxonomy of the academic discipline.

The explanation of the modules of the competence-oriented program of the academic discipline is defined in the matrix of connections between the modules of the academic discipline, learning outcomes and subject competencies (Annex 3).

2. Description of the academic discipline (educational units)

Course	Level of education, field of knowledge, specialty, specialization	Didactic structure and number of hours
Number of ECTS credits: 4,0 Number of modules: 2 Total number of hours: 120 Weekly hours: 4	Field of knowledge - 29 "International Relations" Specialty - 293 "International Law" Level of education - second (master's)	Module 1 Lectures: 10 hours Practical classes: 10 hours Independent work: 40 hours Module 2 Lectures: 8 hours Practical classes: 10 hours Independent work: 42 hours Types of control: Ongoing monitoring; Final control of knowledge (exam)

3. Content of the curriculum of the academic discipline

Module 1. Common features of the notary in Ukraine.

World Notary Systems. Notary in Western Europe. The emergence and development notary in Ukraine. Anglo-Saxon notary. Anglo-Saxon notary. Notary of the classical type. International Union of Notaries. Basic standards of notary of the classical type and their reproduction in the legislation of Ukraine.

Notary as a body of indisputable jurisdiction. Notary as an institution of preventive justice. The term notary. The term notarial activity. Tasks of the notary. Functions of the notary. The subject of notarial activity. Delimitation of judicial and notarial jurisdiction. Content of notarial activity. Difference of notarial activity from other areas of legal practice. The legal basis of the notary. Notary Legislation.

System of notarial bodies in Ukraine and their competence. Organization of notary in Ukraine. Rights and obligations of a notary. Rights and obligations of the consular institutions when committing notarial acts. State notary offices and state notary archives. Private notarial activity. Competence of consular institutions to perform notarial acts.

Principles of notarial activity. The principle of legality in the commission of notarial acts. The principle of dispositivity in the notarial process. The principle of completeness and validity when committing a notarial act. The principle of incoherence. The principle of notarial secrecy.

General rules for notarial actions. Place of notarial actions. Terms of notarial actions. Payment for performed notarial actions. Identification of the person who applied for a notarial act. Determination of the scope of civil capacity of individuals and verification of civil capacity and capacity of legal entities. Check the authority of the representative of an individual or legal entity. Signing of notarized transactions, applications and other documents. Discovery of information and documents necessary for the commission of a notarial act. Requirements for documents submitted for notarial action. Making certification inscriptions and issuing certificates. Refusal to perform a notarial act. Appeal of notarial actions or refusal to commit them. Measures taken by a notary when a violation of the law is detected. Registration of notarial actions. Issuance of a duplicate of a notarized document.

Module 2. Notary actions of consular institutions.

Notary actions of consular institutions, aimed at certifying indisputable rights. Issuance of a certificate of inheritance. Issuance of a certificate of ownership of a share in the joint property of the spouses. Basic rules for certifying transactions. Certificate of wills. Certificate of assignments.

Notary actions of consular institutions, aimed at certifying and certifying indisputable facts. Certification of authenticity of copies (photocopies) of documents and extracts from them. Certification of the authenticity of the signature on the documents. Certification of the authenticity of the translation. Certification of facts.

Notary actions of consular institutions, aimed at preserving property and documents, and to providing documents with executive force. Deposit amounts and securities. Committing marine protests. Taking measures to protect hereditary property. Acceptance of documents for storage. Execution of executive inscriptions. Application of foreign laws.

4. Resource provision of the academic discipline

4.1. *Forms of organization of the educational process and educational classes:*

- forms of organization of the educational process: educational classes; individual work; practical training; control measures;
- types of educational classes: lectures, practical classes, individual classes, consultations.

4.2. *Individual work of students of higher education*

Independent work – type of extracurricular work of an educational nature, which consists in the performance of certain types of work to master the discipline. During independent work, the student must independently work out lecture notes, recommended literature, normative acts, materials of empirical research for topics submitted on practical lessons.

The forms of independent work are: individual final written work; revision of lectures materials; work in social networks; essays on highly specialized issues; preparation of thematic presentations; preparation and publication of scientific articles, abstracts, etc.; development of schemes, tables on topics of the initial discipline; annotation of scientific articles and monographs; creating a portfolio of the training course and its presentation; analysis of draft laws and legislative changes, generalization of judicial practice.

The independent work of students consists in studying additional educational, scientific literature, getting acquainted with the legislation on Notary and notary actions of consular institutions, studying judicial practice in this field, analyzing the acts of "soft law" of the European Union. Independent work is designed to deepen students' knowledge of topics provided by the academic discipline.

The students choose the types of independent work according to their interests and the choice is coordinated with the lecturer, who ensures the organization, control, and assessment of the quality of the work.

4.3. Educational technologies and teaching methods

– educational technologies: problem-based learning, contextual learning, student-centered learning, audio-visual technologies, scientific discussions, interactive technologies, IT-technologies;

– teaching methods: combination of verbal, visual and practical methods, problem teaching method, press conferences, business games, brainstorming, modeling of professional situations, case-method, discussion method, round table, etc.

4.4. Forms of pedagogical control and the quality assessment system of formed competences for the outcomes of mastering the academic discipline

The forms of students' knowledge control are ongoing monitoring and final control.

Ongoing monitoring includes:

- quality control of students' mastering the program material of the academic discipline in practical classes using the following tools: oral / written survey, express survey, solving practical tasks, participation in the development of a case, preparation of a presentation, and essay. The ongoing monitoring is aimed at checking the level of the student's preparation in studying the current material. In the course of the practical session, the student can receive an assessment on a four-point scale (0; 1; 2; 3);
- quality control of the students' mastering the program material of the academic discipline, which is conducted at the end of the modules in the form control works, tests, etc.

During the semester, students perform tasks for independent work (preparation of a presentation, essay, report, portfolio of academic discipline, etc). The maximum number of points for independent work is 4. The minimum assessment results of ongoing monitoring and independent work, in which the student is admitted to the exam 20 points.

The form of final control of the students' knowledge is the exam, rated on a scale from 0 to 60 points.

Distribution of points between forms of organization of the educational process and types of control measures:

Current control					Final assessment of knowledge (exam)	Final assessment of knowledge
Module № 1		Module № 2		Independent work		
p/z	Test/control work	p/z	Test/control work			
max 15 points	max 3 points	max 15 points	max 3 points	max 4 points	max 60 points	max 100 points

Criteria for evaluating learning outcomes:

Type of control	Scores	Criteria (for each grade)
Ongoing monitoring during practical class	Max 3	Excellent knowledge of educational material on the topic, some minor shortcomings are possible.
	2	Good knowledge on material on the topic, but there are some mistakes.
	1	Satisfactory level of knowledge of the material, a significant number of errors.
	Min 0	Unsatisfactory level of knowledge of the material.
Testing/ control work	Max 3	Excellent knowledge of educational material on the topic, some minor shortcomings are possible.
	2	Good knowledge of the material on the topic, but there are some mistakes.
	1	Satisfactory level of knowledge of the material, a significant number of errors.
	Min 0	Unsatisfactory level of knowledge of the material.
Individual students' work	Max 4	In-depth knowledge of problems related to the research topic. Freely use of the material, the ability to think independently and creatively, find, generalize, analyze the material, make independent theoretical and practical conclusions. The work may contain minor methodological errors, there are references to sources, there are own conclusions.
	3	Sufficient knowledge of the problems associated with the research topic. Possession of the material at a sufficient level. The work may contain methodological errors, there are references to sources, there are own conclusions.
	2	Not all issues of the topic are covered, arguments regarding individual provisions of the work and the validity and provability of conclusions are not enough. Insufficient sources were used to justify the study and conclusions.
	1	The main issues are covered superficially, the conclusions are not independent.
	Min 0	The main provisions of the topic are covered superficially, with a large number of errors, there are no conclusions, the student has little knowledge of the material of the work. The work is performed in violation of the requirements of academic integrity.
Final assessment of knowledge (exam)	100	1. Comprehensive, systematic and in-depth knowledge of the material provided by the curriculum of the discipline, including orientation in the basic scientific doctrines and concepts of the discipline. 2. Assimilation of basic and additional literature recommended by the department.

		3. Ability to independently replenish knowledge in the discipline and use the knowledge gained in practical work.
	90	<ol style="list-style-type: none"> 1. Full knowledge of the material provided by the curriculum discipline. 2. Assimilation of basic literature and acquaintance with additional literature recommended by the department. 3. Ability to independently replenish knowledge in the discipline, understanding their importance for practical work.
	85	<ol style="list-style-type: none"> 1. Sufficient complete knowledge of the material provided by the curriculum discipline, in the absence of significant errors in the answer. 2. Assimilation of the basic literature recommended by the department. 3. Ability to independently replenish knowledge in the discipline, understanding their importance for practical work.
	75	<ol style="list-style-type: none"> 1. Knowledge of the basic material provided for by the curriculum of the discipline, in an amount sufficient for further training and future work in the profession. 2. Assimilation of the basic literature recommended by the department. 3. Errors and significant inconsistencies in the response to the offset if there is knowledge for their self-elimination or with the help of a teacher.
	70	<ol style="list-style-type: none"> 1. Knowledge of the basic material provided for by the curriculum of the discipline, in an amount sufficient for further training and future work in the profession. 2. Familiarization with the basic literature recommended by the department. 3. Errors in the answer to the offset in the presence of knowledge to eliminate the most significant errors with the help of the teacher.
	60	<ol style="list-style-type: none"> 1. Gaps in knowledge of certain parts of the basic material provided by the curriculum discipline. 2. Presence of errors in the answer to the question.
	55	<ol style="list-style-type: none"> 1. Lack of knowledge of a significant part of the main material provided by the curriculum of the discipline.

	30	1. Inability to continue training or carry out professional activities without re-studying the discipline.
--	----	--

Scale of final pedagogical control

Rating according to the ECTS scale	Definition	Rating on a national scale for credit	Rating according to the 100-point scale used at NYU
A	Excellent – Excellent performance, with only a small number of errors	5	90 – 100
B	Very good – above average with a few errors	4	80 – 89
C	Good – generally correct work with a number of minor errors		75 – 79
D	Satisfactory – not bad, but with a significant number of shortcomings	3	70 – 74
E	Sufficient – performance meets minimum criteria		60 – 69
FX	Unsatisfactory – work needs to be done before rewriting	2	20 – 59
F	Unsatisfactory – serious further work is required, compulsory re-study of the course		1 – 19

4.5. *Information support of the academic discipline*

Normative and legal acts:

1. Віденська конвенція про дипломатичні зносини : ООН, Конвенція, Міжнародний документ від 18.04.1961 р. Офіц. сайт Верх. Ради України. URL : https://zakon.rada.gov.ua/cgi-bin/laws/main.cgi?nreg=995_048
2. Віденська конвенція про консульські зносини : ООН, Конвенція, Міжнародний документ від 24.04.1963 р. Офіц. сайт Верх. Ради України. URL : https://zakon.rada.gov.ua/laws/show/995_047#Text
3. Конвенція, що скасовує вимогу легалізації іноземних офіційних документів : від 10.01.2002. № 995_082. URL: https://zakon.rada.gov.ua/laws/show/995_082#Text

4. Конституція України : від 28.06.1996 р. № 254к/96-ВР. URL: <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80#Text>
5. Положення про дипломатичне представництво України за кордоном : Указ президента від 15 березня 2021 року № 99/2021. URL: <https://zakon.rada.gov.ua/laws/show/99/2021#Text>
6. Положення про порядок учинення нотаріальних дій в дипломатичних представництвах та консульських установах України : затв. наказом М-ва юстиції України, МЗС України від 27.12.2004 р. № 142/5/310. URL: <https://zakon.rada.gov.ua/laws/show/z1649-04#Text>
7. Порядок вчинення нотаріальних дій нотаріусами України : затв. наказом М-ва юстиції України від 22.02. 2012 р. № 296/5 URL: <https://zakon.rada.gov.ua/laws/show/z0282-12#Text>
8. Правила ведення нотаріального діловодства : затв. наказом М-ва юстиції України від 22.12.2010 р. № 3253/5 URL: <https://zakon.rada.gov.ua/laws/show/z1318-10#Text>
9. Про виконавче провадження : Закон України від 02.06.2016 р. № 1404-VIII. URL: <https://zakon.rada.gov.ua/laws/show/1404-19#Text>
10. Про дипломатичну службу : Закон України від 07.06.2018 № 2449-VIII. URL: <https://zakon.rada.gov.ua/laws/show/2449-19#Text>
11. Про Консульський статут : Указ президента від 2 квітня 1994 року № 127/94. URL: <https://zakon.rada.gov.ua/laws/show/127/94#Text>
12. Про нотаріат : Закон України від 2.09.1993 р. № 3425-XII. URL: <https://zakon.rada.gov.ua/laws/show/3425-12#Text>
13. Про приєднання до Конвенції, що скасовує вимогу легалізації іноземних офіційних документів : Закон України від 10.01.2002. № 2933-III. URL: <https://zakon.rada.gov.ua/laws/show/2933-14#Text>
14. Цивільний кодекс України : Закон України від 16.01.2003 р. № 435-IV. URL: <https://zakon.rada.gov.ua/laws/show/435-15#Text>

15. Цивільний процесуальний кодекс України : Закон України від 18.03.2004 р. № 1618-IV. URL: <https://zakon.rada.gov.ua/laws/show/1618-15#Text>

Literature

Basic literature

1. Комаров В. В., Баранкова В. В. Нотаріат : підручник. Харків : Право, 2019. 416 с.
2. Курс цивільного процесу: підруч. / за ред. В. В. Комарова. Харків : Право, 2011. 1352 с.
3. Коротюк О. В. Нотаріат в Україні : навч. посіб. Ірпінь : ОВК, 2023. 606 с.
4. Череватенко І. М. Нотаріальне провадження щодо посвідчення безспірних прав : монографія. Харків : Право, 2017. 200 с.
5. Чижмарь К.І., Павлова Л.М., Журавльов Д. Теоретико-правові основи нотаріату в Україні: навчальний посібник. К.: Центр учбової літератури, 2022. 200 с.

Additional literature

1. Баранкова В. Принцип обґрунтованості нотаріальних актів. *Науковий вісник Міжнародного гуманітарного університету. Серія «Юриспруденція»*. 2021. № 51. С. 88–91.
2. Баранкова В., Коломієць Я. Правила реалізації обов'язку дотримання нотаріальної таємниці. *Міжнародні студії безпеки: управлінські, економічні, технічні, правові, екологічні, інформаційні та психологічні аспекти*: міжнародна колективна монографія. Georgian Aviation University. Тбілісі, Грузія. 2023. С. 117–153.
3. Баранкова В. Законність нотаріальних актів. *Право і суспільство*. 2021. № 4. С. 28–34.

4. Баранкова В. Витребовування відомостей і документів, необхідних для вчинення нотаріальної дії. *Юридичний науковий електронний журнал*. 2021. № 7. С. 50–54.
5. Баранкова В. Цивільне судочинство і нотаріат. *Liber amicorum Вячеслав Комаров* / за ред. Т. В. Комарової. Харків: Право, 2020. С. 993–1003.
6. Баранкова В. В. Процесуальні особливості справ щодо відшкодування шкоди, заподіяної нотаріусами. *Юридичний науковий електронний журнал*. 2020. № 4 (www.lsej.org.ua)
7. Баранкова В. В. Предмет доказування у справах про відшкодування шкоди, заподіяної нотаріусами. *Вісник Чернівецького факультету Національного університету «Одеська юридична академія»*. 2020. № 1. С. 21–27.
8. Баранкова В. В. Судовий розгляд справ щодо відшкодування шкоди, заподіяної нотаріусами. *Мала енциклопедія нотаріуса*. 2020. № 4. С. 109–124.
9. Баранкова В. В. Визнання недійсними нотаріально посвідчених правочинів та нотаріальних актів. *Мала енциклопедія нотаріуса*. 2019. № 4. С. 8–26.
10. Баранкова В. В. Оскарження нотаріальних дій як складова системи судового контролю за нотаріальною діяльністю. *Мала енциклопедія нотаріуса*. 2018. № 4 (100). С. 86–100.
11. Баранкова В. В. Оскарження нотаріальних дій або відмови у їх вчиненні. *Право та управління*. 2018. № 2 (31). Том 1. С. 49–56.
12. Баранкова В. В. Предмет судового розгляду у справах про незаконність нотаріальних дій. *Науковий вісник Херсонського державного університету. Серія «Юридичні науки»*. 2018. № 3. С. 80–85.
13. Гріненко О. О. Правовий статус консула при виконанні нотаріальної функції : наук.-практ. посіб. Київ, 2005. 352 с.

14. Долинська, М. Консульські установи як учасники українського нотаріального процесу. *Вісник Національного університету «Львівська політехніка»*. Серія: Юридичні науки. 2019. № 22. С. 41–45.
15. Долинська М. С. Територіальна компетенція нотаріальних органів України як одна із головних засад здійснення нотаріального процесу в Україні. *Науковий вісник Львівського державного університету внутрішніх справ*. Серія: Юридична. 2018. Вип. 2. С. 107–115.
16. Коломієць Я. Л. Щодо обов'язковості членства нотаріусів в Нотаріальній палаті України. *Науковий вісник Міжнародного гуманітарного університету*. Сер.: Юриспруденція. 2018. № 31. С. 95–96.
17. Коломієць Я. Л. Поняття «безспірність заборгованості» при вчиненні виконавчого напису нотаріусом у судовій практиці. *Науковий вісник публічного і приватного права. Збірник наукових праць*. Випуск 5. К.: Науково-дослідний інститут публічного права, 2020. С. 71–78.
18. Коломієць Я. Л. Реалізація процесуальної складової принципу законності при вчиненні виконавчого напису нотаріусом. *Юридичний науковий електронний журнал*. 2022. № 6. С. 109–114.
19. Комаров В. В., Баранкова В. В. Нотаріат України та перспективи його розвитку. *Право України*. 2020. № 9. С. 43–61.
20. Коротюк О. В. Спадщина з іноземним елементом : практичний посібник. К.: ОВК, 2023. 236 с.
21. Коротюк О. В. Нотаріат в умовах війни : практичний посібник. К.: ОВК, 2022. 98 с.
22. Корнєєв Ю. В. Нотаріат в Україні : практичний посібник. К.: Центр учбової літератури, 2019. 120 с.
23. Нікітюк О. М. Охорона та захист права спільної власності подружжя: нотаріат, суд, виконавче провадження : монографія. К.: Алерта, 2018. 208 с.

24. Поповченко О. І. Енциклопедія захисту нотаріальної діяльності. Харків: ФО-П Лисяк Л.С., 2020. 448 с.
25. Череватенко І. М. Поняття нотаріальної юрисдикції та її види. *Міжнародний науковий журнал «Інтернаука». Серія: «Юридичні науки»*. 2022. № 11. С. 134–142.
26. Череватенко І. М. Принцип законності та обґрунтованості нотаріальних актів щодо посвідчення безспірних прав *Liber Amicorum Вячеслав Комаров* / за ред. Т. Комарової. Харків : Право, 2020. С. 1147–1156.
27. Чекіта В. Г. Правові засади вчинення нотаріальних дій консулом. *Актуальні проблеми вітчизняної юриспруденції*. 2017. № 1 (2). С. 157–162.
28. Шутенко О. В. Notary and notary actions of consular institutions: впровадження змін щодо діяльності консульських установ при здійсненні нотаріальних дій. *Journal «ScienceRise: Juridical Science»*. 2021. № 1(15). С.20–23.

Internet resources:

1. Офіційний веб-портал Верховної Ради України - <http://rada.gov.ua/>
2. Офіційний веб-портал Президента України - <http://www.president.gov.ua>
3. Офіційний веб-портал Кабінету Міністрів України - <http://www.kmu.gov.ua>
4. Офіційний веб-портал Верховного Суду - https://supreme.court.gov.ua/supreme/gromadyanam/perelik_sprav/
5. Офіційний веб-портал Європейського Союзу - <http://europa.eu/>
6. Офіційний веб-портал Міністерства закордонних справ України - <https://mfa.gov.ua/>

SEEMC

Стандартизований електронний навчально-методичний комплекс кафедри цивільної юстиції та адвокатури. URL: <http://>

http://library.nlu.edu.ua/index.php?option=com_k2&view=itemlist&task=category&id=605:administrativna-protsedura&Itemid=151

Annex 1

Map of program competencies in the academic discipline

Code and name of competences by specialty and/or specialization	Code and name of competences from the academic discipline
GC – general (universal) competences.	SC – subject competences in the academic discipline
GC 1. Ability to think critically, analyze and synthesize.	SC 1. Ability to critically analyze the gaps and inconsistencies of notarial legislation, as well as the synthesis of views and beliefs about the trends of its further improvement, change and development. SC 2. Ability to analyze, interpret, correctly apply the studied categories from the notary.
GC 2. The ability to identify and solve problems arising in the professional sphere, to formulate and ask questions for their further solution.	SC 3. Ability to identify, set and solve problems of organizational aspects of notarial activity in terms of implementation of the basic principles of the Latin notary.
GC 3. Ability to adapt and act in a new situation.	SC 4. Ability to adapt and act in accordance with the will of the persons concerned regarding the results of notarial actions, ensuring their compliance with the law and the intentions of the participants in the notarial process.
GC 4. Ability to generate new ideas (creativity).	SC 5. Ability to carry out explanatory and advisory powers of notary authorities, to provide legal assistance to the subjects of the notarial process, taking into account the specific circumstances of the notarial case and the need to eliminate the legal ignorance of its participants.
GC 5. Ability to act socially responsibly and consciously.	SC 6. Ability to carry out notarial activities in accordance with the law, the rules of professional ethics and the oath of notary.
GC 7. Ability to conduct research at an appropriate level.	SC 7. Ability to investigate problems of organization and functioning of notaries, content of special principles of notarial activity, procedural and legal aspects of notarial actions.
GC 9. Ability to solve problems of an innovative nature and to find alternative solutions in professional activities.	SC 8. Ability to draft documents, give explanations on the commission of notarial acts and legal advice, as well as assist individuals and legal entities in the exercise of their rights and protection of legitimate interests, explain rights and obligations.

GC 10. Ability to work (collect, receive, systematize and synthesize) with various information and large scope of information from various sources, analyze and critically and constructively evaluate it, taking into account the cross-cultural characteristics of the subjects of international relations.	SC 9. Ability to work in accordance with the legal foundations of the notary and take into account the peculiarities of sources of notarial procedural law, including international legal treaties, as well as the peculiarities of the legislation of the host countries in the event of notarial acts by consular institutions.
GC 11. Ability to use the latest information and communication technologies for professional purposes.	SC 10. Ability to use the positive potential of electronic notary, professionally anticipating and eliminating the relevant risks and challenges.
GC 12. Ability to formulate a personal opinion and present it with evidence.	SC 11. Ability to be the subject of the evidence process in the notarial process, to draw up notarial procedural acts - documents as a form of fixing the notary's decision to resolve a notarial case on the merits or on its occurrence, movement and completion, to motivate and justify their decisions, referring to the proof of facts of legal significance in a particular legal situation.
GC 13. Ability to continuous self-education and self-improvement.	SC 12. Ability to fulfill the requirements of notarial legislation on compliance with obligations to constantly improve the professional level and undergo advanced training.
GC 15. Ability to understand the specifics of the subject area and professional activity, to make well-founded, balanced decisions and to be aware of their ethical consequences.	SC 13. Ability to understand the specifics of the notary as a body of indisputable civil jurisdiction, the peculiarities of the profession of a notary and notarial bodies, to ensure the legality and validity of notarial acts, preventively preventing possible violations of the rights and interests of civil legal entities.
GC 16. Ability to communicate with representatives of other professional groups of different levels, from other fields of knowledge and activities, as well as the ability to work in an international professional environment.	SC 14. Ability to communicate with colleagues within the notarial community, cooperate with foreign justice bodies, ensure the application of foreign laws and the adoption of documents drawn up abroad.
SC - special competences	
SC 1. Ability to critically analyze the problems and patterns of the functioning and development of international relations, to determine the trends in the development of world politics, to assess the impact of global political processes on national legal, political and economic systems	SC 15. Ability to critically comprehend the problems and patterns of functioning of modern world notary systems and determine the basic standards of classical type notaries, as well as to trace their reproduction in the legislation of Ukraine.
SC 2. The ability to communicate freely in a foreign language, both orally and in writing, in the professional sphere.	SC 8. Ability to draft documents, give explanations on the commission of notarial acts and legal advice, as well as assist individuals and legal entities in the exercise of their rights and protection of legitimate interests, explain rights and obligations. SC 9. Ability to work in accordance with the

	<p>legal foundations of the notary and take into account the peculiarities of sources of notarial procedural law, including international legal treaties, as well as the peculiarities of the legislation of the host countries in the event of notarial acts by consular institutions.</p> <p>SC 14. Ability to communicate with colleagues within the notarial community, cooperate with foreign justice bodies, ensure the application of foreign laws and the adoption of documents drawn up abroad.</p> <p>SC 15. Ability to critically comprehend the problems and patterns of functioning of modern world notary systems and determine the basic standards of classical type notaries, as well as to trace their reproduction in the legislation of Ukraine.</p> <p>SC 20. Ability to ensure the adoption of documents drawn up abroad, to determine their legal nature and proper details.</p> <p>SC 22. Ability to communicate effectively in an international environment using knowledge in the field of transnational notaries, private international law, European law and applying the rules of international treaties.</p>
SC 3. Ability to independently provide legal representation of the interests of individuals, legal entities or the state when considering cases in national and international institutions and organize the provision of legal services.	SC 16. Ability to ensure the realization of the right to judicial protection, taking into account the peculiarities of the notary's participation in civil litigation as third parties that do not declare independent claims regarding the subject of the dispute or as witnesses and implement the function of assisting individuals and legal entities in the realization of their rights and interests.
SC 7. Ability to represent the interests of Ukraine or individuals and legal entities in international judicial institutions, arbitrations, national courts of foreign countries.	SC 17. Ability to provide the evidence necessary to conduct business in foreign countries.
SC 8. Ability to work and represent the interests of Ukraine in international intergovernmental organizations.	SC 18. Ability to work and represent the interests of Ukraine in the International Union of Notaries.
SC 11. The ability to ensure the implementation of international legal standards in certain areas of national legislation.	SC 19. Ability to ensure the implementation of international legal standards of the Latin notary in the notarial law of Ukraine.
SC 16. Ability to work with international documentation (treaties, acts of international organizations and bodies, etc.), determine their legal nature, draft projects and accompanying documentation in Ukrainian and foreign languages	SC 20. Ability to ensure the adoption of documents drawn up abroad, to determine their legal nature and proper details.

<p>SC 17. The ability to master the ethics of an international lawyer in order to properly represent and protect the interests of the state, individuals and legal entities in international relations.</p>	<p>SC 16. Ability to ensure the realization of the right to judicial protection, taking into account the peculiarities of the notary's participation in civil litigation as third parties that do not declare independent claims regarding the subject of the dispute or as witnesses and implement the function of assisting individuals and legal entities in the realization of their rights and interests.</p> <p>SC 18. Ability to work and represent the interests of Ukraine in the International Union of Notaries.</p> <p>SC 22. Ability to communicate effectively in an international environment using knowledge in the field of transnational notaries, private international law, European law and applying the rules of international treaties.</p>
<p>SC 19. Ability to self-study, receive lifelong education, improve and improve the level of one's qualifications.</p>	<p>SC 21. Ability to provide proper legal assessment of evidence in a notarial case, ensure compliance with the requirements for documents submitted for notarial actions, as well as compliance with the requirements of the notarial procedural form regarding the procedure for performing notarial actions, be aware of the rules for distinguishing between judicial and notarial jurisdiction</p>
<p>SC 21. The ability to communicate effectively in an international, multicultural environment using knowledge in the fields of international law, European law and international relations.</p>	<p>SC 22. Ability to communicate effectively in an international environment using knowledge in the field of transnational notaries, private international law, European law and applying the rules of international treaties.</p>

Annex 2

Map of learning outcomes of students of higher education, formulated in terms of competencies

Code and name of RN by specialty	ND module	The code and name of the RN from the academic discipline
Program Training Outcomes (PTO)		Learning outcomes from the academic discipline
PTO 1. To analyze multifaceted problems of international and national legal content and propose ways to solve them.	№1	LOR AD 1.1. Demonstrate knowledge of key concepts, principles, institutions and doctrines of notarial procedural law.
PTO 2. To produce new ideas for solving practical tasks in the field of professional legal activity.	№2	LOR AD 1.2. Determine indicators of the quality and effectiveness of notarial practice, ensure compliance of the will with the actual intentions of the parties to the transactions and

		the requirements of the law.
PTO 4. To understand the international legal situation, forecast its development, professionally and critically evaluate events and phenomena in the field of international relations and world politics, using legal tools.	№2	LOR AD 1.3. Characterize the strategic directions of Ukraine's foreign policy activities regarding notarial activities and relations with the notary of different countries, the effectiveness of cooperation in relevant areas.
PTO 5. To provide legal representation of the client in national courts, international commercial arbitrations, state authorities and local self-government bodies.	№1	LOR AD 1.4. To carry out the functioning of the notary as a system of preventive justice, providing the possibility of proving facts of legal significance, giving official importance to rights and documents.
PTO 6. To protect the interests of the state in national courts, international commercial arbitrations, international courts and organizations, in particular integration ones, and at international conferences.	№1	LOR AD 1.5. Protect the interests of their own state at international conferences, highlighting the uniqueness of the institution of notaries as an extrajudicial link in the system of protection and protection of civil rights. LOR AD 1.6. Formulate and provide proposals for eliminating gaps and inconsistencies in notarial legislation, bringing the norms of notarial law in line with the standards of the Latin notary system.
PTO 9. To be aware of the mechanism and consequences of the implementation of the norms of international treaties, the application of acts of international intergovernmental organizations, the implementation of decisions of international courts in the national legal order.	№2	LOR AD 1.7. To be aware of the mechanism and consequences of the implementation of the norms of international treaties and decisions of international courts in the system of civil legal circulation of Ukraine, to assess their impact on the formation of legal positions of courts on the consideration of rights related to the previous commission of notarial actions.
PTO 11. To demonstrate communication skills with representatives of other professional groups of different levels, other fields of knowledge and types of activities, as well as the ability to work in an international, intercultural environment; to organize and conduct negotiations.	№1	LOR AD 1.8. Demonstrate communication skills with representatives of the Ministry of Justice of Ukraine, the Ukrainian Notary Chamber, notary archives, the judicial system, enforcement authorities, experts, property appraisers; the ability to work in an international and intercultural environment in the field of the formation of documents of legal importance abroad and the adoption of documents drawn up abroad in the field of relations with foreign justice bodies and foreign courts; organize and conduct negotiations between the subjects of civil legal relations, acting as a legal adviser to the parties
PTO 12. To demonstrate leadership skills for the	№1	LOR AD 1.9. Demonstrate skills in organizing notarial activities, selection and management of

<p>organization and management of various projects, in particular international ones, to be able to adapt to new challenges and threats in the field of international and national law, to take responsibility for the decisions made.</p>		<p>notary assistants; organizing and conducting a notarial process in a particular notarial case, the correct maintenance and organization of the preservation of documents of notarial record keeping and archive; resolving issues regarding the notary's liability for his illegal or negligent actions.</p>
<p>PTO 13. To acquire new knowledge throughout life, to raise the level of own qualifications.</p>	<p>№2</p>	<p>LOR AD 2.1. Acquire new knowledge in the notarial sphere, monitor changes in notarial and material legislation to be applied when committing notarial actions, constantly improve the level of notarial qualification, including using measures organized by the Ministry of Justice of Ukraine and the Ukrainian Notary Chamber.</p>
<p>PTO. 14. To demonstrate the ability to convey knowledge, conclusions and arguments to specialists and non-specialists.</p>	<p>№2</p>	<p>LOR AD 2.2. Demonstrate the ability to draw up draft transactions and other documents, the ability to draw up judicial procedural documents in civil cases, provide additional legal and technical services that are not related to notarial actions; explaining to the subjects of the notarial process their rights and obligations, warning about the consequences of the notarial actions performed so that legal ignorance could not be used to their detriment LOR AD 2.3. Characterize modern world notary systems on the basis of an analysis of such a factor as their distribution, as a system of law in the respective countries and peculiarities of legal significance in their legal circulation of notarized documents as evidence of different legal significance; knowledge of the features of the international legal system in the field of transnational notaries.</p>
<p>PTO 16. To determine the content and legal nature of national normative legal acts, international treaties and other international documents, to identify conflicts between the norms of international treaties, between the norms of an international treaty and acts of national legislation, and propose ways to resolve them</p>	<p>№2</p>	<p>LOR AD 2.4. Determine the content and legal nature, features of each type of sources of notarial law, identify conflicts between the norms of international treaties, concerning the commission of notarial acts, and acts of notarial national legislation and propose ways to solve them</p>
<p>PTO 17. To carry out research on international legal topics, using primary sources and methods of legal interpretation of complex problems arising from this research, justify the</p>	<p>№2</p>	<p>LOR AD 2.5. Conduct research of the doctrine of the international notarial process, applying the primary sources and techniques of legal interpretation of complex complex problems arising from this study, argue conclusions and present the results of the study.</p>

