

Index

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Contractual jurisdiction: to abandon or to reform?

Keywords: Dispute resolution jurisdiction agreement; contractual jurisdiction; choice of competent court; prorogation; domestic dispute

Advocating for the reform of the procedural institute of contractual jurisdiction, the author analyzes the practice of foreign countries. The author highlights the possibility of limiting the autonomy of parties when entering dispute resolution jurisdiction agreements which, in the end, should reduce the judges' workload and retain this institution.

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On various approaches to evaluation of and criteria of sufficiency of evidence at pre-trial stages of criminal proceedings

Keywords: Evidence; evaluation of evidence; procedural decisions; sufficient data; sufficiency of evidence; criteria of evidence sufficiency

The paper considers problems of evaluation of evidence sufficiency at pre-trial stages. The authors identify various approaches to the concept of evidence sufficiency and varying evaluation of evidence sufficiency depending on a specific procedural step, the significance of the decision taken at that step and the significance of the procedural stage per se. At the same time the author analyzes possibilities for setting out criteria of evidence sufficiency which would reflect the procedural and organizational aspects.

KOSTYUCHENCKO, Oleg Georgievich

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On highly technological tactical operation 'on-site inspection'

Keywords: High-tech tactical operation; on-site inspection; technical and forensic tools

In the paper the author specifies the notion of tactical operation, gives definitions of high-tech forensic tools and a high-tech tactical operation. The author analyzes the notion of scene of action and onsite inspection, the author also considers the classification of technical forensic tools used for 'on-site inspection'.

KRASSOV, Evgenii Olegovich

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Hybrid legal nature of grid connection agreements

Keywords: Agreement; binding relations; contractual relations; grid connection agreement, electric energy; electrical energy industry

By its legal nature grid connection agreements are hybrid, non-gratuitous, bilateral and consensual; it is a binding legal contract. The paper discusses the hybrid nature of grid connection agreements.

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Pledge of shares issued as digital assets

Keywords: Shares; digital rights; digital financial assets; pledge

Legal regulation in the field of digital financial assets reflects increasing digitalization of property and pertinent rights. To study this trend the author takes a closer look at shares issued as digital assets. The author analyzes the legal regulation on pledge of such shares, reveals legal controversies and discusses possibilities for their resolution.

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On necessity to prevent transposition of public relations into private law dimension when applying administrative measures for breach of tax legislation

Keywords: Administrative responsibility; administrative enforcement measures; enforcement proceedings; tax; penalty; fine Code of administrative Procedure of the Russian Federation

The paper explains the reasons for transposition of public relations into private law dimension when collecting revenue receipts through tax payments, penalties and fines. The author suggests the most effective ways for solving the problem in question within the framework of traditional legal institutions of administrative responsibility and enforcement proceedings. Thus, the author proposes a model for the reform in the context of the third codification of administrative responsibility considering the results of the regulatory reform and the reform of oversight and control activities.

TARASENKO, Andrey Alexeevich

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Court-appointed administrator's special capacity of being held liable in tort (insurance agreements): economic and legal premises for mitigation

Keywords: Insurance; court-appointed administrator; liability; possibility of tort liability; legal regime; insurance premium

The paper analyzes the methodological significance of legal and theoretical constructs for settling practical issues of legal regulation and law enforcement. The study focuses on the controversial relations under insurance agreements with court-appointed administrators (insurers' evasion of contract conclusion, overstating the amount of insurance premium, etc.). Describing such situation as a glitch in legal regulation, the author suggests that narrowing the scope of liability of court-appointed administrator would solve the problem.

TOMSINOV, Vladimir Alekseevich

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Andrey Yanuarievich Vyshinsky (1883—1954), statesman and legal scholar. Article seventy-five

Keywords: USSR; repressions; USSR General Procurator Office; I.V. Stalin; A.Ya. Vyshinsky

The paper continues the series of works devoted to the professional career and academic legacy of A. Ya. Vyshinsky. The author gives a general evaluation of A. Ya. Vyshinsky's work in the second half of 1930s and the phenomenon of the repressions during Stalin's rule.

ZASLAVSKAYA, Nadezhda Mikhaylovna

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Participation of citizens and associations of citizens in public administration of environmental sector in context of digitalization

Keywords: Public administration in sphere of ecology; digitalization; open government; e-government; digital government; ecological referendum; public hearings; public discussion

Digitalization of public administration in sphere of ecology gives citizens a real opportunity to take part in the process of administration. The public nature of ecological interests coupled with institutional issues and other complex issues have been long-standing justifications for the state monopoly on administration of ecological sector although legislation on protection of environment stipulates the right of citizens and their associations to take part in the decision-making process.

ZAYKOV, Denis Evgenievich

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Unified notary fee rate: can it solve problem of fees for notary services?

Keywords: Notary; unified notary fee rate; federal fee rate; regional fee rate; legal and technical services; notarial procedures

The legal regulation of fees for legal and technical services provided by notaries has been notoriously gapped and controversial. Such a situation has had a significant adverse impact on the clients. The paper analyzes a recently introduced institute of the unified notary fee rate.

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On introducing to Criminal Code of Russian Federation of new articles on facilitation payments, small bribes and public calls for extremism

Keywords: State Duma of Russian Federation; criminal legislation; facilitation payment; bribery; extremism; theft; crime; criminal case

The author analyzes the drafts of law submitted to the Russian Federation State Duma on amendments to the relevant articles of the Russian Federation Criminal Code and entering new articles to the Russian Federation Criminal Code concerning facilitation payments, small bribes, public calls for extremism and others.

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Employer's right to recover educational expenses

Keywords: Professional mobility; education agreement; work repayment period; remedies; objective illegality

The paper discusses the situations where the employer may exercise their right to recover educational expenses under the education agreement with an employee. The author analyzes the problems which may arise in relation to execution of education agreements and the terms thereof. The paper analyzes the notions of the work commitment period, and questions of proper determination or calculation of such period. The author also considers court decisions regarding qualification of justifications for non-compliance with the requirements of work commitment provision within the established period including valid justifications and specifics of work in certain industries.