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Principles of neutrality and non-discrimination and taxation of foreign companies (VAT on electronic services)

Key words VAT; principles of taxation; principle of non-discrimination; principle of neutrality; e-commerce; electronic services

The 1st of January saw the enactment of legislative changes, which imposed VAT on the electronic services provided by foreign companies in Russia.

The author analyzes these changes through the lens of the principles of neutrality and non-discrimination.

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Voluntary certification of goods

Key words Voluntary certification; certificate; declaration of conformity; management system; technical regulation; quality of goods; certification system; certification body; conformity mark; mark of national standardization system; accreditation; register; standard schemes of conformity assessment

Voluntary certification is one of the tools of market economy and competitive strategy of producers of certain types of goods. The author analyzes the concept of the certification system, relationship between compulsory confirmation of conformity and voluntary certification. The author points at some of the gaps in the legal regulation of these issues and suggests her view on resolving this problem. Possible solutions may motivate the producers to use voluntary certification, which, as a result, will enhance the quality of the goods.

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Non-disclosure of information: criteria for information subject to disclosure

Key words Non-disclosure of information; duty to negotiate with care; culpa in contrahendo; principle of good faith

The article analyzes the parties' obligation to disclose information at different stages of the negotiation process. Lack of detailed regulation or relevant court practice enables the parties to refer to the general principle of good faith which sometimes is ineffective. The author proposes criteria, which will establish what kind of information subject to disclosure. These criteria will make a good contribution to current law practice.

LYASKALO, Alexey Nikolaevich

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Mens rea in currency crimes (articles 193, 193.1 of RF Criminal Code)

Key words Currency crimes; repatriation of currency; currency transfer to non-residents; criminal intent; continuing offence

The author analyzes the concept of criminal intent in currency crimes by assessing the circumstances of a case. The analysis draws on the examination of relevant court practice materials. The author also discusses the criteria distinguishing a continuing offence from multiple offences.

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Illegal immigration control: current issues

Key words Illegal immigration; immigrants; foreign citizens; national security

Illegal immigration is a threat to national security of any country. Concentrating on sham marriages the author suggests measures, which could improve the situation with immigration in Russia.

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Justiciability of cases on claims challenging dismissal of applications submitted by legal entity to Commission for Cadastral Value Revision

Key words Justiciability; court competence; challenge of decision; Commission for Cadastral Value Revision

The article deals with the issue of determining justiciability of cases where a legal entity tries to challenge a dismissal of their application for determination of cadastral value by the Commission for Cadastral Value Revision.

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Andrey Yanuarievich Vyshinsky (1883—1954), statesman and legal scholar. Article two.

Key words USSR; Soviet law science; A.Ya. Vyshinsky

The article is devoted A.Ya. Vyshinsky, his professional career, and contribution to the development of jurisprudence. The article dispels political myths about this figure and provides an unbiased analysis of his political career and scholarly works.

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Exercise and protection of personal rights

Key words Realization of personal rights; legal authorities; abuse of personal rights; protection of honor, dignity and business reputation; right to a name

In the article the author analyzes the elements of personal rights, and the problems, which pertain to their exercise. The author also delves into the issue of protection of some of those rights.

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Bad-faith and unreasonable actions of directors: criteria of illegality

Key words Responsibility of company director; good faith and reasonableness; hard bargain; conflict of interest; restriction of liability; recovery of losses; acting in company interests

The article analyzes the issue of determining the criteria of unlawful conduct of a director in case their actions (lack of action) incur damages to the company.