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Objectives of commercial law in view of Strategy for Trade Development

Keywords: Strategy for Trade Development; commercial law; legal regulation; draft law; trade legislation; mobile and distant trade; fair; wholesale market; trade logistics

The paper examines the objectives of commercial law science in view of the applicable legislation and the legislative agenda of the Russian parliament. The analysis of the draft Strategy for Trade Development until 2025 and draft laws concerning measures for the facilitation of trade allowed to identify the main tendencies in the field of commercial law in Russia nowadays.

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Types and kinds of sale contracts in Islamic law

Keywords: Islamic trade law; sale contract; types; property; price; delivery; Islamic bank; Sharia law; Quran

The article provides a brief overview of the two main classifications of sale contracts within the framework of Islamic law. The analysis covers the key characteristics of each classification, the legal mechanism subject to which Islamic banks conclude sale contracts with buyers, and their differences from loan contract. The analysis contains Arabic terminology and extracts from the Quran, accompanied by the author's commentary.

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'Commercial' part of Russian Civil Code: main elements

Keywords: Civil law; commercial law; business; Civil Code; Commercial Code

The paper examines the provisions of the Russian Civil Code against a backdrop of actual implementation of its institutes and constructs in practice of law. It is concluded that many of those constructs, notwithstanding their accepted 'civil law' nature, are inherently employed in the area of commercial (trade) law and business law. Given that the Civil Code provisions also deal with commercial law issues it can be also concluded that the Russian Civil Code in essence is not a single act but a blend of both civil and commercial codes under one cover, joined by a set of universal norms applicable to economic transactions in general and commerce.

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Anti-trust immunity for IP agreements: EU and Russian law perspective

Keywords: Exclusive right; abuse of right; anti-trust legislation; dominant position; balance of public and private interests; unfair conduct; intellectual property

The paper examines the relationship between the actions of exclusive right holders and the effect of anti-trust legislation. The author concludes that maintaining the balance of private and public interests would mean that the state would exercise limited interference when it comes to relations involving intellectual property. It is further argued that anti-trust legislation should be amended in view of the tests developed by EU to determine if the right holder has abused its dominant position on the market.

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Jurisdiction of international financial center as legal phenomenon in comparative law studies

Keywords: Comparative law; international financial center; mixed legal system; implementation; integration; jurisdiction

The paper examines the jurisdiction of international financial centers. Employing the concepts of comparative law theory, the author analyzes the legal side of the implementation and integration processes that go with the construction of the legal framework of the international financial center. The author argues that the jurisdiction of the international financial center has a set of specific properties which do not allow to regard it as a special legal regime facilitating business activities.

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Eurasian Economic Union: technical regulations and quality of goods

Keywords: Technical regulations; quality; distribution of goods; conformity assessment; certificate; standard; type approval; register; labelling; consumer

The issues of technical regulation fall under the scope of work of Eurasian Economic Union. Making sure that these regulations are correctly interpreted and applied is crucial since it will help determine mandatory requirements to quality and distribution of goods, and ensure public oversight (control) over compliance with those regulations.

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Codes of good practices as way of self-regulation of trade activities

Keywords: Code of good practices between retail chains and suppliers of consumer goods; supplier; retail chain; commerce; self-regulation; Law on trade activity

The article examines codes of best practices as one of the forms of self-regulation of trade activities. In particular, the analysis covers the legal status of the Code of good practices which govern the relations between retail chains and suppliers of consumer goods, the application of the Code by the parties of trade, and its implications for the court practice.

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Performance of obligations under trade agreements

Keywords: Obligation; performance; commercial law; trade agreement

The paper examines the dual nature of private law which derives from specific nature of commercial relations; namely, it concerns the fact that parties with higher business competence have an advantage when determining the terms of their contracts. The obligations under commercial contracts are analyzed from the perspective of their social, legal and political implications. Another issue raised in the article deals with contractual 'discipline' and the ways parties choose to maintain it.

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'Next of kin': problems of legal regulation and legal practice

Keywords: Next of kin; blood relation; members of family

Russian law practice has not come up with a uniform treatment of the concept of 'next of kin'. Working out a universal definition of the concept is a challenging task, and in case one appears it is likely to entail a lot of problems for the legal practice.

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

Article forty-three

Keywords: USSR; mass repressions in 1937—1938; I.V. Stalin; N.I. Bukharin; S.A. Bessonov

The article continues the series of works devoted to the professional career and academic legacy of A.Ya. Vyshinsky. The paper examines the proceedings in the case against N.I. Bukharin, A.I. Rykov, G.G. Yagoda.

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Problems of detecting and investigating corporate raid in context of criminal law and forensic science

Keywords: Criminal law; criminal procedure; forensics; criminal case; corporate raid; investigative activity; criminal prosecution; investigation of corporate raid; investigation method

The article examines the concept of corporate raid, its main characteristics and methods of corporate raid. The author analyzes the elements of corporate raid and typical problems occurring in the course of corporate raid investigation. The author suggests methods for the investigation of corporate raid cases.