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CRITERION OF THE CLOSEST CONNECTION IN MODERN PRIVATE INTERNATIONAL LAW

Keywords: the closest connection, applicable law, collision rule, international transaction, Rome convention of 1980 on law applicable to contractual obligations, EC Regulations on law applicable to contractual obligations (Rome I).

The author examines the criterion of the closest connection showing the usage of various means which allow to make flexible the choice of applicable law. The author analyses the experience of Western Europe in the field and determines the optimal combination of different functions of the criterion in question in terms of collision settlement of contract obligations.

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KNOW-HOW REGULATION IN FOREIGN JURISDICTIONS AND IN PRIVATE INTERNATIONAL LAW

Keywords: updating and reform of civil legislation, know-how, trade secret, manufacturing secret, know-how in a foreign jurisdiction, know-how in private international law, legal regulation of know-how.

Legal regulation and forms of know-how transfer in foreign jurisdictions and private international law are analyzed in the article. The author examines legislation, theory and practice of a number of nations having different legal systems. A few international treaties regulating this area are also discussed. The issue in question becomes even more important today when Russian civil legislation is being updated and reformed.

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GOVERNMENTAL COMPENSATION FOR DAMAGE CAUSED BY A CRIME

Keywords: criminal procedure; compensation for damage caused by a crime; criminal justice; compensation.

Compensation for damage caused by a crime is a key problem in criminal justice and enforcement procedures. Governmental compensations are provided by the international law and national legislations of a number of nations to indemnify damage caused by a crime. There are no similar provisions in the Russian criminal law. According to the author it is high time to introduce this institution in Russia, since it will allow to compensate damage caused by a crime. There is examination of related Russian laws in the article and proposals are made to amend and modernize them.

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HOW IS THE CONCEPT OF DAMAGE UNDERSTOOD IN CIVIL LAW?

Keywords: concept of damage, objects that can be affected by tort, diminution of material and non-material benefits, tort affecting rights, legal relationships, law and order.

What is damage in general? Does the meaning of "damage" in everyday speech differ from its legal meaning, particularly that in civil law? What things (substances) can tort affect? Can tort affect only tangible property or can intangible things also be damaged as M.M. Agarkov and his followers suggest? Can damage be caused to such things as rights, legal relationships, law and order in general?

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CIVIL LAW FORMS OF USING FARMING LAND OR LESSONS OF "SEISIN" RIGHT

Keywords: civil law, property relations, proprietary rights, emphyteusis, perpetual lease.

The hottest summer of 2010 exacerbated ever existing problem of effective use of farming land in Russia. Statistics prove that unreasonable treatment of farming land prevents the national economic progress. The author shows that the state of affairs in land use requires steady improvement. Civil law offers a number of proprietary rights to land plots which could be used for reformation in this field.

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LEGAL ARTICULATION OF GOVERNMENTAL AND MUNICIPAL SERVICES IN THE FEDERAL LAW "ON ORGANIZATION OF GOVERNMENTAL AND MUNICIPAL SERVICES DELIVERY"

Keywords: governmental services, governmental order, public contract, municipal services, municipal order, municipal contract, universal electronic card, electronic bank enclosure.

The article is concerned with the long-expected law "On organization of governmental and municipal services delivery". The author raises the following questions: which regulated relations are in the focus of legislator's attention? Are they the relations mentioned in the heading of the Federal law which relate to the delivery of governmental and municipal services or the relations specified in the chapter which regulates the delivery of financial services through universal electronic card? Which rules provided by the law wrench the essence of relations stemming from delivery of governmental or municipal services? What constitutional provisions can be violated during the enforcement of the new law?

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ISSUES OF ENFORCING AND MODERNIZING LEGISLATION ON SUCH PRE-TRIAL RESTRAINT MEASURES AS JAIL IMPRISONMENT, HOUSE IMPRISONMENT AND BAIL

Keywords: measures of pre-trial restraint, the choice of pre-trial restraint, reasons for the choice of pre-trial restraint, reform of restraint measures, house imprisonment, jail imprisonment, bail.

The article reveals major deficiencies in legal regulation of the pre-trial restraint institution and ensuing problems arising in its enforcement. The author proposes the possible ways to solve the problems.

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GOVERNMENT CORPORATIONS IN RUSSIA: SOME ASPECTS OF REFORMING THEIR LEGAL STATUS AND BUSINESS EFFICIENCY

Keywords: government corporation, public company, legal status, business legal structure, legal entity, transformation, effective activities.

The further existence of present government corporations in Russia was questioned by the Russian President D.A. Medvedev in his Address to the Federal Assembly of the Russian Federation. The author examines possible ways of the urgent legal developments in the legal status of this form of legal entities and perspectives of effective transformations of their activities.

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LEGAL EDUCATION AND JURISPRUDENCE IN RUSSIA IN THE 1860S-1870S. ARTICLE 7

Keywords: history of the Russian jurisprudence, law school curriculum, Moscow University Law School in the 1860-70s.

The article deals with the development of legal education provided by Russian universities in the 1860-70s. The author describes the changes in the law school curriculum under the new Common Charter of Russian universities and depicts the state of affairs in Moscow University Law School at that time.

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OFFICE IN DWELLING PREMISES: LEGALITY AND RISKS

Keywords: dwelling premises, lease, entrepreneurial activities, profit tax, administrative liability

The problems caused by stationing an office in dwelling premises concern the status of the persons involved in the legal relations in the first place, the justification of using the premises as registered address of a legal entity. When can an office be stationed in dwelling premises? What are the legal consequences of violation of the rules? What tax consequences are? The author gives answers to these questions supporting the conclusions by judicial decisions.

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PROCEDURE OF PUBLIC PROPERTY ADMINISTRATION AND THE CONSEQUENCES OF ITS VIOLATION IN MAKING TRANSACTIONS

Keywords: public property, public and municipal property, administration of public property, transactions with public and municipal property, invalidity of transactions with public property.

More and more objects of public and municipal property are being involved in civil turnover and at the same time mandatory public legal regulation of respective relations is getting more rigid. The article brings to light specific features of the regulation and the legal consequences of transactions made with public property where the prescribed procedure is violated. The author takes account of courts decisions and rulings of commercial courts in the research.