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PURCHASE OF SHARES DURING JOINT STOCK COMPANY REORGANIZATION

Keywords: reorganisation of companies, restructuring and spin-off, acquisition of shares, allotment and conversion of shares, subsidiary company, employees' joint stock company, state and municipal property, golden share

Current legislation makes no provision for shares purchase as a means placement of shares. This causes serious practical problems: this institution can hardly be distinguished from related ones; shareholders are confronted with numerous abuses; a number of problems are caused by the possibility to create holdings when the shares of a new company organised as a result of spin-off are acquired by the original company.

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ST NICHOLAS ORTHODOX CATHEDRAL IN NICE (CATHEDRALE ORTHODOXE SAINT-NICOLAS DE NICE) ON THE SCALES OF FRENCH JUSTICE. ARTICLE THREE

Keywords: St Nicholas Orthodox Cathedral in Nice, dispute about the ownership right to St Nicholas Orthodox Cathedral and the title to the land, Nicolay's II Decree of December, 20, 1908, Regulation of Provisional government of March, 27, 1917, nationalization

Sequel to a story about a dispute between Russia and Russian Orthodox Religious Association of Patriarchate Constantinople concerning the ownership right to St Nicholas Orthodox Cathedral in Nice and all property inside it and the land attached to it heard in 2006–2011. A.N. Aristov was an interpreter for the party of Russia at the proceedings. The articles are based on the documents from the author's personal archives.

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PARTIES' INTERESTS PROTECTION IN MAKING LABOUR CONTRACTS

Keywords: labour contract, hiring an employee, employee's working qualities

The article deals with problems arising when labour contracts are being made. The deficiencies of legal regulation in the area of employees hiring and recruiting methods are brought into prominence. There are proposed solutions to conflicts in labour legislation and law enforcement.

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ON PROCEDURE OF CHALLENGING EXPERT OPINIONS ABOUT CAPITAL CONSTRUCTION PROJECT RECORDS AND REPORTS

Keywords: expert opinion about project records and reports, procedure for challenging expert opinion about project records and reports, cases about expert opinion invalidation

Regulation of the Regional Development Ministry of Russia "On Approving the procedure for challenging expert opinions about project records and reports or expert opinion about engineering survey" went into force in June 12, 2012. The relationship between appellate judicial and administrative procedures concerning such expert opinions has acquired practical importance. In this connection, a number of questions have arisen: what the subject matter is, who are the parties to such actions, what time limits are allowed, whether the pre-trial settlement of disputes concerning expert opinion invalidation is mandatory, etc.

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REASONABLENESS OF THE JUDGMENT

Keywords: reasonableness, reasonableness of conviction, reasonableness of acquittal

Article 297 of the RF Criminal Procedural Code provides for the judgment to be well-grounded. However, what is it to be well-grounded? How does this differ from being motivated? Are acquittals and convictions to be well-grounded to the same extent?

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BUDGETARY LAW AND ISSUES OF PROPRIETARY RESPONSIBILITY OF THE TREASURY

Keywords: budget, other movable and immovable property, not owned by state organizations and organs, chief administrator of budgetary means

The article is focused on the proprietary responsibility of the Treasury. The problem in question has been solved neither in theory nor in legislation since there is no single approach to the definition of the treasury and the realization of its responsibility. The authors have made an attempt to define treasury and to determine the areas of law regulating the responsibility of the treasury. They also describe the mechanism of the responsibility realization raising the most controversial and urgent issues.

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LAW ENFORCEMENT IN THE AREA OF EVALUATION AND COMPENSATION OF REAL COSTS IN TOURIST BUSINESS: SPECIFIC FEATURES

Keywords: real costs, tour operator, tour agent, tourist, service executor, punitive damages, prepayment, judicial decisions

The application and enforcement of law in disputes arising between parties involved in tourist business is examined in the article. The author believes that further improvement of laws regulating this sphere is badly needed. To avoid controversy in applying the term "real costs" there should be appropriate contractual terms and formal documents.

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LEGAL REGULATION OF CHILD LABOUR IN RUSSIA AND ABROAD

Keywords: regulation of child labour, social measures, minimal age of employment, forms of exploitation, child or minors labour

How do International Labour Organisation along with other international organisations particularly Council of Europe assess the matter of child employment? What limitations are imposed for employers hiring minors?

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PREEMPTIVE RIGHT TO RETAIN A JOB: THEORETICAL AND PRACTICAL ASPECTS

Keywords: lay-off, preemptive right to retain job, labour performance, skills

Employees who meet the requirements provided for in Article 178 of RF Labour Code enjoy the preemptive right to retain their jobs. However, the laconic language of the article does not always enable the employer to make the right decisions, especially when labour performance and skills are to be compared. Employers and judges have worked out some approaches to solve the problem putting new questions to legislators.

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ACQUISITION THROUGH PURCHASE OF INDIRECT CONTROL: DANGER OF PIECEMEAL REGULATION

Keywords: indirect acquisition, mandatory offer, control over a company, shareholders protection

The article shows difficulties of protecting shareholders' rights and interest in indirect acquisitions illustrated by potential transaction aimed at the getting of control over TNK-BP holding.

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THE COMPETITION OF LEGAL SYSTEMS AND MANDATORY RULES OF RUSSIAN LAW

Keywords: suretyship, mandatory rule, public order, anti-suit injunction, written form of a deal

The author examines the possible treatment of Article 362 of the RF Civil Code as a mandatory rule of Russian law which is illustrated by the position of the English court taken in the dispute between a Russian company and a foreign one. The enforcement in Russia of anti-suit injunctions issued by foreign courts is also discussed.

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INFORMATION ACCESS PERMIT IN COMMERCIAL ORGANIZATIONS

Keywords: information access and access permit in commercial organizations, commercially sensible information, security procedures relating to persons getting information access permit, grounds for refusal of access permit to trade secret information

The commercial organizations practice of access permit to trade secret information is summed up in the article. The arising problems are examined and amendments to existing laws are proposed along with the improvements of law enforcement in the area in question.

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CRIMINAL LAW SCIENCE IN RUSSIA IN THE 1860s—1880s. ARTICLE TWO

Keywords: theoretical jurisprudence in Russia in the 19th century, criminal law science, classification of crimes, M.V. Dukhovskoy, N.A. Neklyudov

The article deals with the development of the Russian criminal legal science in the 1860s—1880s. The creation of the criminal law system and theoretical foundation of crimes classification are discussed.