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Health condition of worker from perspective of employment contract

Keywords: Health condition; legal fact; employment contract; compound right elements

In the paper a worker's health condition is analyzed as a legal fact bearing certain importance for the purposes of employment contract. This aspect of employment relationship, according to the authors, represents a new topic in the context of labour law science and must be carefully examined.

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Regulating international jurisdiction agreements under provisions of German law

Keywords: International jurisdiction agreement; jurisdiction under agreement; choice of forum; prorogation agreement; derogation agreement

The paper considers provisions of German law on international jurisdiction, the legal doctrine and court practice regarding the issues of interpretation and application of the indicated provisions as well as norms of European Community law (Regulation #1215/2012) and their interpretation by German authorities.

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Principle of relativity of obligation in Russian Federation Civil Code and court practice. Commentary to par. 3 Article 308 of Russian Federation Civil Code

Keywords: Debtor; creditor; obligation; relativity of obligation; relationship of obligation
The paper analyzes the issues arising from the application of the principle of relativity of obligation. The author assesses the exceptions from this principle found in the Russian Federation Civil Code and court practice.

KHNYKIN, Gennadiy Valentinovich

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Legal problems of coordination of interests of parties in employment relationship

Keywords: Social partnership; social relations; social partnership organizations and forms; collective negotiations; collective agreements; participation of workers in company management

The paper analyzes the foundations of Russian labour law in the modern context focusing on the legislator's work on the elaboration of fundamental values and their practical realization. The analysis of changes to the Russian Federation Labour Code shows the legislator's activity does not seem to be aligned with the stipulated values thus complicating the labour rights situation. The author discusses possible ways of tackling such situation and preventing its further exacerbation.

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Knowledge of psychology as part of lawyer's competence

Keywords: Legal education; federal state educational standard; lawyer competences; knowledge of psychology; legal psychology; profiling techniques in legal work

The authors of the paper share positive results of integrating courses of psychology studies into the educational process at the law faculty. Along with legal skills and competences, knowledge of psychological techniques such as profiling will expand professional skill set and employability of Moscow State University graduates.

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LOZOVITSKAYA, Antonina Dmitrievna

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Court's case management and adversarial model of English civil procedure

Keywords: English civil procedure; court case management; evidence disclosure; discovery; evidence

The reform of English civil procedure is an ongoing process. The paper analyzes the reform of Lord Wolf which had a wide-ranging effect on the civil procedure and resulted in the adoption of new Rules of civil procedure enacted on April, 26 in 1999.

PENZIN, Matvey Igorevich

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Assignment in English law: legal nature and specific characteristics

Keywords: Assignment; assignor; assignee; contract; dispositive transaction; choses in action; notification

The author analyzes assignment as a tool for business transactions. The paper focuses on the requirement to provide a notice of assignment. Who must provide such a notice? At what moment will the notification be treated as executed? Who bears the risks in case of absence of such notice? The author explains the notification priority rule. The author also analyses the correlation between the notions of assignment and transfer.

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'Gifts' from banks providing services to individual clients

Keywords: Gift; cashback; bank account agreement; bank; client; loyalty program; providing services

The paper offers legal analysis of promotional activity involving client loyalty programs in banks. The authors warn that every 'gift' or 'privilege' is usually followed by a non-gratuitous deal with the bank. It is often the case that loyalty program advertisements contain misleading information thus making clients unable to properly assess the resulting legal relations and protect their rights.

TOMSINOV, Vladimir Alekseevich

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

Article seventy

Keywords: USSR; repressions; USSR General Procurator Office; NKVD USSR; N.I. Ezhov; A.Ya. Vyshinsky

The paper continues the series of works devoted to the professional career and academic legacy of A.Ya. Vyshinsky. The author discusses A.Ya. Vyshinsky's work as Procurator General in late 1938.

YABLUNOVSAKAY, Angelina Mikhailovna

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Intention of insurer, beneficiary or insured person as exemption for insurance company from payment of compensation

Keywords: Insurance; intent; exemption from payment of compensation; fault; insurance event

The paper analyzes the construction of 'intention' in the context of insurance agreement. The author criticizes the wide scope of paragraph 1 Article 963 of the Russian Federation Civil Code, since it restricts the use of insurance in the spheres with strong social factor, specifically, it concerns the work of executive bodies of companies.

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Recovery of salary paid in excess: problems of legal practice

Keywords: Unjust enrichment; employee; salary; acting in bad faith; illegal actions
The paper discusses the problem of concurrent legal norms of labour and civil law in disputes regarding recovery of salary paid in excess.

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On implementation of information and telecommunication technologies in criminal justice sphere and other reasons for changes in criminal procedure legislation

Keywords: Criminal procedure; information and telecommunication technologies; illicit traffic of ethanol; reducing federal budget costs; measures against drug trafficking

The paper analyzes the changes to the criminal procedure legislation induced by implementation of information and telecommunication technologies; streamlining the procedures for storing and destroying seized property as well as reducing federal budget funds allocated for storage of such property; measures against drug distribution, distribution of psychotropic substances and their analogues, measures against drug use and use of psychotropic substances.