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Deputy head of administration
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Report of administrative offense under Russian Federation Code of Administrative Offenses: municipal oversight by local self-government bodies

Keywords: Municipal oversight; local self-government bodies; report of administrative offence

The paper reviews the development of administrative legislation, the court practice in this area, and pertinent legislative initiatives. The author suggests ways of further development of the Russian Federation Code of Administrative Offenses.

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Postgraduate studies: returning to federal state requirements

Keywords: Postgraduate studies; education; science; thesis; scientific degree; federal state requirements; educational standard

The paper examines the provisions changing the institute of postgraduate studies in Russia as of September, 1 2021. The authors discuss measures for training and professional development of academic personnel and faculty members.

GUZIY, Dmitrii Alexandrovich

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Joinder in civil procedure: legal implications

Keywords: Third parties to lawsuit; third party with no claim; court defense; procedural efficiency; case preparation; case consideration; court hearing; justice

The paper examines legal implications of joinder, the process by which a third party joins a lawsuit without claims regarding the subject matter of the lawsuit. The author believes the existing rules are too technical, they have little legal value and they might hinder effective defense of interested parties.

IVANKINA, Nadezhda Yurievna

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Preparatory software materials as protected form of computer program: copyright protection

Keywords: Software; computer program; preparatory software; copyright; software architecture; exclusive right; intangible creations

The paper provides legal analysis of preparatory software materials and its elements. The paper also describes the steps software developers should take in order to reduce commercial risks and ensure protection of both the program and its elements.

KHNYKIN, Gennady Valentinovich

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Legal nature of remuneration under labour legislation

Keywords: Wages; salary; benefits and wages; bonus payments; benefits; wages; working time

Remuneration holds a special place in the science of labour law, there is a variety of laws and terminology covering this concept. The article highlights some of the negative results of the public policy in the legal sphere which were prompted by diluting labour standards. One of the issues raised in the paper deals with employees' wages paid to cover labour costs and losses.

MOISEENKO, Yevgenia Olegovna

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Genesis of presentation of material evidence: criminal procedure in medieval period

Keywords: Mainour; Russkaya Pravda; Criminal Code; material evidence; presentation of material evidence; criminal case; criminal prosecution; investigator; prosecutor; prosecutorial oversight

The paper examines the prosecutor's duty to present proof (material evidence) in criminal proceedings and provides. The paper provides a historical overview of the issue based on the comparative analysis of the sources of Russian criminal procedure law which set out the rules for presentation of proof within criminal proceedings in the medieval period. The analysis also covers the powers and authority of investigators, prosecutors at the pre-trial stage criminal proceedings.

PATSATSIYA, Malkhaz Shotaevich

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Default rulings of Russian Federation Supreme Court: with or without court opinion?

Keywords: Default rulings; legal rationale; court opinion in default rulings; Russian Federation Supreme Court; court of supervision; second cassation review; efficiency of arbitrazh procedure

Determining whether default rulings have any effect on the efficiency of arbitrazh procedure will require consideration of special procedural factors including the opinion of the court. Current legal methods and approaches do not suffice to tackle this issue which is why one of the goals of the paper is to review and analyze the development of default rulings and their legal rationale. The paper also aims to systematize existing knowledge and approaches on the subject and to make suggestions de lege ferenda.

SHICHANIN, Mikhail Alekseevich

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Principles of application of digital technologies for implementation of public financial control

Keywords: Digitalization; digital technologies; digital economy; digital transformation; principles of law; public financial control

The paper examines the legal issues arising in the field of the public financial control in the context of transition to digital economy and digital public administration.

SUKHODOLSKIY, Igor Mikhaylovich

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Protection of public interests in insolvency proceedings: legal problems

Keywords: Public interests; state interests; dualism of law; balance of public and private interests; insolvency proceedings

The paper's key assertion is that any muddle of public and private interests is unacceptable and should be avoided in insolvency proceedings, in particular. The analysis of court practice showed that the State support should not be granted only to state-owned companies facing insolvency, as such practice may lead to disregard of interests of non-governmental organizations and citizens.

TOMSINOV, Vladimir Alekseevich

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Andrey Yanuarievich Vyshinsky (1883—1954), statesman and legal scholar. Article forty-eight

Keywords: USSR; mass repressions in 1937—1938; I.V. Stalin; N.I. Bukharin; A.I. Rykov; L.D. Trotskiy; N.N. Krestinskiy

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 and others.

VIFLYANTSEV, Andrey Olegovich

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Unresolved problems process of proof in cases involving impugned laws

Keywords: Impugned laws; challenging laws; regulatory compliance; process of proof; admissibility of evidence; standard of proof; claimant in administrative cases; defendant in administrative cases

In legal disputes on impugned laws parties usually face the problem of evidentiary asymmetry. The Russian Code of Administrative Procedure traditionally tries to resolve this problem at the expense of broader court powers and duties (in contrast to civil procedure) and imposition of the duty of proof on defendants in certain cases. The author argues that despite its advantages this approach cannot live up to its full potential in practice.

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On circumstances subject to proof within criminal proceedings in cases of corruption

Keywords: Official; bribery; criminal law profile; crime report; criminal case; bribery; bribe taking; investigator; process of proof; investigation

The paper examines bribery under criminal law and provides its forensic profile. The author analyzes procedural issues relating to consideration of bribery reports and bribe taking and discusses the circumstances which are subject to process of proof in cases of bribery investigation.