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

The article is devoted A.Ya. Vyshinsky, his professional career, and contribution to the development of jurisprudence. The article dispels political myths about this figure and provides an unbiased analysis of his political career and scholarly works.

Key words: USSR; Public Prosecution; court; A.Ya. Vyshinsky

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Electronic evidence in civil procedure

The article deals with civil proceedings issues, in particular, those related to the use of electronic evidence and its specifics. The author discusses various positions of scholars concerning the legal nature of such evidence. The author concludes that the use of electronic evidence is associated with unconventional methods of their collection and storage which are contingent on the technical level of the technical means. On the other hand, the use of electronic evidence is becoming more commonplace and such form is subject to procedural laws which provide for a fixed system of proof.

Key words: Electronic evidence; electronic document; information from the Internet; e-mail messages; traditional and non-traditional evidence; collecting and storing of information.

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Bylaws and their role in insolvency

The article provides a comprehensive analysis of bylaws as one of the specific sources of legal regulation of insolvency (bankruptcy). The article analyzes the properties and legal nature of bylaws, as well as the legal nature of the administration process.

Key words: Insolvency (bankruptcy); source of legal regulation; bylaws; administration

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Contractual obligations under admiralty law: time-charter and charter

The objective of the article is to determine whether the doctrine, legislation and court practice have developed sufficient criteria for drawing the distinction between the obligations under charter and time-charter. The author also discusses the scope of authority exercised by administrative bodies when reclassifying the contractual rights and obligations of the parties. The article discusses the problems related to the legal framework underlying the enforcement of rights of chartering parties and giving clear cut definition of obligations in case of shipping and lease of vessels in admiralty law.

Key words: Charter; shipping agreement; obligations under admiralty law

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Fiduciary duty of participators under Russian law

The article discusses 'fiduciary duty' which applies to the participators under Russian law. Having analyzed the recent amendments in the sphere of Russian corporate law, court practice and the legal doctrine the author concludes that Russian law permits to apply fiduciary duty to participators by analogy with fiduciary duty as applied to the directors and other managers of a corporation. The article gives insight into the issues including conditions giving rise to fiduciary duty, the scope of such duty (extends to both minority and majority shareholders), parties subject to such duty, implications of the breach of such duty.

Key words: Fiduciary duty; corporation; participator; Russian law

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Doctrine of proportionality: main provisions and its role in implementation and protection of personal rights

The article is devoted to the issue of whether the doctrine of proportionality is applicable with regard to personal rights protection. The author provides a brief review of

the formation and development of the doctrine of proportionality in domestic and foreign jurisprudence. Particular attention is paid to the correlation between constitutional and civil law where it concerns implementation and protection of personal rights.

Key words: Proportionality; legal rights; personal rights; protection of rights

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Factors forming framework of political and legal model for prevention of corruption

The article discusses factors of the political and legal model for counteraction of corruption, which pools together the whole system of public authorities and underlies the recuperation of the political system. This model facilitates political and legal interaction between authorities and civic organizations.

Key words: Political and legal model; corruption; civic organizations; public authorities; political and legal interaction

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Wages in focus of lawmakers

Wages are an important legal and economic category. After the transition to market economy, thus having abandoned the centralized approach to wages regulation, the State did not completely write off its interest in this issue. The author analyzes certain legal decisions which depreciate labor legislation which tends to become useless and increasingly inconsistent. The lawmaker seems to have taken a cherry-picking approach satisfying the interests of certain parties, which can quite negatively affect motivation of the mass of workers.

Key words: Wages; remuneration system; wage determination; remuneration of managers and deputies; remuneration of chief accountant

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Competence of disciplinary board of Russian Federation Supreme Court

The author analyzes the rights and duties of the Disciplinary Board of the Supreme Court of the Russian Federation with regard to consideration of administrative law cases. Particularly, the author analyzes the role and actions of the court within the administrative proceedings.

Key words: Competence; administrative procedure; disciplinary board; court; adversarial system; active role of court

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Improper use and non-use as grounds for compulsory termination of rights to land plots intended for construction

The article analyzes the gaps in the legal regulation of the issue in question. The author suggests steps for further development of the respective legal framework.

Key words: Improper use of land plots; involuntary termination of rights; rights to land plots; land plots for construction

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Traffic accidents: forensic analysis

When dealing with offenses related to traffic accidents many investigators and judges merely check whether the established actions correspond to relevant requirements of traffic rules and regulations. As a result, the investigation of such offenses remains incomplete and insufficient. The author outlines circumstances which represent the forensic aspect of traffic accidents. Such circumstances can determine the course of investigation and choice of methods for investigation.

Key words: Forensic analysis of traffic accidents; incidence of traffic accidents; structure of traffic accident; situation effect in traffic accident; traces of traffic accident cause; signs of driver's conduct