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Legal regulation of business carried out by religious organizations

Keywords: Religious organizations; business activity; trade; benefits; restrictions

The legal premises which determine the form of business incorporation for religious organizations. The authors outline the characteristics of independent trade carried out by religious organizations as well as features of their participation in trade-related businesses. The authors also explain why it is important to take into consideration the business purposes, internal regulations of religious organizations, their legal benefits and exemptions related to the legal status of a religious organization when discussing the forms of business incorporation.

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Compulsory motor third party liability (OSAGO): problem of fraud

Keywords: Insurance fraud; CMTPL (OSAGO); insurance indemnity; property damage

The author analyses the elements of the crime under the Article 159.5 of the Russian Federation Criminal Code on insurance fraud. The author believes that the availability of such legal provision in combination with insurance indemnity provided in CMTPL (OSAGO) creates an advantage for 'insurance' fraudsters — perpetrators intend to falsify the repairs authorization therefore criminal culpability arises after the fraudster exercises his right to file a claim.

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'Contract', 'obligation', 'performance': what can be 'repudiated' or 'unilaterally modified'?

Keywords: Obligation; contract; repudiation; unilateral modification of obligations

The author considers the issues of unilateral repudiation. What does a debtor repudiate? Do they repudiate a contract, a stipulated obligation or the performance of obligation? Drawing on the applicable norms of the Russian Federation Civil Code, the interpretation of such norms and analysis of their development, the author concludes there exist three types of premises for repudiation: 1) repudiation leading to the abrogation of the contract and all obligations respectively 2) repudiation of contract with no discharge of obligations until they are performed 3) repudiation of obligation without contract termination. The exercise of the right to repudiation in each of the three cases should proceed from clear understanding of what element of the contract will be affected. The author (for the first time in the academic community) brings together and systematizes the norms of the Russian Federation Civil Code which tackle other subjects of repudiation.

CHUGUNKOV, Piotr Ivanovich

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Problems of self-regulation in sport

Keywords: Self-regulation; sport; doping; Court of Arbitration for Sport

Self-regulation in sport sphere has its own benefits which are inherent to that of arbitration procedure. However, lack of prescriptive norms and principles has produced a lot of ambiguity in the arguments regarding Russian sportsmen who faced doping charges.

KHAVANSKIY, Sergey Nikolaevich

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'Smart contracts': legal overview and enforcement problems

Keywords: Smart-contracts; form of contract; enforcement of rights

The author discusses the legal nature of smart-contracts and problems related to the enforcement of such contracts. The author studies such issues as the date of contract formation, the form of contract, the language and interpretation, enforcement of rights of the parties.

KOSAKOVSKAYA, Yelena Ivanovna

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Notion of wages: legal aspects

Keywords: Remuneration; benefits; incentive payments

The author provides a comprehensive analysis of the elements of wages which determine the amount of wages, benefits and financial rewards and incentives. The author also discusses the task of specifying the legislative definitions of concepts related to wages and suggests ways of tackling this task.

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Disclosure of evidence: evidence, elements and forms

Keywords: Disclosure of evidence; evidence; forms of evidence

The author examines the disclosure in Russian and English civil procedure. The author, in particular, analyses various approaches to the task of defining

the subject of disclosure and determines the connection between the elements of disclosure, namely essential procedural actions, and evidence that can be disclosed by the parties to the case. The article also draws a distinction between the elements and forms of disclosure; based on the analysis of the legal regulation of disclosure in England the author outlines a new approach to defining of evidence within this procedure.

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Start of limitations period in proceedings initiated by receivers seeking to challenge transactions

Keywords: Challenging transactions; receiver; limitations period; insolvency; void transaction

At present courts have a tendency to rule that in cases where the receiver initiates proceedings to challenge the debtor's transactions the limitations period shall start running from the date when the execution of the voidable transaction commenced and not the date when the receiver became aware of the start of execution. The author believes such practice is flawed and suggests that relevant amendments should be made to the Law on insolvency.

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Shareholder's control over business activity and powers of non-executive directors: current court practice

Keywords: Controlling person; subsidiary liability; nominal director; infringing proprietary rights; creditors; duty to act reasonably; good faith; discharge of liability

Recent development of corporate and insolvency legislation saw the adoption of the norms aimed at holding to account controlling persons with non-executive status. The authors believe that courts' interpretation of the concept of controlling person is unreasonably broad.

SHEPENKO, Mikhail Romanovich

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Electronic car title

Keywords: Vehicle; electronic car title; ownership; USA

Many still feel skeptical about electronic car titles as it is still not quite clear how the electronic car title system will work, for example, in case of approval of transactions and determination of ownership. To cast some light on these and other matters the author analyzes the USA practice of electronic car title use and implementation.

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

Keywords: USSR; repressions; A.Ya. Vyshinsky; I.V. Stalin; N.I. Bukharin; A.I. Rykov

The article is another piece in the series of works devoted to the professional career and academic legacy of A.Ya. Vyshinsky. Drawing on the analysis of the archives the author unveils the details of pre-trial work on the case of N.I. Bukharin in which A.Ya. Vyshinsky played the key role as the USSR Procurator General.

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Economic and legal mechanisms of environmental protection from pollution by production and consumption wastes

Keywords: Environment; production and consumption waste; economic regulation; ecological payments; garbage reform

The activist protests against creation of garbage landfills and illegal garbage dumps finally caused the government to start implementing the long-delayed reform. Unfortunately, the pressurizing and compelling drive of the 'garbage-reform' at times leads to contentious legal solutions.