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SOME ISSUES ARISING IN CASES CONSIDERED BY JUSTICES OF THE PEACE DETERMINING THE PROCEDURE OF USING PROPERTY

Keywords: lay justice, justice of the peace, judiciary, conciliation, case and controversy justiciability, civil action.

The author of the article examines conflicts of laws observed in the cases considered by justices of the peace determining the procedure of using property, offers conclusions following from peace justices' decisions in this area in terms of justiciability of this type of disputes.

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NEW LEGISLATIVE PROVISIONS IN THE RUSSIAN COMMERCIAL PROCEDURE

Keywords: principles of commercial courts procedure, assessor, dissenting opinion, E-justice, newest technologies, appeal, review, the right to fair hearing.

New amendments to the Russian Commercial (Arbitrazh) Procedural Code are analyzed in the article. They concern commercial court assessors, dissenting opinion of a commercial court judge, introduction of E-justice elements, appeal against the commercial court rulings, other issues of commercial court procedure.

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LEGAL ASPECTS OF GOODS MARKETING

Keywords: goods marketing, legal regulation of goods marketing, delivery, purchase and sale, Law on Commerce.

The approach to goods marketing as a process of goods advance from manufacturer to consumer implies that market participants pursue certain aims subject to long-term strategic planning. The aims may not be achieved when the obligations concerning goods marketing are regulated by the RF Civil Code contractual provisions. The provisions of the Federal Law "On the principles of State regulation of commercial activities in the Russian Federation" do not reflect the established mechanisms of goods marketing, particularly that of price formation.

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RELATION BETWEEN CRIMINAL AND ADMINISTRATIVE ARRESTS

Keywords: arrest, type of arrest, administrative arrest, criminal arrest, measures of procedural coercion, preliminary inquiry.

Arrest may be described not only in criminal procedural terms but in administrative terms as well. According to the author this approach is justified by a great degree of similarity between the mechanisms used in both cases and by the fact that administrative arrests frequently turn into criminal procedural ones. Similar purposes and procedures of administrative and criminal arrests require one and the same law regulating this institution, namely the federal law "On police".

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MONITORING OF LEGISLATION: LEGAL STRUCTURAL PATTERN

Keywords: monitoring of legislation, classification of legislative areas and institutions, governmental bodies responsible for amending legislation, draft-laws preparation plans.

Both legal scholars and practicing lawyers are fully aware of unsystematic and haphazard manner of amending laws in post-soviet jurisdictions. The author proposes an exemplary pattern of a single monitoring system of legislation which could be applied by the nations of Commonwealth of Independent States.

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UNAUTHORIZED ERECTION OF BUILDINGS IN TERMS OF EXECUTION OF JUDGMENTS

Keywords: execution of judgments, unauthorized erection of a building, demolition.

The problem of execution of judgments ordering individuals or legal entities to clear a land plot from unauthorized erected buildings is one of the most urgent in the sphere of judgment execution today. What is the procedure of executing the above mentioned court decisions? What problems arise in the course of their enforcing?

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CONTROVERSIAL ISSUES OF PUBLIC REGISTRATION REAL ESTATE TRANSACTIONS

Keywords: public registration, real estate, invalidity, transaction.

The author examines the institution of public registration of real estate transactions in terms of its legal importance and practical application. What legal consequences follow the ignorance of requirements to transaction registration? Can unregistered transaction be disputed in court?

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REGULATORY PROVISIONS ON LICENSING SYSTEM IN THE RUSSIAN FEDERATION

Keywords: licensing system, license, administrative regulation security, public order.

Nowadays licensing system is in a great demand as the most popular mechanism of regulating public relations in modern states including the Russian Federation. The obtaining of licenses and other permitting documents is inevitable condition for carrying out all kinds of activities ranging from purchasing of fire-arms to supplying insurance services. Why is licensing system so important today?

The author of the article examines regulatory provisions in the area of licensing system in the Russian Federation and the most urgent problems arising from their application in practice.

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PROCEDURE OF DELINEATING POWERS OF THE GOVERNMENTAL BODIES OF THE CONSTITUENT UNITS OF THE RUSSIAN FEDERATION — PROBLEMS ARISING FROM ITS USE

Keywords: constitution of the Russian Federation, delineation of powers, legal instruments and procedures of delineating powers of the constituent units of Russia, powers of the constituent units of Russia.

The powers of the governmental bodies of the constituent units of the Russian Federation are classified in the article, the limits of their regulation are determined and the problems which arise from exercising these powers are discussed. The author describes the legal "barriers" which obstruct the formation process of legal environment not only in the fields under the exclusive authority of the constituent units but also under the joint authority with the federal government.

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SOME ASPECTS OF ACQUISITIVE PRESCRIPTION INSTITUTION IN RUSSIAN LAW IN HISTORICAL TERMS

Keywords: acquisitive prescription, limitation period possession, objects of acquisitive prescription, right-holders under acquisitive prescription, legal status of the right-holder under acquisitive prescription, time when the ownership right arises.

The existing rules regulating real estate acquisition due to acquisitive prescription are not detailed and leave many questions unanswered. To find the answers to most of them practicing lawyers and judges have to turn to the pre-revolutionary Russian law where the institution of acquisitive prescription was thoroughly elaborated both in theory and practice. The author examines such elements of this institution as the class of objects and right-holders, specific features of the legal status of a person possessing real property prior to acquisition of the right of ownership of the property in question by virtue of acquisitive prescription before the latter expires, time of acquiring the right of ownership of real property and the due procedure giving rise to the ownership right.

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LEGAL EDUCATION AND JURISPRUDENCE IN RUSSIA IN THE 1860S—1870S. ARTICLE 10

Keywords: History of the Russian jurisprudence, history of the Russian State law in 1860—70, I.E. Andrejevsky, B.N. Chicherin, A.V. Romanovich-Slavatskiy, A.D. Gradovsky.

The article depicts the development of state law in Russia in the 1860-70s. the author describes the methodology worked out by Russian legal writers. The emphasis is made on the three-volume collection "The origin of the Russian State law" by A/D/Gradovsky which is the most remarkable treatise in the Russian jurisprudence of that time.

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REGULATION ISSUED BY ANTI-TRUST COMMISSION AND ITS LEGAL EFFECT UPON THE CONTRACTUAL RELATIONS BETWEEN ECONOMIC ENTITIES

Keywords: antitrust commission regulation, competition, contract, contractual relations, freedom of contract.

The anti-trust commission has the power to affect contractual relations by issuing the regulation on contract conclusion, its amending or its termination. When are these regulations issued? To what extent are the prescribed restrictions of contractual privacy justified? Do the restrictions comply with the Russian Civil Code?