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Interplay between private and public interests and administrative law regulation of telecommunication services

Keywords: Telecommunication services; public interest; private interest; legal regulation; consumer protection; advertising; fraud

Based on the analysis the author draws a conclusion that this sphere is strictly regulated. Such situation has both positive and negative implications. The author outlines ensuing problems in the law practice and discusses possibilities of their effective resolution by way of changes in the legal regulation of telecommunication services.

KLEMENTIEV, Alexey Petrovich

Senior lecturer

Department of legal regulation of business

National Research University Higher School of Economics

Forward contracts and futures contracts today: comparative analysis

Keywords: Forward; futures; derivative; stock exchange; Pittsburg summit; stock exchange transactions; derivative financial instrument; basis asset; financial market

The two types of contracts are distinguished by place of their conclusion — futures are made at the stock exchange whereas forwards contracts are not. However new regulatory approaches show that certain characteristics of futures become the attributes of forwards.

KOBELEVA, Svetlana Anatolevna

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Consumer protection issues in relation to incorrect advertising in sphere of personal finance

Keywords: Borrowing; loan; bankruptcy; individual bankruptcy; advertising

The article outlines the gaps in the legal regulation of advertising services on debt write-offs for borrowers of consumer loans. The author discusses possible developments in the law on advertising which would effectively protect citizens from information enabling them to commit illegal actions in case they obtain loans.

MUZAFAROV, Emil Eduardovich

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Department of business law

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Recovery of shares (interest) of privatized companies when legal limitations period runs out

Keywords: Privatization; recovery; limitations period; legal limitations period

Recent years have seen a steady growth of legal disputes involving so-called 'deprivatisation'. The article analyzes the latest trends: expiration of the legal limitations period and nationalization of property acquired through corruption practices as alternative to 'deprivatisation'. The author provides his perspective on possible regulation which could resolve current situation in Russia.

PENZIN, Matvey Igorevich

Student

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Interpreting implied conditions in commercial contracts: using English law practice in Russian law

Keywords: Interpretation; commercial contract; contract; contract condition; implied conditions; express conditions; implication of contractual conditions

The author proceeds from the assumption that implied conditions exist at the moment of contract formation. The author analyzes English law cases where courts would imply conditions in contracts and discusses applicable tests and methods. The author then outlines Russian law approach to the interpretation of implied conditions and compares it with English law approach.

RZHEPIK, Yaroslav Nikolaevich

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On disputes arising from legal conditions of labour agreement with sportsmen and coaches

Keywords: Sportsman; coach; contract conditions; labour contract; accommodation; option contract

The author discusses recent court practice on the issue and analyzes the problem of correct legal construction of the applicable legal norms.

SINITSYN, Kirill Leonidovich

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Conflict of laws regulation of invalidity of cross-border transactions under Russian law and its reform against backdrop of German legal regulation

Keywords: Invalidity; cross-border transactions; conflict of laws; international private law; legislation of Germany

Conflict of laws rules regulating invalidity of transactions have serious implications for public and private law. Legal analysis of current Russian legislation and arbitrazh

court practice involving disputes on invalidity of cross-border transactions showcases the significance of the topic. To discuss possible positive developments in this sphere the author considers German legal regulation in this sphere.

SOBOLYK, Vladimir Mikhaylovich

Inspector

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Land as target of crime: criminal law characteristics and forensic characteristics

Keywords: Land; land plot; earth; environment; land deterioration; ecological crime

The article discusses social, public and legal characteristics of land as an essential resource. The author formulates a definition of the term 'land' and discusses the legal construction of the term. The author discusses possible changes to the legislation for the purposes of further concept elaboration and harmonization.

TOMSINOV, Vladimir Alekseevich

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

Keywords: World War II; USSR; USA; Germany; Great Britain; A.Ya. Vyshinsky;

V.M. Molotov; E. Eden; S. Kripps

The article continues the series of works devoted to the professional career and academic legacy of A.Ya. Vyshinsky. The author discusses the role of A.Ya. Vyshinsky in the sphere of foreign politics of the Soviet state during the first half of 1941.

USHANKOV, Ilya Vladimirovich

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Smart contracts as a type of legal agreement: specific characteristics

Keywords: Obligation; performance; contract; party to contract; smart contract; right

The article discusses the legal nature of smart-contracts and provides a comparative analysis of smart contracts and civil law obligations.

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On countering money-laundering and funding terrorist activity in event of reduction on illegal trafficking of precious metals and gems

Keywords: Countering money-laundering; funding of terrorist activity; illegal trafficking of precious metals and gems; Rosinformonitoring

The article analyzes the draft of the federal law 'On changes to the Articles 6 and 7 of the Federal Law 'On countering money-laundering and funding terrorist activity', prepared for the purposes of the of reduction on illegal trafficking of precious metals and gems.

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Directors' duty to act in good faith as determined by judicial practice: scope of corporate governance standards

Keywords: Good faith and reasonableness; liability; legal entity interests; vicarious liability; compliance with corporate requirements; good faith standard

In periods of crisis which involve high-risk deals and a rise in conflicts between directors and shareholders, due regard for good faith standard must be demonstrated by corporate governance bodies. The article discusses the issues relating to compliance with corporate standards which serve as indicators of the director's good faith conduct.