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CIVIL LAW FORMS OF CARRIAGE OF FREIGHT BY RAILWAY (IN TERMS OF RESTRUCTURING REFORM OF RAIL WAY TRANSPORT CARRIED OUT BY JSC "RZHD" AND ITS SUBSIDIARIES)

Keywords: contract for carriage of freight by railway, lease contract, paid services agreement, Program on restructuring reform of rail way transport, anti-trust measures

The contract for carriage of freight by railway is going to be eliminated as a civil law institution. This is one of the conclusions the author has made after examining some aspects of realization of the Program on restructuring reform of rail way transport...

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SYSTEM AND STRUCTURE OF REGIONAL LEGISLATION IN THE FIELD OF SOCIAL SECURITY

Keywords: Regional legislation, area of social security, joint competence of the Russian Federation and its constituent members, vertical structure of legislation, legislative technique.

The author examines the beginning of a new period in the development of the regional law making in the field of social security and illustrates this by legal regulations issued in constituent members of the Russian Federation making up Volga federal district.

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LEGAL CERTAINTY AND RIGHT TO FAIR TRIAL

Keywords: Legal certainty, European Court of Human Rights, convention, supervision, supervisory procedure, principle, court decisions, serious violations, overruling or reversal, civil procedure, commercial procedure.

The author examines the concept of legal certainty in terms of ECHR (European Court of Human Rights) decisions and how the Court's legal positions affect the essence of the right to fair trial and decisions of Russian courts.

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THE EVOLUTION OF DAMAGE CONCEPT IN THE RUSSIAN CIVIL LAW

Keywords: Concept of damage, objects that can be damaged, mitigation of damages, damage caused to legal right, legal relationships, law and order.

Cases where damages are sought are the most common disputes heard by Russian courts today. However there is no clear-cut definition of damage in civil legal terms. The author of the article makes an attempt to fill in the gap. He examines how Russian civil lawyers have approached the concept of damage in historical perspective and classifies them according to certain criteria.

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CONTROVERSIAL ISSUES OF JURISDICTION OVER CORPORATE DISPUTES

Keywords: Corporate dispute, jurisdiction, commercial court.

Commercial courts have had exclusive jurisdiction over corporate disputes since 2002. However until recently the legal regulation in this area has hardly been successful. The author examines the jurisdiction over corporate disputes after Chapter 28.1 of Commercial Procedural Code came into force and the possible problems arising from its application.

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RATIONAL LAW

Keywords: Right to defence, execution of court decision, damages, compensation, speedy trial, submission to jurisdiction, competence, trial.

The Federal law of April, 30, 2010 #68-FZ "On compensation for violated right to speedy trial or right to speedy execution of court decision" has become a matter of wide controversy both in mass media and in legal community. The author who worked in the Russian court system for a long time evaluates this significant law, considers the causes and consequences of its enforcement

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REALIZATION OF ETHIC PRINCIPLE OF FREEDOM IN THE RUSSIAN CIVIL LAW

Keywords: Civil law, freedom, authorization, prohibition, binding, gift, debt forgiveness, invalidity of transaction, void transaction, restraint of liberty.

When close connection between standards of ethics and law is ignored the law ceases to be law. It solves at best some local practical problems, at worst deteriorates moral degradation. The author — the retired Chief Justice of Federal Commercial Court in North Caucasus District — reviews civil-law principle of freedom in interconnection with its ethic nature.

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LEGAL EDUCATION AND JURISPRUDENCE IN RUSSIA IN THE 1860S-1870S.

Keywords: History of the Russian jurisprudence, University Charter of 1863, university reform, University Council and school meetings, faculty, privatdocent.

The article deals with the university reform in the Russian Empire which began with the adoption of a new Charter of Russian universities. The alterations in inner structure of universities introduced by the Charter are described. The author also depicts the measures which were undertaken to cope with the decline of the university education and to raise the university educational standards to higher level.

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LEGAL ASPECTS CREATIVE COMMONS LICENSES

Keywords: Copyright, license agreement, licenses, Creative Commons.

Creative Commons(CC) licenses are applied in 52 countries but Russia. According to Russian lawyers their application in Russian is complicated by specific licensing procedure which is incompatible with imperative rules of the Russian Civil Code. The legal nature of CC licenses is examined in the article as well as the problems faced by European nations while adapting those licenses and possibilities of their application in Russia. The conclusion is made that there are no insurmountable obstacles for the application of CC licenses in Russia.

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THE LACK OF PROCEDURE FOR WAGES INDEXATION IN COLLECTIVE BARGAINING AGREEMENTS AS DEFICIENCY OF LABOUR LAW

Keywords: Linguistic mistakes, errors, rules, labour law.

Wages indexation acquires special importance for employees during inflation period. Under the Russian Labour Code the procedure of salaries indexation in public organizations is regulated by normative acts. Other employers make special provisions in collective bargaining agreements and local regulations. However some employers do not bother to include the obligation to index employees' wages into them.