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Keywords: Cool-off period; repudiation of a contract; consumer lending; related contracts; Directive 2008/48/EC

'Cool-off period' in consumer lending: Russian novella and European practice

'Cool-off period' in lending is a short period of time when a consumer has the right to terminate their credit agreement. The author compares European and Russian regulation of the issue and comes to a conclusion that Russian 'cool-off' period does not provide for automatic termination of loan agreement or termination in case of cancellation by consumer.

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Search for convict

Keywords: Convict; sentence execution stage; cassation procedure; judicial review; search and retrieval; trial

The author analyzes the procedure of search for convict at the stage of sentence execution as well as during the review of court sentences. Does the absence of laws regulating the criminal procedure affect the quality of search activity?

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Challenging of debtor's sham transactions in insolvency cases

Keywords: Invalidity of transaction; sham transactions; consequence of invalid transaction

The author examines some problems arising from invalidity of debtor's sham transactions in insolvency cases. Considering legal implications of such situation the author presents his view on the issue and speaks of the possibilities of further development of law enforcement and protection of good-faith counterparties of the debtor.

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Perpetrator's emotional portrait

Keywords: Personality of perpetrator; emotional state; court-ordered psychiatric evaluation

The study of personality characteristics of a perpetrator places a huge focus on their emotional characteristics throughout the criminal process. Since psychiatric evaluation is not available for all criminal cases owing to high cost and lack of qualified specialists, the author suggests setting out a number of crimes with compulsory psychiatric evaluation.

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Mediation in criminal procedure in Russian Federation

Keywords: Mediation; criminal procedure; vindication

Based on the study of mediation practice in foreign law systems the author argues for the introduction of mediation to the criminal procedure in Russia. However, mediation may be at odds with some of the conventional institutes of Russian criminal law and criminal procedure, which is why mediation in Russia may entail certain legal restrictions.

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Determining of service location in e-commerce and VAT deduction: analysis of legislative novellas

Keywords: VAT; service location; e-commerce; electronic services

The amendments, which impose VAT on electronic services provided by foreign companies in Russia, take effect on January 1, 2017. The lawmaker added a few provisions, which deal with determining of location of service provided in electronic form. These provisions also comprise a number of tests. The author discusses whether these tests accord with the principles and objectives of VAT.

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Assignment in the name of person by contract

Keywords: Person's name; intangible benefit; personal intangible benefit; consent to assignment in person's name

Assignment in the name of person requires this person's consent expressed in a contract and is subject to general rules on transactions and agreements. Yet the author believes the existing legal norms on the issue are not sufficiently specific. The issue could be clarified through judicial interpretation; however, the lack of practical solutions with regard to this issue indicates certain ineffectiveness of par.4 article 19 of the RF Civil Code and, as a result, it reduces to nothing the legal objectives of this legislative provision.

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Asset securitization: legal status of investor

Keywords: Securitization; asset securitization; securities; mortgage-backed securities; lien bonds; investor; mortgage agent; specialized financial community

The author analyzes the legal status of investors with regard to asset securitization executed through issue of bonds. The article identifies the rights and remedies for such investors.

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Principles of administrative liability and improvement of laws on administrative offences

Keywords: Administrative liability; administrative offences proceedings; principles of administrative liability; RF Code on administrative offences; norms and principles; rules of interpretation of administrative offences

In Chapter 2 of the draft of RF Code on administrative offences the lawmaker attempted to set out the concepts and principles of administrative liability. The author underlines the significance of proper legal regulation of administrative liability for the purposes of effective lawmaking.

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'Fortunes settled that all human societies change solely their vices':

M.M. Speransky on techniques of state reforms. Article five

Keywords: M.M. Speransky; state reforms; legislative reform; code of laws; regulations

The article analyzes the method of M.M.Speransky for devising and practical realization of legislative reforms as well as his technique for drafting of legal codes.

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Jury trials: legal update

Key words Criminal procedure; jury trial; jury; verdict; preemptory challenge; strike for cause

In 2016 some important amendments to the rules regarding jury trials have been introduced. The author outlines the essence of these legislative novellas and analyzes them considering the legal nature of the jury.

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Distribution of shares among heirs

Key words Shares; inheritance; distribution of estate; stock register; sub-share

The author analyzes laws regarding the distribution of estate, in particular, shares of stock among several heirs. The article provides a brief overview of applicable law and existing court practice, and presents main approaches to the distribution of shares.