

Index

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Digital lawyer: new paradigm of legal education

Keywords: Artificial intelligence; educational standard; law; technological process; digital economy; digital technologies; legal education; jurisprudence; digital lawyer

The authors state that ordinary views on education and profession, as well as legal ones, are undergoing substantial changes. The article analyses the influence of digital technologies on legal education and legal profession, as well as justifies why it is necessary to develop and implement the “Digital lawyer” training profile.

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On correlation of “objective” and “subjective” illegality

Keywords: Illegality (objective and subjective); wrongdoing; legal fact

The article analyses the division of illegality into objective and subjective ones, the prerequisites of such division, as well as the relevant views of legal theorists. As far as illegality always involves a deed being assessed for legal consistency, the author assumes such division as inexpedient. Subjectively, as the author states, illegality shall be considered as actually being a wrongdoing.

EVTEEV, Konstantin Igorevich

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Attorney-client privilege in bankruptcy cases: theory and practice

Keywords: Attorney; bankruptcy; legal support; advocacy; attorney-client privilege; insolvency officer

In this paper, the author analyses how ensuring the rights of attorney’s principals correlates with the relevant rights of other parties being enforced within a bankruptcy case. The article also focuses on interaction between attorney-client privilege and insolvency (bankruptcy) as the legal institutions of crucial importance. The presented analysis is prepared based on the current legislation and judiciary practice.

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Digital profiling of employees: legal regulation

Keywords: Digital profiling; employee’s digital profile; personal data protection; artificial intelligence

The article questions whether it is necessary to regulate such a modern recruitment procedure as employees’ digital profiling. The author concludes that employees’ rights and legitimate interests within forming their digital profiles shall be protected not only by the personal data legislation, but also with the labor law provisions (in terms of principles and rights of employees in the field of digital profiling).

KOSENKO, Andrey Mikhailovich

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Procedural status of criminal proceedings’ participants on the stage of a criminal case being initiated: regulatory issues

Keywords: Initiation of a criminal case; status; investigator; head of investigative body; participant of a crime report’s verification

In this paper the author, while assessing the stage of a criminal case’s initiation as effective, states that there are a number of practical and theoretical problems arising from the legislator’s unsystematic approach to regulation of this stage. The author makes suggestions on developing the legal regulations of an investigator and a head of investigative body’s powers; the author also proposes to implement the rights, duties, and responsibility of a new criminal proceedings’ participant, which is a participant of a crime report’s verification, within criminal procedure legislation.

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Appealing of court orders on jurisdiction issues: history, theory, practice

Keywords: Separate appeal; court order; appealing; exclusive jurisdiction; jurisdiction; territorial jurisdiction; orders on transfer of jurisdiction or rejection on transfer of jurisdiction

The article deals with a breach of territorial and exclusive jurisdiction rules when it is identified by the superior court. With this regard, the author justifies that theoretically permissible consequences of such a breach shall be discussed in terms of court orders’ separate appeal theory.

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On searching for balance between the principles of taxation and the principles of procurement activities

Keywords: Procurement; VAT; simplified system of taxation; principle of economic efficiency; principle of taxpayers’ non-discrimination; antitrust authorities; judiciary practice

The article focuses on the following issue: how the principle of economic efficiency within the procurement activities correlates with the principle of taxpayers’ non-discrimination due to their taxation system. In terms of such correlation, the authors consider the legislative initiative, analyse judiciary and law enforcement practice related to the problem of a supplier’s obligation to pay VAT being taken into account while comparing suppliers’ price proposals.

SHEPENKO, Roman Alekseevich

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Legal basis for taxation in the Republic of China (Taiwan)

Keywords: Legal principles; interpretation; tax legislation; treaties; Taiwan; People’s Republic of China

As the article states, assessment of foreign tax regime and the relevant issues, first of all, involves determining the sources of legal regulation. Such an approach arises from the principle of legality. Within the presented paper, the author seeks to consider the legal basis for taxation in the Republic of China, better known as Taiwan, in a comprehensive manner.

TOMSINOV, Vladimir Alekseevich

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Andrey Yanuariyevich Vyshinsky (1883—1954): statesman and legal scholar.

Article one-hundredth

Keywords: Great Patriotic War; alliance of the USSR, Great Britain and the USA; A.Ya. Vyshinsky; J.V. Stalin; Robert Anthony Eden; Winston Churchill

The article continues the series of works devoted to the professional career and academic legacy of A. Ya. Vyshinsky.

VASILYEV, Vladislav Dmitrievich

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On correlation between a bail and an option on stocks (share in LLC’s authorized capital) while enforcing the obligations arising from a corporate agreement

Keywords: Corporate agreement; ensuring obligation fulfillment; obligation; duty; bail; option

The article provides a comparative analysis of a bail and an option as legal constructions ensuring the fulfillment of obligations arising from a corporate agreement. Considering the peculiarities of these mechanisms, the author concludes that their efficiency is different with regard to a diverse group of obligations usually incorporated in a corporate agreement.

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Noble order corporations of the Russian Empire (end of the XVII — beginning of the XX century)

Keywords: Russian Empire; Peter I; Catherine II; Paul I; order; chapter of the order; statute of the order; council of the order; noble corporation; estate

The article deals with the system of Russian orders established when the Russian Empire existed as a self-contained noble estate corporation. The author analyses the system of Russian orders and their estate aspect, as well as determines how the orders’ governing bodies were formed and functioned in the period from the end of the XVII until the beginning of the XX century.

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On denunciation of the European Convention for the Prevention of Torture by the Russian Federation: history and present day

Keywords: Convention; crime; torture; ill-treatment; officials; law enforcement authorities; criminal case; Sudebnik; crime; Russian Federal Penitentiary Service; imprisonment

The article is devoted to the history of torture in Ruthenia, as well as the analysis of the reasons why the Russian Federation denounced the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and the protocols to it.