

Index

BELOV, Vadim Anatolievich

Doctor of legal sciences
Professor
Department of commercial law and law fundamentals
Lomonosov Moscow State University Law School
belov@severstalgroup.com

Compensation under competition law

Keywords: Competition, competition law, damages, remedies, compensation as means of protection of civil law rights, rights, civil offense

The analytical centre of the RF Government discussed a new draft of law developed by the RF Antimonopoly Service. This draft of law is supposed to supplement the existing Law on protection of competition, to put it differently, the new draft of law will introduce a norm which will oblige violators of competition law pay compensation to the affected parties. The author of the article is among those participants of the discussion who did not share views as regards necessity, possibility and legality of introducing such norm. The present article is to fill in the gaps in this discussion and continues the ongoing debate.

BONDAREVSKAYA, Maria Vitalievna

Master of Laws
Postgraduate
Department of civil law
Lomonosov Moscow State University Law School
mbondarevskaya@mail.ru

Legal nature of initial public offering

Keywords: Initial public offering, sale and purchase, public offering, corporate relations
The article deals with quite a popular method to raise investment, which in the context of international trade is known as Initial Public Offering, IPO among a number of investors on a stock exchange. The author analyzes the legal nature of the initial public offering in the context of the current Russian and foreign legislation as well as best practices on the issue.

GONCHAROV, Denis Yurievich

Candidate of legal sciences
Associate professor
Professor
Department of criminal law
Second faculty of Qualification Advancement
The RF Investigative Committee Academy
goncharov_d@mail.ru

Correlation between legal relations under legislation on prevention of criminal offences and legal relations codified in criminal law

Keywords: Legislation on prevention of criminal offences, criminal law, legal correlation

The author concludes it is necessary to include non-governmental entities (local and regional) to broaden the list of parties to relations which are stipulated in legislation on prevention of criminal offences. The author points out the differences in the facts which prompt relations which fall under preventive legislation and criminal law.

KACHALOVA, Anna Valerievna

Candidate of legal sciences
Instructor
Kutafin Moscow State Law University
anna.kachalova@gmail.com

Legal nature of companies' reorganization

Keywords: Reorganization, corporate relations, legal succession, companies

The issue of legal nature of companies' reorganization remains debatable due to different approaches taken by scientists. The author presents a short list of the existing views on the issue. At the same time the notion and legal nature of companies is analyzed in the context of corporate relation dynamics.

PAVLOVA, Ekaterina Yurievna

Postgraduate
Lomonosov Moscow State University Law School
Department of criminal law and criminology
ek_pavlova@bk.ru

Grounds for amending the indictment to graver offence

Keywords: Criminal law, criminal offence, classification of crimes, amending the indictment, facts of a crime

The article covers the issues which concern broadening the court's discretion in criminal law, and providing a court with power to amend the indictment to a graver offence. The author concludes that amending the indictment is justified when a court determined a degree of social danger was lesser than due in a specific case.

POTAPENKO, Sergey Viktorovich

Doctor of legal Sciences
Professor
Honored Jurist of Russia
Honored court worker
Head of Department of Civil Law and International Law
Kuban State University
79182624650@ya.ru

Determining the concept of business reputation for determination of its jurisdiction

Keywords: Civil procedure, defamation, defense of honour, dignity, and business reputation, jurisdiction

The author analyzes business reputation of businesses and entrepreneurs against the notion of personal and material good. The author concludes that legal framework does not provide that disputes concerning protection of business reputation cannot be attributed to any specific jurisdiction. The author suggests that cases on protection of business reputation of companies and other legal entities should be excluded from the jurisdiction of commercial courts.

SCHENNIKOVA, Larisa Vladimirovna

Doctor of legal sciences
Professor
Kuban State University
shchennikova_larisa@mail.ru

Jus in rem and necessity to recognize it RF Civil Law

Keywords: Civil legislation, jus in rem, ownership, concept, law-making technique, civil code, modernization

The developments in the RF Civil Code also touch upon the concepts and terms of law. The author analyzes the suggested norm of jus in rem, proposed by the authors of amendments to the RF Civil Code. The author concludes this norm has to be incorporated into Russian civil law.

SYCHEV, Pavel Gennadievich

Deputy Head of control and method department
Investigating department Ministry of Internal Affairs
Candidate of legal sciences
Colonel
4402898@mail.ru

Cooperation of civil and criminal law: seizure of property and other subject matter of civil circulation in the context of criminal investigation

Keywords: Seizure of property, securities, real estate, monetary assets on checking account of fly-by-night firms, differential order of civil procedure on economic and business crimes

RF Criminal Procedure Code stipulates that one of its primary objectives is protection of rights and legal interests of people and organizations badly affected by crimes. However, in practice this task loses its primacy. Giving examples of criminal cases the author analyzes effectiveness of property seizure, and puts forward some ideas on its improvement.

TOM SINOV, Vladimir Alekseevich

Doctor of legal sciences
Professor
Lomonosov Moscow State University Law School
tomsinov@yandex.ru

Draft of Civil Code of Laws of the Russian Empire 1809—1814 and its significance for development of Russian civil law science. Article three

Keywords: Draft of Civil Code of Laws in Russian Empire in 1809—1814, Russian Civil law science in the early XIX century, M.M. Speransky

The article analyzes the Civil Code of Laws 1809—1814. In particular, it deals with the institutes of family, property law and law of obligations. The article points out how the French Civil code of 1804 had impacted on the draft of Civil Code of Laws.

VOINIKANIS, Elena Anatolievna,

Candidate of legal sciences
Associate professor
Expert Activities Coordinator
Russian Corporate Counsel Association
voinikanis@mail.ru

MASHUKOVA, Elena Olegovna

Law Counsel
mashukova@mail.ru

STEPANOV-YEGIYANTS, Vladimir Georgievich

Candidate of legal sciences
Assistant to provost
Deputy of the dean
Associate professor
Department of criminal law and criminology
Lomonosov Moscow State University Law School
02041981@mail.ru

Privacy, personal data and liability for illegal collection and dissemination of private information and personal data — improving the legislation

Keywords: Private life, personal and family secret, personal data, offences violating constitutional rights and freedoms of a man and citizen, violation of privacy

Current legislation does not have well-established construction of the notion of 'private information', 'private secret', 'family secret', neither does it provide a unified view on how these notions correlate with the concept of 'personal data'. As a result, a piece of information may be treated simultaneously as private information and personal data. Such situation leads to competition between the norms in criminal and administrative law, in particular this concerns responsibility for illegal collection and dissemination of private information and personal data. The article covers this issue and analyzes possible ways of its resolution.