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Cryptocurrency in legal theory of money: analysis essay

Keywords: Money; cryptocurrency; monetary obligations; legal means of payment; electronic money; virtual currencies; money substitutes

The author analyses the scholarly views on cryptocurrency in Russian and foreign law as well as various theories of money and their relevance to the category of cryptocurrency. Most of the analysed approaches, according to M.L. Bashkatov, have no relevance to cryptocurrencies.

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Pre-nuptial agreement and divorce settlement agreement as tools for regulating relations between spouses in case of divorce

Keywords: Prenuptial agreement; divorce settlement agreement; termination of marriage; spousal property; legal regime of spousal property; contractual regulation of spousal property

The paper outlines the topics which represent theoretical controversies and thus necessitate further development of legislative acts. The author tries to establish whether divorce settlement agreements can be signed after the conclusion of the prenuptial agreement. The author discusses the legal nature of the prenuptial agreement, critically reviews the two types of agreements and analyses the form of the divorce settlement agreement.

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Development of corporate legislation in current political and economic conditions and its impact on companies

Keywords: Joint stock company; buy-out and acquisition of shares; limited liability company; corporate governance; disclosure of information; AGM; convening AGM; board of directors formation

The paper analyses the vector of the Russian corporate law development, in particular, the planned and envisaged tasks of corporate law development. The author discusses the impact the environmental and political factors have had on the changes to corporate legislation. It is further noted that the latest changes in the legislation were planned to be short-term ones, yet in light of modern political and economic conditions they will remain in force for a longer period.

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Jury trial in non-criminal cases: comparative law analysis

Keywords: Jury trial; court procedure; civil procedure; foreign practice

Quite limited experience in jury trials in non-criminal cases is one of the reasons for limiting the scope of cases within jurors' competence. To identify the advantages and disadvantages of jury trials in non-criminal cases by contrast with ordinary court proceedings, the author analyses the work of the jury in China, Canada and USA.

MOLCHANOV, Valeriy Vladimirovich

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Failure to produce evidence and withholding evidence in civil cases: issues of theory and practice

Keywords: Arbitrazh proceedings; civil procedure; good faith; abuse; failure to produce evidence; withholding evidence

The paper was inspired by one of the commentaries of the Russian Federation Supreme Court Plenum regarding discovery motions filed by litigants and the consequences of withholding evidence. The author concludes that the legal position of the Supreme Court needs more elaboration due to lack of sufficient legal grounds for subjecting the persons 'at fault' to measures that have the effect of sanctions. The author discusses other possible ways of resolving the problem of withholding evidence in the course of the adversarial proceedings.

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On delineation of powers to set up sites for solid municipal waste collection

Keywords: Solid municipal waste; waste collection sites; regional operator; local governance bodies; local governments

Based on the analysis of applicable legislation in the sphere of solid municipal waste treatment and relevant court practice the authors conclude there is legal uncertainty in terms of delineation of powers dealing with setting up of a site for SMW treatment. The authors suggest that applicable regulations should require regional operators to include the expenses on purchase of containers into the tariff.

SCHENNIKOVA, Inna Igorevna

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Digital law in Russian legal system

Keywords: Digital transformation; digital information; digital technologies; digital law; branch of law; theory of legal 'kaleidoscope'

The author discusses public relations deriving from the use of digital information and digital technologies. Such relations represent a particular category which requires a special legal regulation. Based on the research of digital relations from the perspective of legal science the author defines the notion of digital law and determines its role in the legal system.

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Stock options programs for employees: model of stocks option agreement in Russian corporate law

Keywords: Stock options agreement; option; option agreement; option grant agreement; stocks option program; appraisal program; incentivizing key employees; long-term motivation

Implementing stock options programs by means of stock option agreements between the company and its employees may enhance the key workers' commitment to improving the company performance.

The paper analyses the instruments like a program through which public joint stock companies acquire their own shares or the funds for granting shares to employees, as well as direct option agreements. The author analyses applicable legal restrictions and makes proposals on further development of the legal regulation.

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Representations in English law: history of development

Keywords: Representations; warranties; contract; Civil Code; due diligence; operational costs; English law; good faith

The author discusses the evolution of the institute of representations in England and reviews the stages of its development in Russia. Current provisions on representations are far from perfect which results in certain problems of legal practice. It is argued that a relevant article must be introduced to the Russian Federation Civil Code. The author concludes it is necessary to reform the institute of representations to reveal its potential as mechanism of effective allocation of risks and reduction of operational costs.

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Andrey Yanuarievich Vyshinsky (1883—1954), statesman and legal scholar.

Article sixty-eight

Keywords: USSR; repressions; USSR General Procurator Office; NKVD USSR; N.I. Zhovh; A.Ya. Vyshinsky

The paper continues the series of works devoted to the professional career and academic legacy of A.Ya. Vyshinsky. The author discusses A.Ya. Vyshinsky's work as Procurator General in late 1938.

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Labour relations and new challenges: problems of regulation in context of labor market transformation

Keywords: Employee; employer; atypical employment; gig economy jobs; genetic technology; trade and economic policy

The role of labour law and its tools are changing dramatically in modern economic conditions. Despite the rise of new types of labour relations there is still a lot of room for development in terms of their legal regulation, such relations include atypical employment, work for hire, gig economy jobs, spot employment and so on. At the same time we are witnessing the development of new business models in the context of international business. The paper reviews the most topical research issues arising in light of new challenges for labour law.

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On legislative proposals on excluding criminal cases involving crimes under par. 4 Art. 210 and Art. 210.1 of Criminal Code of Russian Federation from scope of cases subject to trial by jury and other problems of criminal procedure

Keywords: Criminal procedure; sentence; head of organized crime syndicate; crime; criminal case; jurisdiction

The paper discusses the changes to criminal procedure legislation to ensure fair and just sentencing with respect to persons who manage organized crime syndicates. Adoption of the proposed amendments to the Art.30 of the Russian Federation Criminal Procedure Code will provide additional guarantees of safety of the proceedings and fair sentencing. The author also considers other legislative proposals concerning the changes to the Art. 151, 162, 226, 453, 456 of the Russian Federation Criminal Procedure Code.