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MEMBERSHIP IN SELF-REGULATING CONSTRUCTION ORGANIZATION

Keywords: self-regulating organization, building and construction, designing, engineering survey.

Membership in self-regulating organization has become the required condition for doing business in engineering survey, designing, building and construction, reconstruction and full repair of capital construction objects since January 1, 2010. What can and must self-regulating organization (SRO) require from its members? How do current laws provide for admission to SRO membership and for its termination? What is the scope of SRO's powers affecting its members?

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PRICELESS GIFT OR ANOTHER ROBBERY OF THE OLD COLLECTOR? THE BACKGROUND HISTORY OF CREATING PICTURE MUSEUM DEVOTED TO V.A. TROPININ AND OTHER ARTISTS OF HIS TIME (BASED ON THE CRIMINAL CASE FACTS)

Keywords: KGB, criminal case, sentence, art patron, benefactor, Picture Museum devoted to V.A.Tropinin and other Moscow artists of his time, collectors F.E.Vishnevsky and V.V.Treskin.

The article «The old Collector's Gift» published in «Izvestia» news paper describes the noble action by the collector F.E.Vishnevsky who has given his collection of pictures to Moscow city and the opening of Picture Museum devoted to V.A.Tropinin and other Moscow artists of his time. The article is based on the criminal case facts revealing the true story about the Museum creation.

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THE INTERESTS OF MAJORITY AND MINORITY SHAREHOLDERS IN PURCHASING OVER 30% OF SHARES IN OPEN JOINT-STOCK COMPANY

Keywords: merger, compulsory offer, majority shareholders, minority shareholders, corporate control, corporate interest, corporate conflict.

The purchase of a large stock of shares is not only rather complicated but very costly under the current laws. Whether the balance of interests between majority and minority shareholders is observed is rather doubtful in this kind of purchase. The mechanism of resolving the conflict of interests between the two groups of shareholders is being determined. This type of transaction is considered both in theoretical and practical terms. Court decisions are analyzed for that purpose.

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INSTITUTION OF OBJECTIVE LIABILITY IN CIVIL (PRIVATE) LAW

Keywords: objective liability, fault, theory of causation.

The comprehensive description of civil liability in modern Russian law is presented. There are given grounds of objective civil liability. The perspective of incorporating civil liability by the institutions of insurance law is discussed.

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TECHNICAL REGULATIONS AND STANDARDS

Keywords: national standards, technical regulations, conformity mark, national standards mark, enumeration of national standards.

To enforce the provisions of the Federal Law «On technical regulations» the new rules are being introduced which specify the requirements of goods quality. However, this transition period does not go smoothly. There is observed unreasonable reduction of the number of normative regulations setting out compulsory requirements of goods quality before the respective technical regulations are issued. There are mistakes in carrying out quality approval, in marking products for conformity with voluntary certification and for conformity with national standards.

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PROBLEMS OF LEGAL REGULATION OF SECURITIES MARKET PROFESSIONAL OPERATORS UNDER RUSSIAN LAWS

Keywords: securities market professional operator, law on securities market, professional operations at security market.

The concept of «securities market professional operator» is being analyzed and compared with similar concepts used in laws of other nations. In addition specific features of the legal status of the securities market professional operators in Russia is being determined as well as the types of their professional operations. There are suggested possible approaches to defining appropriate terms.

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TAKEOVER BY MEANS OF ACQUIRING INDIRECT CONTROL

Keywords: takeover, acquisition of indirect corporate control, mandatory offer, corporate mean of protection of shareholders' rights.

To protect investors in the event of a takeover, most countries, including Russia, have developed the legal concept of a mandatory offer. However, the Russian mandatory offer rules are inherently faulty since they apply only to acquisitions of direct control over a company. Therefore acquirers evade the rules by means of acquiring indirect control through a parent company. As a result investors' rights stay without protection. According to the author of the publication, it would be reasonably to expand the application of mandatory offer rules to include acquisitions of indirect control over a company with regard to the U.K.

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THE ISSUES OF SEPARATION OF LAND PLOTS FROM AGRICULTURAL LAND AS SHARED OWNERSHIP OF LAND

Keywords: agricultural land turnover, separation of land plot, the right of ownership to land, shared ownership.

The separation of land plots is a very controversial issue today. There are a few reasons for that. They include conflicting legal regulations, a huge number of shared land owners, the conflict of interests among them. Most of the have documentary evidence of their shared ownership rights to land but they have not become rightful owners of land in legal terms. There arise lots of problems when shared land owners come to enjoy their right to separate their land plots, to have the express decision of shared land owners and to get state registration of their right to the separated land plots.

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TAX AMNESTY: NEW RULES OF THE GAME

Keywords: criminal liability for tax evasion, failure to perform tax agent duties, active repentance.

In January 1, 2010 the amendments to the Russian Tax Code took effect with the purpose of decriminalizing tax offences. (Federal Law #383-FZ of December 29, 2010). The novelties introduced by the law are examined and analyzed.

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LEGAL EDUCATION AND SCIENCE IN RUSSIA IN THE 1860—1870-S

Keywords: history of Russian legal science, University Charter of 1863, university law education.

University and court reforms played a great role in the development of legal education and science in Russia in the 1860—1870-s. The reforms were preceded by extensive research in jurisprudence carried out by leading theorists, university professors, well-educated civil servants. They generalized the historic development of the Russian university education and court system, studied the operation of Western European universities and court systems. They pondered the goals and purposes of university education, the nature and social importance of judicial system, the concepts of the underlying principles of justice.

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LINGUISTIC MISTAKES FOUND IN LABOR LAW RULES

Keywords: linguistic mistakes, deficient labor law rules.

Legal rules regulating behavior in this or that sphere are a combination of statements in linguistic terms. Since they acquire legal meaning and form up a law they have to meet some important requirements as only unambiguous wording can deliver the intent of legislators to law-enforcement officials. The difficulties arise when there are used complicated syntactic structures which can be replaced by shorter and simpler sentences, unreasonable use of participle constructions as well as of numerous conjunctions, etc. There are examined the most common mistakes found in labor law rules.

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«PROPERTY COMPLEX»: A NEW LEGAL CATEGORY

Keywords: new legal category; legal category of a property complex; property complex; new objects of civil law.

The Russian civil legislation is acquainted with the concept of a property complex — it is used to define an enterprise in Article 132 of the Civil Code of the Russian Federation. At the same time, in the author's opinion, an absence of the property complex as an independent legal construction complicates business relations in Russia. The author demonstrates the actual need to introduce the given legal category into the civil legislation of the Russian Federation.