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### Security deposit for security of performance of future obligations or obligations under preliminary agreements

**Key words** Security for performance of obligations; performance of obligations; security deposit; preliminary agreement; future obligation

Based on the analysis of relevant court and arbitrazh practice as well as scholarly works the author concludes that security payment constitutes a means of securing the performance of future obligations and existing obligations with deferred terms of fulfillment as well as obligations arising from preliminary agreements concerning the formation of final agreement.

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### Head of investigative body as party to criminal proceedings

**Key words** Head of investigative body; investigator; prosecutor

The author discusses the legal status of head of investigative body under criminal procedure in Russia. The author gives suggestions for further development of respective norms of legislation.

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### Insurance benefits calculation: historical review and current regulation

**Key words** Temporary unemployment; maternity; insured risk; insurance payment; average daily income; beneficiary; insured person

By giving a review of the approach adopted in the Soviet period the author provides arguments for introducing a privileged list of social payments which are to be taken out of the scope of compulsory social insurance and insurance payments respectively.

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### Criminal offences subject to article 159.6 of Russian Criminal Code: modus operandi

**Key words** Economic crimes; property crimes; fraud; cyber-fraud; methods of crime; article 159.6. RF Criminal Code

The article provides the legal analysis of modus operandi in case of computer fraud. The author specifically points out that the field of IT hardly associates with the conventional understanding of fraud and its methods. The author concludes that the crime for which article 159.6 of the Russian Criminal Code provides responsibility, has its own legal and social attributes and can be distinguished from fraud as property crime committed by way of deceit and abuse of trust.

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### Cryptocurrency and its mining: economic reality and premises for legal regulation

**Key words** Cryptocurrency; bitcoin; token; blockchain; money; foreign currency; legal means of payment; administrative responsibility; criminal responsibility

Cryptocurrency is being introduced into the economic activity without developed regulatory approach at hand. The article analyzes current Russian law from the point of premises which would allow to attribute cryptocurrency and related operations to the scope of civil law regulation. The authors analyze three approaches: cryptocurrency deemed money (analogue of currency), other financial instrument or (miscellaneous) property. The authors conclude that classifying cryptocurrency as other financial instruments would make sense as long as the legislator devises a set of norms that would render cryptocurrency transactions legitimate. The authors also outline the risks related to classifying cryptocurrency transactions as administrative offences and offences predicated by uncertain legal status of cryptocurrency under the current legislation. Current situation calls for swift introduction of a special federal law with regard to the legal regulation of cryptocurrency, its mining and circulation.

## ORLOVSKIY, Yuriy Petrovich

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### Labor agreement: prospects and perspectives

**Key words** Labor law; Labor Code; labor agreement; labor function; content of labor agreement; independent qualification assessment

Labor agreement being the core institute of labor law has undergone significant changes over the 15 years since the Labor Code of the Russian Federation took its effect. At the same time many issues regarding further development of labor agreement and extending the scope of labour agreement regulation remain open, among those issues are compulsory terms of labour agreement, formation of short-term agreements, modification of labour function. The author puts forward a number of suggestions with regard to changing the legal regulation of this institute which will be the subject of discussion in the course of labour legislation reform.

## PRESNYAKOV, Mikhail Vjacheslavovich

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### Legal custom as atypical source of constitutional law and constitutional convention

**Key words** Source of law; constitutional law; custom; legal custom; constitutional convention

The article focuses on various approaches to the understanding of legal custom and underlines that currently there is no unified position on this issue within constitutional law science. The author draws a distinction between the concepts of 'legal custom' and 'constitutional convention'.

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### Inheritance per stirpes: development trends in France

**Key words** Legal succession; inheritance per stirpes; commorientes; renunciation of succession

Drawing upon the analysis of the two reforms of French inheritance law (in 2001 and 2006 respectively) the author concludes that French practice will prove useful in the process of development of Russian legislation. In particular, it is suggested that the restriction stipulated in the Art. 1146 of the RF Civil Code should be removed. Under this restriction descendants of unworthy legatee are to be stripped out of inheritance per stirpes.

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

### Article five

**Key words** USSR; Soviet law science; A.Ya. Vyshinsky

The article is devoted A.Ya. Vyshinsky, his professional career, and contribution to the development of jurisprudence. The article dispels political myths about this figure and provides an unbiased analysis of his political career and scholarly works.

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### Legal equality in sources of business law

**Key words** Legal principles; legal equality; social justice; sources of business law; business legislation

Equal legal opportunities which are to pervade the system of formal legal norms is the essential attribute of the legal equality construct. The article analyzes how legal equality concept is embodied in the sources of business law as this concept is one of the elements of social justice principle.

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### Basis of information legal relations

**Key words** Norm; information; conditions; basis; legal relations

The article analyzes the basic theoretical concepts of legal relations which, according to the author, allow to mark off characteristics sufficient to single out a new type of legal relations such as information legal relations. The author provides its comprehensive definition.

## VOROZHEVICH, Arina Sergeevna

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### University innovations: problems of licensing and obtaining IP protection

**Key words** University; educational institutions; higher education institutions;

innovations; commercialization; register of innovations; licensing agreement; author

The article deals with issues related to the commercial aspects of innovations developed by the staff members of Kutafin Moscow State Law University. Drawing on the analysis of foreign practice the author speaks about the possibility to encourage authors to disclose their developments, to arrange the transfer of university technologies and attract licensees and investors.