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Unilateral repudiation and unilateral modification of obligation: scope of Article 310 of Russian Civil Code

Keywords: Obligation; contract; unilateral deals; performance of obligation; acceptance of performance; unilateral repudiation; unilateral modification of obligation (contract)

The author continues the analysis of the key questions related to unilateral repudiation and unilateral modification of its conditions. The author, in particular, elaborates on the scope of parties and actions stipulated by the Article 310 of the Russian Federation Civil Code. The author concludes the article with a recommendation on applying restrictive interpretation with regard to this article.

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Continuing professional education in Russia and abroad

Keywords: Education; continuing professional education; professional re-training; professional training; further professional education

Continuing (further) professional education should be regarded as the means to maintain personal development, professional competences and skills throughout a person's life and not as a 'building block' which compensates lack of higher education. The author examines the problems of legal regulation of continuing professional education in Russia and foreign countries.

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Does corporation create law? External effect of corporate regulation

Keywords: Private regulation; private law; corporate governance; corporate acts and bylaws

The article opens the discussion on the nature of corporate board acts and corporate bylaws which have implications for the contractors and third parties. The author believes that under certain circumstances the corporate acts and bylaws with such 'external' effect give rise to a specific legal regulation for the contractors and third parties.

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Associated dissertation councils in system of state scientific attestation

Keywords: Higher Attestation Commission; state scientific attestation; dissertation council; associated dissertation council; organizations with right to award academic degrees; award of academic degrees; agreement on associated dissertation council

Federal Law of May 23, 2016 No. 148-ФЗ «On Amendments to Article 4 of the Federal Law on Science and State Scientific and Technical Policy» gave a number of research and educational organizations the right to award academic degrees; the Federal Law also set the termination dates for the dissertation councils created within those organizations earlier. Given that certain organizations, including those with the right to award academic degrees, established a number of associated dissertation councils, it is unclear whether such councils can be classified as dissertation councils based in a single organization. Besides there is legal uncertainty about the creation of new associated dissertation councils based in the organizations that have the right to award academic degrees, or with their participation.

The article focuses on the legal analysis of the applicable legislation regulating the work of dissertation councils and is aimed at identifying the legal status of associated dissertation councils based in the organizations with the rights to award academic degrees.

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Derivatives from perspective Russian civil law

Keywords: Derivative; time bargain; forward; futures; option; swap; hedging; speculation

The review of existing academic research showed that the characteristics of derivatives as determined by legal scholars do not suffice to recognize derivative as a specific type of contracts. In this regard, the proposals on classifying derivative as a type of contract under Civil Law of Russia seem to lack proper foundation.

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Gifts in contemplation of death in modern Russian law

Keywords: Gifts in contemplation of death; condition subsequent; condition precedent; will; void transaction

The author considers the gifts in contemplation of death which under Russian civil law can be made both on a condition subsequent and condition precedent. The analysis revealed certain gaps in the legal regulation of gifts in contemplation of death with

a condition subsequent. The author suggests ways of eliminating those gaps and specifically underlines that declaring a gift in contemplation of death with condition precedent void constitutes a cogent legal approach. This approach allows to protect both heirs' and creditor's property interests, as well as to promote uniformity of judicial practice concerning this matter.

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Seizure of property of third parties within the criminal procedure

Keywords: Seizure of property; procedural enforcement measure; third parties; property; suspect; defendant; court practice; Russian Federation Constitutional Court; restrictions; prohibition

The analysis of the rulings concerning seizure of property of persons who are neither suspects nor defendants in criminal proceedings revealed conflicting points in the positions of the Russian Federation Constitutional Court and the courts of first instance. The author further suggests the ways of eliminating the problems and gaps in criminal procedure.

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Allocation of taxing rights

Keywords: Allocation of taxing rights, permanent establishment, methods of double taxation elimination

Allocation of taxing rights represents the issue which poses challenges to both national legislation and international treaties. In particular, those refer to the issues of establishing the jurisdiction to tax and methods for double taxation elimination.

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

Article twenty-six

Keywords: USSR; repressions; A.Ya. Vyshinsky; I.V. Stalin; N.I. Bukharin; A.I. Rykov
The article is another piece in the series of works devoted to the professional career and academic legacy of A.Ya. Vyshinsky. Drawing on the analysis of the archives the author unveils the details of pre-trial work on the case of N.I. Bukharin in which A.Ya. Vyshinsky played the key role as the USSR Procurator General.

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Regulatory mechanisms of state policy for economic incentives: development of business activity in the Arctic

Keywords: State regulation; government control; administrative procedures; Arctic region, investment projects

The author analyzes the proposed governmental measures and approaches in respect of legal regulation of economic development of the Arctic territories. The main focus of the article is the set of legislative proposals which define the legal status of the Arctic zone, set out the measures of governmental support of business and lay down the regulation of business activity carried out in the Arctic zone.

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Bankruptcy proceedings and their transformation

Keywords: Civil law; insolvency; bankruptcy; bankruptcy law; bankruptcy transformation; bankruptcy process; debtor; creditor

The author suggests introducing the concept of 'bankruptcy transformation' into insolvency law. Such alteration usually takes form of limited legal capacity of the debtor subject to bankruptcy proceedings.

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Main subjects of rights in IT law

Keywords: Law; information; legal relations; right; subject to a right

To determine the general scope of subjects of rights of IT law the author analyzes the key approaches to classifying such subjects of rights. The author identifies the main subjects of rights of IT law and parties to legal relations in IT sphere.