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Guardianship and custodianship bodies in cases on protection of rights of underage children of debtor in insolvency proceedings

Keywords: Personal bankruptcy; minor; guardianship and custodianship body; alimony agreement; ancillary relief; challenging debtor's transactions

The paper contributes to academic work on the institute of personal bankruptcy, which has garnered a lot of attention over the last years. The paper aims to determine the scope of powers and the role of guardianship and custodianship authorities in upholding and protecting rights and interests of underage children of debtor in insolvency proceedings. The paper contains proposals aimed at further development of the applicable legislation.

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Relationship between notions of 'environmental interest' and 'individual ecological right' in scientific theory of M.I. Vasilieva

Keywords: Public ecological interest; individual right; right to safe environment; safe and healthy environment; ecological rights

2023 would mark the 60th anniversary of Maria Ivanovna Vasilieva, Doctor of legal sciences, whose scholarly work made a considerable contribution to modern legal science and proved to be as valuable, profound and significant as ever. In her key academic works M.I. Vasilieva analyzed public ecological interest and the system of individual ecological rights.

KOZLOV, Oleg Alexandrovich

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Presumptions in insolvency cases

Keywords: Insolvency (bankruptcy); subsidiary liability; presumption; evidence; beneficiary; executive officer; persons controlling debtor; limitations period

The paper analyzes presumptions about wrongdoings committed by persons who controlled the debtor which were conducive to debtor's insolvency (bankruptcy). The paper analyzes relevant court practice involving subsidiary liability claims.

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Directions of development of anti-crisis legislation in banking services market after start of special military operation

Keywords: Anti-crisis regulation; anti-sanctions regulation; sanctions; banking services market; credit institution; bank; Bank of Russia; anti-crisis legislation

The paper analyzes the main means of anti-crisis regulation of the banking services market, which received their legal form in connection with the beginning of a special military operation. Based on the classification of anti-crisis funds proposed by the author, based on the role of credit institutions in anti-crisis regulation, a conclusion is made about the possibility of systematization of anti-crisis, including anti-sanctions legislation.

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Joint property ownership: problems of law enforcement

Keywords: Joint owned property; ownership; property ownership title; verifiable public record; state registration of right to immovable property; consent of spouse; right of surviving spouse; rights of successors

The paper deals with the problems of inheritance of jointly owned real estate. In particular, the author analyzes the legal effect of the principle of publicity of joint ownership records in cases where both spouses have joint ownership whereas the register ownership record states only one of the spouses. The risks associated with the lack of information about the rights of the second spouse in relation to the property are analyzed. The author discusses possible ways of tackling those risks.

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Consistency of procedural form in legal norms of appeal and cassation procedures

Keywords: Court of appeal; court of first instance; procedural form; significant violations of procedural law

The legislative construct, which gives appellate courts the right to proceed to the consideration of a case according to the rules of the court of first instance when the decision of a lower court is reversed due to significant violations of the rules of procedural law, is in direct contradiction with the sign of the consistency of procedural form. This paper substantiates the idea of the feasibility of reconstructing this power of the appellate court.

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General principle of interpretation of commercial contracts: contextualism and textualism

Keywords: Interpretation; commercial contract; contract; textualism; contextualism; commercial context

The paper examines the rules of interpretation of commercial contracts under Russian and English law. Why under English law is it necessary to consider relevant commercial context when interpreting contract provisions? Should the context be reflected in the contract provisions? What approaches to interpretation are accepted under Russian law? The paper analyzes these and other pertinent questions.

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'Documented information' adjustments following introduction of AI into work of law enforcement bodies

Keywords: Law enforcement bodies; information support; technologies; information
Introducing AI technologies into work of law enforcement agencies might be conducive to amplified technocratic approach which can lead to errors of law. Considering those possibilities, the authors conducted analysis of substantive features of applicable legislation dealing with regulation of the concept of information.

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Andrey Yanuarievich Vyshinsky (1883—1954), statesman and legal scholar. Article seventy-six

Keywords: USSR; repressions; USSR General Procurator Office; I.V. Stalin; A.Ya. Vyshinsky

The paper continues the series of works devoted to the professional career and academic legacy of A.Ya. Vyshinsky. The author gives a general evaluation of A.Ya. Vyshinsky's work in the second half of 1930s and the phenomenon of the repressions during Stalin's rule.

ZHUK, Oleg Dmitrievich

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Question of criminal responsibility for illegal movement of goods across customs border of Eurasian Economic Union and state border of the Russian Federation

Keywords: Eurasian Economic Union; customs border; state border; movement of goods; criminal responsibility; alcohol and tobacco goods; smuggled goods

The article is devoted to the legislative initiative introduced due to the necessity to tackle the situations involving criminal responsibility for illegal movement of goods across the customs border of the Eurasian Economic Union and the state border of the Russian Federation.

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Organization of financial pyramid (Art. 172^o of Russian Federation Criminal Code): was criminalization necessary?

Keywords: Financial pyramid; fraud; collision of criminal law norms; social danger
Social danger of financial pyramids organized without elements of fraudulent deceit lies in the sphere of competition with real players of financial market. The author concludes the disposition of Art. 172^o of the Russian Federation Criminal Code should clearly and unambiguously state that the said legal norm applies to cases without elements of theft.