

АННОТАЦИИ И КЛЮЧЕВЫЕ СЛОВА

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ABSTRACT AND KEYWORDS
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Compulsory execution as a function of the state

Arthur K. Abdullaev

Abstract. The article examines one of the functions of the state – compulsory execution. The definition of the concept of organization of compulsory execution is given. The thesis is substantiated that this law enforcement function is the prerogative of the state in Russia.

Keywords: judicial act, enforcement, organization, law enforcement

Problems of the interaction of family law and civil procedure norms

Zulfizhat Z. Alieva

Abstract. The article is devoted to the problems of interaction of norms of family and civil procedural law, since the effectiveness of legal protection of the family largely depends on their consistency.

The issues of coordination and interaction of civil procedural and family law are analyzed. The procedural norms contained in family legislation are shown, their legal nature and individual mechanisms of interaction are indicated. It is concluded that it is necessary to bring the norms of family and civil procedural law to the uniformity, their identity and balance.

Keywords: family law, civil procedural law, substantive norms, procedural norms, interaction of legal norms

Administrative responsibility, including minors, for the online distribution of obscene statements on the Internet

Venera N. Amelchakova, Galina N. Suslova

Abstract. The problematic issues related to the interpretation and enforcement of norms of administrative tort legislation providing for liability for petty hooliganism in information and telecommunications networks of the Internet are considered.

Keywords: internal affairs bodies (police), minor hooliganism, minors, information and telecommunication networks, Internet, administrative responsibility

Some aspects of judicial protection of consumer rights in the provision of medical services

Malikat N. Batyrova

Abstract. The article is devoted to the analysis of certain aspects of judicial protection of consumer rights in the field of medical services. Attention is mainly focused on the problems of compliance with the pre-trial claims procedure for dispute settlement and the problem of increasing the burden on the judicial system.

Keywords: medical services, consumers, judicial protection, pre-trial dispute settlement procedure, right to defense

About some problems of road safety

Elena V. Brovkina, Dmitry V. Brovkin

Abstract. The issue of improving the organizational and legal basis for improving road safety is being considered.

The problems of traffic safety are identified, as well as the proposed solutions.

Keywords: road safety, traffic police, state reform, traffic accident

The concept, essence, legal regulation of real estate activity

Konstantin V. Vereshchak

Abstract. Legal research is devoted to the legal regulation of civil relations arising in the field of real estate activity.

Keywords: contract, real estate services, law

Criminal law policy of stimulating active repentance for terrorist crimes

Denis K. Veselkov

Abstract. The article evaluates the construction of notes to articles of the criminal law on terrorist crimes. On the basis of a systematic analysis of legislative structures, regulations, the position of the highest court and the provisions of the General Part of the Criminal Code of the Russian Federation, contradictions and inconsistencies in legal regulation are revealed. The identified aspects of stimulating active repentance for terrorist crimes make it possible to draw conclusions about the directions of the criminal law policy in the fight against terrorism.

Keywords: active repentance, voluntary refusal, terrorism, terrorist crimes

The role of law enforcement agencies in ensuring public safety when accompanying mass events

Alexey M. Voronov

Abstract. The tasks of ensuring public order and security during the period of mass (public) events are implemented by law enforcement agencies, in particular, employees of the National Guard troops and units for protecting public order and ensuring public security of the Ministry of Internal Affairs of the Russian Federation. Some aspects are proposed to improve the activities of law enforcement agencies in ensuring public security through the integration of science and technology into the professional activities of the internal affairs bodies.

Keywords: police, public safety, acoustic escort, mass events, riots

On the question of the concept and essence of the discretionary powers of the court in civil proceedings

Naida Sh. Gadzhialieva

Abstract. The article is devoted to the study of the concept and legal nature of discretionary powers in civil proceedings. Based on the analysis of regulatory and scientific sources, various approaches to defining the concept of discretionary powers

are considered, their own concept of discretionary powers is given, and their legal nature is investigated.

Keywords: discretionary powers, court discretion, legal uncertainty, civil procedure

Directions for the effective implementation of criminal liability

Mikhail Yu. Dvoretzky

Abstract. The article discusses the directions of the effective implementation of criminal liability. The author analyzes the problems of the domestic theory of criminal law and law enforcement practice, makes proposals for their solution.

Keywords: efficiency, implementation, criminal responsibility, punishment, crime, criminal policy

On the issue of the principle of trademark right exhaustion

Vera Ya. Zhurina, Maria S. Lavrentieva

Abstract. The concept and essence of the principle of exhaustion of the exclusive right to a trademark, its legal consolidation are considered. The decision of the Federal Antimonopoly Service on the violation of antimonopoly legislation by Daimler A.G. and KYB Corporation, expressed in the prohibition of parallel imports of products, is being investigated.

Keywords: trademark, parallel imports, principle of exclusive right exhaustion, unfair competition, counterfeit

On the issue of electronic evidence in civil proceedings

Magomed I. Ibragimov, Gulnara A. Batyrova

Abstract. The digitalization of civil procedural activities is a complex process that has affected the procedure of proof. One of the most controversial topics in this direction is the possibility of introducing a new type (source) of evidence – electronic evidence. The article reveals the concept and legal nature of electronic evidence, expresses the point of view on the need to recognize electronic evidence as an independent type of evidence in the Civil Procedure Code of the Russian Federation.

Keywords: electronic justice, electronic document, electronic evidence, civil procedure, research of evidence

Provision of residential premises to employees of internal affairs bodies and their family members in the ownership and receipt of a lump sum payment as a form of realization of the right to housing by employees of internal affairs bodies

Julia A. Kanaeva

Abstract. The article notes that one of the forms of realization of the right to housing by employees of internal affairs bodies is the provision of residential premises to employees of internal affairs bodies and members of their families in ownership and the receipt of a lump sum payment. It was noted that the mechanism for providing housing for such a category of employees as employees of the internal affairs bodies includes various forms, most of which allow employees to purchase housing independently, without looking at the standards established by the state when providing such housing, for example, in order of priority. The author has proved that the problems

associated with the implementation of this mechanism remain unresolved. The article proposes ways to increase the effectiveness of the implementation of this mechanism.

Keywords: employee of internal affairs bodies, lump sum social payment, residential premises, mechanism of provision of residential premises, property

The state, development trends and counteraction of mercenary and violent crime in the Russian Federation and the USA (robberies, robberies)

Andrey B. Kiryukhin

Abstract. The statistical data on the state, development trends and counteraction of mercenary and violent crime in the Russian Federation and the USA (robberies, robberies) are presented. Based on the comparative analysis data, conclusions are drawn about the attitude of the population of both countries to the activities of law enforcement agencies to prevent mercenary and violent crimes.

Keywords: mercenary and violent crime, theft, robbery, robbery, state, development trends, counteraction, prevention, law enforcement agencies

Forensic characterization of violations of the legislation of the Russian Federation on taxes and fees

Yuriy G. Kleshchenko

Abstract. Such elements of the forensic characteristic of violations of the legislation of the Russian Federation on taxes and fees as the identity of the offender, the methods, time, place, situation of the crime are analyzed. It was concluded that all elements of the forensic characteristic are of equal importance for the organization of the investigation of a tax crime. The specificity of the situation of committing a tax crime is characterized by the fact that it includes the phenomena and processes noted above that accompany the course of a specific tax crime. The situation in the crime scene affects the consciousness of the perpetrator of the crime, and with the help of this influence it is possible to establish a chronology of events preceding the crime. Analysis of the situation of the crime makes it possible to make a correct assessment of the actual circumstances of the tax crime committed, as well as to predict the versions of the defense and how to refute them.

Keywords: taxes, fees, tax crimes, criminological characteristics of crimes, time of committing a crime, place of committing a crime, method of committing a crime, situation of committing a crime

The history of the development of Russian legislation on liability for encroachments on life support facilities

Vadim S. Kovrigin

Abstract. The topical issues related of the development of Russian legislation on liability for encroachments on life support facilities are considered. The analysis of normative legal acts regulating the sphere of relations in the field of protection of life support objects is carried out, the preconditions and tendencies of the development of legislation are revealed, on the basis of which the author comes to the conclusion about the formation of a relatively new institution in modern Russian law – the life support object. On the part of the state, the objective necessity of criminalizing criminal encroachments against life-support facilities has been determined in connection with the development of economic relations, as well as a significant increase in the number of criminal encroachments in this area, which led to the formulation of a priority state goal – to ensure the protection of life-support facilities.

Keywords: life support facilities, vital activity of the population, protection of objects, criminalization, history, regulatory legal acts, legislation, criminal liability

Extremist community as a form of organized criminal activity

Nodar Sh. Kozaev, Dmitriy A. Ryasov

Abstract. The features of the legal structure of the extremist community organization (Article 282.1 of the Criminal Code of the Russian Federation) are considered, the signs of organized extremist activity are examined. Attention is drawn to the legal and technical description of the constructive features that make up the content of the composition of the investigated crime. The author's position regarding the most controversial and vulnerable, from the point of view of legal technique, provisions that form the basis of criminal responsibility for the organization of an extremist community and the practice of applying the relevant norm is substantiated.

Keywords: extremism, extremist activity, extremist community, extremist organization, involvement, leadership, participation, crime

About the problems of the institute for suspension of preliminary investigation and its renewal: summary of opinions, practice, ways of solution

Anna V. Lisitsyna

Abstract. The article proposes the author's understanding of the suspension of the preliminary investigation in its inextricable relationship with the resumption of the suspended preliminary investigation. Attention is focused on individual problems of the institution under consideration. A cross section of the opinions of scholarly proceduralists on its concept is made, specific examples are given that illustrate the problems of law enforcement, and possible ways of solving them are proposed.

Keywords: preliminary investigation, investigator, suspension of preliminary investigation, temporary break in investigation, grounds for suspension of preliminary investigation, reopening of a suspended preliminary investigation

On the role of law in regulating the economy in legal states

Samvel S. Mailyan, Nodari D. Eriashvili

Abstract. In the article, based on the analysis of legal literature and legislation on the relationship between economics and law in legal states, several judgments are made: The Russian Federation is proclaimed a state of law in the Constitution of the Russian Federation of December 12, 1993; the status of a «state of law» presupposes an optimal

Keywords: Russian Federation, state, legal state, sovereignty, subject of international law, Russian Federation, legislation, normative legal act, Constitution of the Russian Federation, economy, law, public relations

Problematic issues of bringing persons to criminal liability for the legalization (laundering) of money or other property

Veronika Yu. Malakhova, Vera E. Batyukova

and problematic issues related to bringing persons to criminal responsibility for committing crimes under Art. 174, 174.1 of the Criminal Code of the Russian Federation. The article analyzes legislation, materials of judicial practice, opinions of scientists on the problems considered in the article. At the end of the work, conclusions are drawn.

Keywords: criminal responsibility, crime, legalization of illegally obtained funds, qualification problems, Art. 174 of the Criminal Code of the Russian Federation, Art. 174.1 of the Criminal Code of the Russian Federation

Innovative ways of monitoring and countering cyber threats in peer-to-peer networks and proposals for improving the prevention of illegal behavior while ensuring the functioning peer-2-peer-connections

Natalia V. Mikhailenko, Svetlana V. Muradyan, Alexander A. Vikhlyayev

industrial revolution, there are three main factors of threats in the network: anthropogenic, technogenic and natural. Undoubtedly, the use of peer-to-peer networks in the implementation of various types of operations (in particular, cryptocurrency) is an essential tool that significantly reduces the potential for cyber threats, primarily by establishing a trust potential between network users. With the seeming closed nature of the connections used, the possibilities of distributing information resources and the use of modern cryptographic tools, there are a number of features related to the use of these overlay networks. This study is primarily aimed at analyzing modern methods of monitoring cyber threats that users of peer-to-peer connections may face, and also determines the basic directions for the prevention of illegal behavior in cyberspace in this segment.

Keywords: cyberspace, peer-to-peer networks, monitoring, overlay network, cyber threat, forensics, «master chain», information security

Tasks of the prosecutor's office for the judicial protection of public interests in land relations

Natalia V. Mikhlina

Abstract. The modern tasks of the prosecutor's office to protect in court the interests of state and municipal bodies protected by law, the rights and legitimate interests of an uncertain number of persons are identified and considered. Based on the study, certain conclusions and proposals aimed at improving this type of activity of the prosecutor's office are formulated.

Keywords: judicial protection, land relations, prosecutor's office, public interests

Implementation of the Concept of primary health care development in the system of the Ministry of Internal Affairs of the Russian Federation for the period 2019–2024

Elena A. Mishina

Abstract. After analyzing the results of primary health care provided to personnel by medical organizations of the Ministry of Internal Affairs of Russia, the author determined the low availability of primary health care for employees, due to the insufficiently developed network of divisions of medical organizations of the Ministry of Internal Affairs of Russia and the insufficient efficiency of using the regular number of medical personnel of special institutions. The important aspects and main features of the legislative framework of the medical support system of the Ministry of Internal Affairs of Russia, as well as the role of the Concept of primary health care development in the system of the Ministry of Internal Affairs of the Russian Federation for the period 2019–2024 in it were noted. Based on this, it was concluded that after the implementation of this concept and amendments to modern legislation in the field of organization of medical care in the internal affairs bodies, it began to reflect current approaches to the provision of primary health care in the system of the Ministry of Internal Affairs of the Russian Federation and meet the realities of today.

Keywords: development concept, primary health care in the system of the Ministry of Internal Affairs of the Russian Federation, outpatient clinic, medical (paramedic) health center, polyclinic, temporary detention center, temporary detention center for juvenile offenders, temporary detention center for foreign citizens, pre-trip (post-trip) examinations

Crimes in the sphere of economic activity: measurement and forecasting capabilities

Tatyana V. Molchanova

Abstract. The article is devoted to certain problems arising in the process of criminological forecasting. The main type of criminological forecasting is the forecasting of crime, namely possible scenarios of its development. The author conducted a quantitative analysis of those convicted of certain crimes in the field of economic activity. The content of the article indicates that there is a reasonable need to make a forecast of the development of crimes in the field of economic activity. The article discusses some of the problems that arise when forming such a forecast. The use of official statistical estimates to study and apply them in criminological forecasting leads to errors in the assessment of their actual perception and will not allow to determine the forecast trends. There is a need to use other, related statistical values to measure the quantitative characteristics of crimes in the field of economic activity.

Keywords: forecast, forecasting of crime, crime in the sphere of economic activity, statistical reporting, analysis, study, measurement and evaluation of statistical data, sources of information about crime, crime indicators, crime registration, criminal cases, sentences, convicts, judicial and investigative practice

Administrative and legal regulation of relations in the sphere of state defence order in Russia: features of theory and practice

Fedor G. Myshko, Andrey A. Metsger

Abstract. The article researches the legal basis of control in the sphere of state defence order in the Russian Federation. The authors justify that relations in the field of state defence order in modern Russia are wider than the subject of regulation of the law on defence order, in fact, considering the state defence order in a broad sense, as well as other participants in such relations that accompany the process of its execution. In particular, organizations that are not part of the cooperation of the head contractor, other authorities, whose powers also include some functions for managing the state defence order, an important role is assigned to law enforcement agencies and prosecutors. Judicial practice in the framework of bringing to administrative responsibility in the field of state defence order and appealing decisions in cases of administrative offenses based on the activities of the FAS of Russia was analyzed, as a result of which problematic and controversial issues were identified that require additional legislative clarification.

Keywords: state defence order, state control, state procurement, administrative responsibility, legality, administrative offense

Revision of sentences that have entered into legal force: from freedom of appeal to the rule of formalism

Svetlana V. Nuyanzina

Abstract. The article analyzes the key changes in the procedure for reviewing sentences, rulings, decisions in criminal proceedings in the period from the beginning of the judicial reform at the end of the Soviet period to modern changes in the criminal procedure legislation. It is concluded that despite the efforts of the Constitutional Court of the Russian Federation, the Plenum of the Supreme Court of the Russian Federation, the revision of court decisions that have entered into legal force in criminal proceedings is developing in a natural direction for European states – the prevalence of formalism and restriction of the right to appeal by numerous formal requirements, which for Russia is a negative phenomenon, since it conflicts with the spiritual and moral principles of criminal proceedings.

Keywords: cassation proceedings, appeal proceedings, freedom of appeal, verification of sentences that have entered into legal force

Principles of constitutional law: concept and types

Elena A. Osavelyuk

Abstract. On the base of theory of law and constitutional law in the article they are shown different points of view on the definition, meaning and place of principles in the science of constitutional law and in the branch of constitutional law and reasons of this difference. The author's position on the concept, content and place of the principles of law in the science of constitutional law and the eponymous branch of law is formulated. Special attention is paid to the analysis of the provisions included in the Constitution of Russia in 2020, on the basis of which the correlation of the concepts of «principle of law» in the science of constitutional law and in the branch of constitutional law of the Russian Federation is revealed.

Keywords: principles of law, basic ideas, fundamental rules of law

Results of monitoring of official information reflecting the participation of civil society institutions in monitoring the implementation of migration legislation (on the example of the Krasnodar Region)

Vitaliy M. Paliy, Aleksander A. Zatolokin

Abstract. The analysis of official information posted on the public Internet, reflecting the role of civil society institutions in monitoring the implementation of migration legislation, is carried out. Conclusions and suggestions for improving the forms and methods of civil control are made.

Keywords: official information, forms of public control over the implementation of migration legislation, methods of public monitoring, public inspections and other forms of interaction, summary of the results of the analysis of official information, conclusions and proposals for improving the forms and methods of public control over the implementation of migration legislation

The genesis of legislation on the system of procurement of goods, labor, services for the needs of the state and the Russian army in the pre- and Petrine periods

Galina M. Pogorelova

Abstract. The article deals with the genesis of legislation on the procurement of goods, works and services for the needs of the state and the Russian army in the pre/Petrine period, the order of state contracts for sub-contracting work and their legal regulation.

Keywords: state, contract, procurement, goods, works, services, army

Judicial and non-judicial protection of family rights

Emilia R. Rakhmanova, Islam M. Kazavatov

Abstract. The article discusses issues related to judicial and non-judicial mechanisms for the protection of family rights under the legislation of the Russian Federation. Special attention is paid to the mediation procedure as a promising direction in the settlement of family disputes. On the example of judicial and law enforcement practice in the Republic of Dagestan, the author shows the problems in the implementation of the constitutional rights of citizens. The conclusion is made about the need to improve legal norms and procedures.

Keywords: family law, protection of family rights, mediation procedure, civil dispute

Reforming the Russian law enforcement system as a reflection of the current challenges and threats to national security

Yana L. Romanova, Tatyana N. Yorkina

Abstract. The issues of reforming the law enforcement system and their connection with ensuring national security are analyzed. It has been revealed that, as before, the level of public trust in law enforcement agencies is low, new methods and forms of work are being selectively introduced, and the system for evaluating the activities of employees is ineffective. It is concluded that it is necessary to develop the concept of a comprehensive reform of the law enforcement system.

Keywords: reforming, law enforcement system, internal affairs bodies

The relationship of service discipline with the main institutions of service in the internal affairs bodies

Anna A. Savelyeva

Abstract. Based on the analysis of the legislation of the Russian Federation, the article shows the relationship between service discipline and methods of ensuring it with service in the internal affairs bodies.

Keywords: public service, internal affairs bodies, service in the internal affairs bodies, service discipline, ways of providing, disciplinary responsibility, ensuring service discipline

On the legal significance of the classification of crimes in the field of economic activity

Maya M. Savchenko

Abstract. In the course of the study of the positions of various scientists regarding the definition and classification of economic (financial) crimes of different compositions, it is concluded that legal scholars use a group model to synthesize classifications of economic (financial) crimes, and also place the institution of lending under special protection of criminal law, which is necessary in modern economic society. It was noted that the problem of these classifications lies in the qualitative and quantitative diversity of criminalized socially dangerous acts in the field of credit. Based on this, it is thought that the most rational option will be to develop, taking into account the features of the objective side of the corpus delicti, their uniform list of those enshrined in chapter 22 of the Criminal Code of the Russian Federation in order to increase the effectiveness of the criminal legal protection of the indicated area. Taking into account the importance of criminal law protection in the area of credit nowadays, it is proposed that the practice of applying criminal law to protect interests in the field of credit to provide legal protection by incriminating those guilty of crimes, provided for in Art. 172 «Illegal banking», Art. 177 «Malicious evasion of payment of accounts payable», Art. 195 «Unlawful acts in bankruptcy», the commission of socially dangerous acts falling under the definition of «fraud», committed in other areas of economic (financial) sphere of the company (Art. 176 «Illegal loan receipt», Art. 196 «Intentional bankruptcy», Art. 197 «Fictitious bankruptcy»).

Keywords: economics, classification, crimes in the sphere of economic activity, corpus delicti, legal meaning

Judicial control over the execution of court decisions in civil proceedings: problems and ways of improvement

Akhmed I. Saipulaev

Abstract. At present, the Russian Federation is characterized by inefficiency in terms of activities for the execution of judicial acts. This circumstance makes the legal analysis of the activities of executive authorities to ensure the execution of court decisions, to identify problems in the activities of persons contributing to the execution of judicial acts, to search for ways to further develop legislation in this area. This article provides a legal analysis of the problems arising in the execution of judicial acts in modern Russia, with the aim of their scientific understanding and finding ways to solve them.

Keywords: enforcement proceedings, court decision, judicial control

Prospects for the development of legislation on pawnshops

Yuriy V. Sokolov

Abstract. Legislation on pawnshops has existed for a long time, but the changes that are being made to it do not fully resolve the issues regulating the activities of a pawnshop. A brief excursion into the historical process of the formation of legislation on pawnshops is given. Until 2007 there was no specific Law regulating the activities of a pawnshop, and therefore its legal status was not determined. After the adoption of the Law on Pawnshops, the pawnshop acquires the status of a special entity, which does not provide any types of services, except for the provision of funds on the security of movable property, as well as storage. In 2021, the range of services was expanded, that is, the pawnshop began to provide not only the actual storage and provision of funds on the security of movable property. The pawnshop was also allowed to lease or sublease real estate owned by him, as well as provide the services of a banking agent. The attention to this issue was not always properly paid and not immediately the pawnshop became a subject with special legal capacity with special methods of control over its activities. Thus, there remain questions related to the legal status of both the organization providing funds secured by movable property and the legal nature of the agreement for the provision of funds. The author attempts to analyze the possibility of determining the legal status of a pawnshop, as well as the legal nature of an agreement for the provision of funds as a loan agreement, since the term «pawnshop loan» is used in scientific articles and the legislation on pawnshops calls the process of providing funds only as lending.

Keywords: pawnshop, loan, credit, microfinance activity, financial organizations

Influence of ideas N. P. Maylis on innovative development of the general theory of forensic expertise, criminalistics and judicial tracology

Olga A. Sokolova

Abstract. The article is dedicated to the anniversary of the famous scientist, Honored Lawyer of the Russian Federation, Honored Scientist of the Russian Federation, Doctor of Legal sciences, Professor Nadezhda Pavlovna Maylis. The influence of her ideas on the innovative development of not only the general theory of forensic examination and forensic tracology, but also forensic science in general is shown. In addition, her organizational, educational and other abilities are emphasized. So, starting from March 2, 2006, on her initiative, the first round table was organized and held on the topic: «On the relationship between forensic science and forensic examination». Since that time, they are held at a constant frequency, twice a year. In addition to teaching cadets, trainees, students, she prepared a whole galaxy of young scientists, including V. Yu. Fedorovich, E. V. Chesnokova, A. S. Yakovleva and many others, including scientific personnel for foreign states: the Republic of Mongolia and the Socialist Republic of Vietnam.

Keywords: Nadezhda Pavlovna Maylis, innovative development, general theory of forensic examination, forensic science, forensic tracology, scientist, organizer, educator, students

Legal basis for the function of taxation in Russia

Dmitry V. Soloviev

Abstract. The legal basis of the function of taxation in the Russian Federation is an integral part of the world legal system, since the rules of international law accumulate the legal systems of the states of the world, according to the author of the article, it is perfectly reasonable that the legal tenets of the domestic law of each state should be in an organic relationship and interaction with the norms of international law, operate in accordance with general principles and standards, have identical mechanisms for resolving contradictions. At the same time, it is necessary to take into account the specifics of the economic development of the state at one or another historical stage.

Keywords: taxes, taxation, law, functions of the state, tax policy, court, economy, legal framework, law

Confiscation of property as a criminal law measure against corruption crimes in the defense industry

Nikita S. Sorokovikov

Abstract. Description of confiscation of property as a criminal law measure against crimes of corruption in the sphere of defense industry. Identification of the main crimes of corruption in the sphere of defense industry. Suggestions for amending legislation to improve the effectiveness of fighting corruption crimes in the sphere of defense industry.

Keywords: confiscation, corruption crimes, defense industry

Personal insurance in the context of the COVID-19 pandemic

Svetlana A. Ustimova, Sofya A. Onipenko

Abstract. The life and health insurance market in Russia are analyzed, the main trends in its development are identified. An analysis of the types of personal insurance contract was carried out. The problems associated with the implementation of the personal insurance contract are highlighted.

Keywords: insurance, voluntary insurance, compulsory insurance, life, health, COVID-19, personal insurance contract

The subjective side of the crime in the form of concealment of funds or property of an organization or an individual entrepreneur, from which taxes, fees, insurance premiums must be collected

Alexey S. Ushakov

Abstract. This article considers the peculiarities of the content of the subjective side of the crime in the form of concealment of funds or property of an organization or an individual entrepreneur, due to which taxes, fees, insurance premiums should be collected, as well as problems arising in practice when interpreting and subsequently applying the relevant criminal law prohibition. On the basis of the study, conclusions and proposals are formulated regarding the improvement of the regulation of the subjective side of the said corpus delicti and the interpretation of its content in practice.

Keywords: collection of taxes, fees, insurance premiums, tax offences, concealing funds or property of an organization or an individual entrepreneur, subjective side of the crime

Information and telecommunication networks as a means of committing crimes against minors

Aleksandr A. Chugunov, Ekaterina R. Vlasenko

Abstract. The cases of using the capabilities of information and telecommunication networks as a means of involving minors in illegal and antisocial actions are considered. The results of the research make the authors conclude that it is necessary to supplement certain corpus delicti envisaged in Articles 150 and 151 of the Criminal Code of the Russian Federation with a qualifying feature of committing a felony with the use of modern technologies.

Keywords: minors, information and telecommunication networks, qualifying feature, differentiation of criminal liability

On the growing role of international judicial bodies in resolving issues of domestic violence

Parvini R. Sharifzoda

Abstract. The article shows the growing role of international judicial bodies in resolving issues of domestic violence in the absence of sufficient legal capacity of national legislation.

Keywords: international judicial bodies, European Court of Human Rights, internal affairs bodies, legal status, competence, comparative jurisprudence, prevention of domestic violence

Some aspects of the social determination of economic crime in Russia

Ravil Sh. Shegabudinov

Abstract. The concept, content and features of organizing the social determination of economic crime are explored. The social determinations of economic crime, corruption and organized criminal activity are based on well-defined patterns. The homogeneity of the social determinations of economic crime, corruption and organized criminal activity as phenomena characterizes the commonality of their nature of emergence and development.

Keywords: management organization, corruption, economic crime, criminal activity, criminal code, control

Problems of ensuring the personal safety of servicemen (employees) of the National Guard troops of the Russian Federation in the performance of official duties

Elena V. Shishkina

Abstract. State measures aimed at ensuring national security are being considered. The legal and theoretical foundations of ensuring guarantees of personal safety of military personnel (employees) of the National Guard troops of the Russian Federation are analyzed. The problems in the field of ensuring the personal safety of the representatives of the Russian Guard and ways to improve their safety in the performance of official duties are characterized.

Keywords: national security, guarantees of personal security of military personnel (employees) of Russian Guard, special powers, responsibility, physical and psychological security

Constitutional development of Russia and issues of improving the administrative and legal status of the internal affairs bodies in the field of migration registration

Oleg N. Shubochkin

Abstract. The influence of constitutional amendments on the development of the administrative and legal status of the internal affairs bodies in the field of migration registration is shown.

Keywords: public administration, migration, migration registration, foreign citizens, stateless persons, internal affairs bodies, legal status, administrative law

The place and role of the state in regulating business relations

Igor I. Shuvalov

Abstract. The article is devoted to determining the place and role of the state in regulating business relations. The main models of regulation of market relations are briefly discussed. It is noted that when determining the role of the state in regulating the national economy, it is necessary to take into account the lessons of the past, including it is advisable to analyze the experience of state regulation during socio-economic crises.

The author emphasizes that the recent emergence of new forms of entrepreneurial activity, including public legal entities, hypothetically may lead to competition between the state, its subjects and municipalities, on the one hand, and other business entities, on the other hand, which raises the question of rethinking the role of the state in the economy.

At the same time, the experience of the past shows that it is impossible to minimize the participation of the state in the regulation of entrepreneurial activity. Since the main lever of the regulatory influence of the state on certain public relations lies in law, the author emphasizes the expediency of forming a unified legal policy and a separate regulatory act regulating relations between the state and business. This act should provide for a separate section dedicated to the special regime of entrepreneurial activity and business support during the stabilization of the economy (including in the financial crisis).

Keywords: role of the state, legal regulation, business relations, market economy model, market self-regulation, financial and economic crisis

The use of digital technologies for their sustainable development in law

Lyubov V. Shcherbacheva

Abstract. The research allows us to conclude that the development of digital technologies gives impetus to scientific and technological progress, allows humanity to reach new heights, set itself and implement more and more global goals, achieve sustainable and competent development. But, at the same time, digital technologies are transforming already established social institutions, refracting the action and image of many of them, including rights, bringing into our lives not only positive moments, but also throwing new challenges to humanity, the fight against which is at the top of the agenda. Law becomes not only a tool that ensures the introduction of technologies, but also an object of their influence, under which its form and mechanism change. Neither in doctrine nor in practice there is a clear understanding of the mechanism and vector of influence of these transformations. In the context of the implementation of the goals of sustainable development, as well as the rapid development of digital technologies that transform already established social institutions, law is especially actively influenced, and therefore humanity faces new legal challenges of our time, the analysis of which is carried out in this article.

Keywords: digital technologies, digital industry, artificial intelligence, information security, blockchain, cryptocurrency

The legal nature of the institution of creditors in civil bankruptcy law

Nodari D. Eriashvili

Abstract. The institute of insolvency (bankruptcy) in Russian civil law is one of the most important civil law institutions aimed at ensuring fairness in civil circulation, including the ability of creditors to exercise their property rights in relation to the debtor. The article concludes that the enforcer significantly expands the scope of disputes provided for by the Federal Law «On Insolvency (Bankruptcy)». According to the author, the scientific and legal approaches considered in the article allow theoretically analyzing the legal nature of the institution of creditors and forming a high level of legal protection of the rights of creditors.

Keywords: bankruptcy, insolvency, institution of bankruptcy of legal entities, protection of rights of creditors, justice, theory of insolvency, human rights

Features of evidence in cases of consumer protection in the field of medical services

Malikat N. Batyrova

Abstract. The article highlights the features of the proof process in cases of consumer protection in the provision of medical services.

Keywords: consumer, medical services, proof, civil procedure

On the legal basis for the exercise of discretionary powers of the court in civil proceedings

Naida Sh. Gadzhialieva

Abstract. The legal foundations of discretionary powers of the court in civil proceedings are examined. Based on the analysis of Russian law the rules establishing the discretionary powers of the court in civil proceedings into various types are classified taking into account the nature of the orders they contain. Analysis of the content of discretionary norms allowed the author to identify alternative discretionary norms, as well as absolutely and relatively discretionary norms.

Keywords: sources of discretionary power, discretionary power, civil proceedings, discretion

The «reverse» burden of proof in criminal cases in the states of the Anglo-American legal family

Anna P. Lisova

Abstract. The legal and law enforcement aspects of the distribution of the burden of criminal procedural proof between the parties to the prosecution and defense in the main states of the Anglo-American legal family are considered. The conclusion is made that the possibility of shifting the burden of proof in criminal cases is generally accepted, but only in cases where the obligation to prove the essential circumstances of the case follows from the wording of the norms of substantive (criminal) law (legal presumptions), subject to guarantees of compliance with all the basic elements of fair justice.

Keywords: criminal proceedings, criminal cases, presumption of innocence, burden of proof

Accumulative mechanisms of pension provision in the Russian Federation: composition, key characteristics for 2011–2020, conceptual framework for stimulating strategic growth of long-term practice of their use

Igor V. Balyinin

Abstract. The results of the assessment of the development of accumulative mechanisms of pension provision in 2011–2020 are presented. Conceptual foundations for stimulating strategic growth of long-term practice of their use have been formulated.

Keywords: budget, pension provision, pensions, funded pensions, non-state pension provision

Inventory as an internal control tool and its role in detecting signs of economic crimes

Elena V. Egorova

Abstract. The relevance of using the results of the inventory by law enforcement agencies in order to detect signs of economic crimes is due to the fact that it is the inventory that allows you to identify the amounts of shortages and surpluses of material values, specific types of values that are in short supply or surplus, the period of their formation, the perpetrators. The results of the inventory are the most important evidence in the investigation of the facts of theft, abuse, negligence.

The article examines the grounds for conducting an inventory on the initiative of law enforcement agencies, violations committed by an economic entity when reflecting the facts of economic life. The signs of fictitious inventory and the need for the use of inventory results by law enforcement agencies are revealed.

Keywords: inventory, purpose of inventory, tasks of inventory, types of inventory, surplus, shortage, re-sorting

Development of the methodology for the production of forensic tax expertise of transactions with non-current assets

Elena N. Kolesnikova

Abstract. Violations in the taxation of fixed assets and intangible assets are becoming more sophisticated and are much better disguised as benign operations, which determines the urgent need to develop relevant methods of their disqualification. The article reveals modern approaches to the methodology of expert research on the taxation of noncurrent assets, taking into account the current level of development of the regulatory framework for taxation and the methodology of expert procedures. The results of the study are systematized by the main types of tax liabilities arising in connection with the presence and movement of the most common objects of non-current assets in an economic entity, which ensures the formation of a complete picture of modern and effective methods for detecting violations in the tax sphere.

Keywords: forensic tax expertise, non-current assets, fixed assets, intangible assets, accounting and analytical support for research, methodological support for research

Palladium's pricing model on the commodity market

Maria V. Kulabukhova

Abstract. The subject of the research of this article is the pricing model for palladium as one of the strategic precious metals for Russia. Over the past 7 years, the palladium price has demonstrated noticeable volatility, so it is necessary to identify the main price factors for further forecasting. The reasons for the stable growth of palladium prices are investigated, taking into account various groups of variables, and a comparative analysis of forecasting methods that can be applied to the price of palladium is presented.

Keywords: pricing, palladium, econometrics, price forecasting methods

Improving the strategy for the development of small and medium-sized businesses in modern conditions as the preservation of socio-economic stability in the Russian Federation

Nikolay P. Kupreschenko

Abstract. Improving the strategy of small business development remains one of the key areas of ensuring socioeconomic stability in Russia. The negative impact of the COVID-19 pandemic on economic development is prompting the Russian government to take urgent measures to save small and medium-sized businesses. The most important area of work is improving the activities of government agencies to support small and medium-sized businesses. The article provides an overview of modern solutions in this area, as well as a number of recommendations on the main areas of implementation of the state policy in the field of startup financing.

Keywords: strategy, entrepreneurship, socio-economic stability, pandemic, COVID-19, startups, crisis, investments, IT platforms, public-private partnership

Financial mechanism of formation and use sovereign wealth fund

Georgy N. Kutsuri, Tengiz Sh. Tinikashvili

Abstract. The article is devoted to the analysis of the influence of the cyclical development of the economy and oil prices on the formation, investment and use of sovereign wealth funds. Based on the analysis of budgetary rules, the article studies the problems and features of the formation and use of funds under the influence of super-cycles of prices for raw materials and cycles of the economy. Based on the results of the study, it is concluded that there is a significant influence of the factor of the cyclical nature of the economy on the functioning of funds, and methods and directions for improving the quality of the mechanism for the formation and use of funds of sovereign funds in an unstable economy are proposed.

Keywords: sovereign wealth funds, budget rules, cyclical nature of the economy, super-cycles of oil prices

About goal-oriented public finance management in New Zealand

Alexander A. Lozhnikov

Abstract. The article presents the results of the study of the practice of organizing program-targeted public finance management in New Zealand.

Keywords: program-targeted management, public finances, government expenditures, budget expenditures

The use of accounting information in the field of accounting for the financial results of the organization to identify economic crimes

Maria M. Miloslavskaya, Julia A. Chernetsova

Abstract. The essence of control over ensuring the reliability of data on indicators of the financial result of an organization's activities is aimed at checking the correctness and legality of the reflection of the most important indicator such as the «clear result». The calculation of this indicator has its own methodology from the point of view of accounting. However, a sufficient number of economic offenses is associated with the financial result of the organization. The most common one is tax violations. Only on the basis of information contained in accounting sources it becomes possible to identify and prevent such violations.

Keywords: financial result of the organization, economic crimes, internal control, accounting information, tax evasion, counteraction to economic offenses

Corruption schemes for obtaining maternity capital: the concept of overcoming and instrumental possibilities of digitalization

Pavel D. Romaikin

Abstract. Based on concrete examples, the author analyses corruption crimes related to obtaining maternity capital. Proposals are presented for the formation of a social register, one of the functions of which is to limit the opportunities for applicants to participate in corruption schemes.

Keywords: corruption, sustainable development, UN, maternity capital, interdepartmental interaction

Description of the organizational, legal and methodological foundations of financing the budget to support legal entities

Alfiya F. Khuzina, Dmitrii S. Ilyanov

Abstract. The article discusses the features of organizational and legal methods of financing federal budget expenditures to support legal entities. The article presents the main requirements and approaches to the provision of transport from the position of the budgetary system operating in the Russian Federation. Approved regulatory and legal acts with their rules and requirements, contributing to the open distribution of budgetary funds for the goods, works and services sold by legal entities.

Keywords: federal budget, limits of budgetary obligations, subsidies, grants in the form of subsidies, budget legislation, methodological foundations

Institutional constraints in managing organizational changes

Lyudmila V. Shmaneva, Yulia V. Vertakova

Abstract. This article is devoted to the problematic issues of managerial activity in the context of organizational changes. The influence of institutional factors and restrictions on the development directions of various economic entities is considered.

Keywords: management, organization, decision-making, efficiency, institutionalism, institutional constraints

FGOS IN the fourth generation – the leapfrog continues?!

Sergey S. Zhevlakovich

Abstract. The article analyzes the draft federal state educational standard of higher education of the fourth generation in the context of the overall transformation of the federal system of vocational education.

Keywords: professional education system, federal state educational standard of higher education (FGOS HE), basic educational program (OOP), qualification, template (layout) of FGOS HE, functions of FGOS HE, design of OOP, competencies, indicators of competence achievement, orientation (profile) of training, specialization

Dynamics of indicators that determine the level of development of power endurance among students in the educational organization of the Ministry of Internal Affairs of Russia

Alexander A. Zaytsev, Andrey V. Shchukin

Abstract. The publication presents the results obtained when performing a control exercise that determines the level of development of strength endurance in male cadets of the educational organization – Moscow University of the Ministry of Internal Affairs of Russia named after V.Ya. Kikot'. Positive changes in the average quantitative values of the test task were revealed in persons of different years of study.

Keywords: cadets, educational organization of the Ministry of Internal Affairs of Russia, Moscow University of the Ministry of Internal Affairs of Russia named after V.Ya. Kikot', strength endurance, years of study, course, statistical indicators, arithmetic mean, standard deviation, coefficient of variation, reliability of differences

Theoretical and practical aspects and problems of bilingual education in primary school

Svetlana N. Koleoshkina, Albert V. Tumakov

Abstract. The article reveals the concept of «bilingualism». The phenomenon of «bilingualism» is considered in various aspects based on definitions given at different times. The types, types and levels of bilingualism, methods of language acquisition are listed, and the classification of bilinguals is also given. The article outlines the range of problems of bilingual education of younger schoolchildren.

Keywords: bilingualism, bilingual, bilingual education, language, junior high school student

Nikolay Vasilievich Chentsov: the main stages of his professional biography

Sergey N. Smirnov

Abstract. The professional biography of a prominent Russian legal scholar, merited lawyer of the Russian Federation, Honorary Professor of Tver State University Nikolai Vasilyevich Chentsov is considered.

Keywords: N. V. Chentsov, Tver State University, Law Department, R. E. Ghukasyan, law science, civil law, procuracy

How to name a training discipline «Law enforcement bodies»

Andrey A. Shishkov

Abstract. The article is devoted to the difficulties of understanding the concepts of «law enforcement agency» and «law enforcement activity» by teaching staff, due to the variety of points of view on these categories and the lack of their normative consolidation. An opinion is expressed about the need to change the name of the academic discipline.

Keywords: law enforcement agency, academic discipline, executive power, court, legal protection

On the issue of adaptation of students in educational institutions of higher education of the Ministry of Internal Affairs of Russia

Andrey V. Shulzhenko

Abstract. The educational process in the departmental university of the Ministry of Internal Affairs of Russia is characterized by high intensity, personal and disciplinary and legal responsibility for success in educational and service activities. In this regard, there is an urgent need to understand the process of adaptation of cadets in the specific environment of the departmental educational organization of higher education of the Ministry of Internal Affairs of Russia. The specifics of the training and service activities of cadets are analyzed and the main pedagogical vectors of adaptation of students are determined.

Keywords: educational and service activities, adaptation, cadets, higher education, psychological and pedagogical technologies

The concept and essence of national security as an administrative and legal category

Tatyana V. Kikot'-Glukhodedova

Abstract. The concept and essence of national security as an administrative and legal category is analyzed. Genesis and evolution of the concept are studied. The views of various countries and scientists on the concept itself, as well as the consolidation of the concept in regulatory legal acts are considered. It is noted that the concept of «national security» is a dynamic, not a static phenomenon, therefore, it not only can, but also should change, be adjusted in its definitions after a certain time.

Keywords: national security, national security strategy, public security, national interests, security

