Bakulina Lilia Talgatovna

APPROACHES TO LEGAL REGULATION RESEARCH

No. 8 , 2016

The article analyzes the issues of legal regulation, which is one of the fundamental categories of the general theory of law. The changes taking place in Russia in the last two decades in various spheres of public life in general and state and legal reality in particular, and the requirements of modern legal practice, the challenges of which legal science must meet, necessitate revising certain provisions of the theory of legal regulation. In addition, the change in the scientific paradigm at the end of the last century in the social sciences and humanities led to a revision of the methodological arsenal of both the general theory of law and branch legal sciences.

A number of methodological approaches (systemic, tiered, interdisciplinary, activity-based) used in the study of legal regulation are considered.

When studying legal phenomena and processes (in particular, the mechanism of legal regulation, legal realization , legal consciousness, functions of law, the system of law, etc.), individual authors use methodological techniques of a tiered approach. The conclusion is made about its expediency in the study of the varieties of legal regulation, which makes it possible to study them as a kind of "floors" of its structural organization. Law-regulatory activity is carried out at two main levels: unilateral power and autonomous (contractual), where each of these levels corresponds to the qualitative uniqueness of subjects, objects and regulatory activity.

Some scientists substantiate the heuristic possibilities of an interdisciplinary approach. Despite the ambiguity of interpretations (due to the semantic potential of the term in the social and humanitarian sciences) in the scientific arsenal of jurisprudence, the interdisciplinary (more precisely, intersectoral) nature of legal regulation is obvious, which makes it possible to apply it, for example, to

identifying the features of contractual regulation of private law and public law relations ...

Analysis of the methodological approaches used in the study of both individual aspects of legal regulation (subject, method, mechanism, etc.), and its complex study, allows us to conclude about the potential of the activity approach in understanding this phenomenon of state-legal reality. Using the activity approach will systematize the knowledge of the individual pravoreguliruyuschey activities reveal new facets of the legal regulation, as well as solve a number of practical problems in the field of rights of action.

Southerner Nikolay Vyacheslavovich

INTERACTIVE MEASURES AND SECONDARY RIGHTS

No. 8 , 2016

The article analyzes the concept of operational protection measures in contractual legal relations as measures of a non - jurisdictional form of protection of civil rights - self-defense. As an independent legal phenomenon, the concept of “operational measures”, which differs from the concept of “self-defense of law”, loses its meaning, since private law now allows self-defense of civil rights through the widespread possibility of applying measures to suppress the violation of civil rights by means of self-defense (Article 14 of the Civil Code of the Russian Federation). Self-defense is acquiring the features of a broad form of protection of non-jurisdictional rights , which should be disclosed in more detail by the legislator and include the possibility of applying, inter alia, some restorative protection measures. The phenomenon of self-defense of civil rights in modern private law is much broader than the measures of necessary defense and protection in a state of extreme necessity permissible for the implementation of criminal law and includes measures of self-help in non-contractual legal relations and operational measures of protection in contractual legal relations, forming the concept of unilateral human rights measures in private law. The legal and factual

element in the concept of operational measures (unilateral human rights measures in contractual legal relations) is assessed. Unilateral human rights measures in civil legal relations show a factual and legal aspect, they are applied by the defenders as factual, that is, according to an internal (subjective) assessment of a specific situation and on the fact of violation of rights, but at the same time they can generate a legal result - changes in the structure of rights and the obligations of the parties in the legal relationship. The nature of the legal action of operational measures in a contractual relationship is considered, their classification is proposed based on the influence on the structure of a legal relationship: measures that radically transform the structure of a legal relationship, or terminate it, and measures that ensure the real fulfillment of an obligation. All human rights measures in various civil legal relations have certain legal consequences. It is hardly on this basis that they can be divided and singled out into an independent legal concept, that is, there is a realization by an independent unilateral order of the authority to protect (self-defense) the existing subjective right of a person. The relationship between the concept of operational measures and the concept of secondary (subsidiary) rights is analyzed . The author criticizes the allocation of independent legal relations in each case of the implementation of the protection of rights (self-defense) and the presence of secondary rights (powers).

Anoschenkova Svetlana Vladislavovna

MECHANISM OF LEGITIMATION OF MORAL NORMS (CRIMINAL LEGAL ASPECT)

No. 8 , 2016

It is generally accepted that the rule of law contains moral norms or reflects them. There is a certain socio-legal mechanism that ensures the reflection of the content of moral norms in a different, in particular, legal system. Moral content is relevant for all branches of law; this process and the result is especially significant for criminal law, as a branch, most significantly affects the rights and freedoms of citizens. Without prejudging the question of the priority of morality over law, or,

on the contrary, law over morality, but proceeding from the parity of their importance in ensuring world order and law and order, let us designate that the communication of morality and law among themselves is ensured at their structural level. The value of such interaction lies in the qualitative improvement of the criminal law. The purpose of the article is to characterize the mechanism of reflection of moral norms in the norms of criminal law. Its achievement presupposes the fulfillment of tasks: 1) determining the specifics of the interaction of moral norms and criminal law in the process of the latter's origin; 2) understanding the influence of morality on the content of criminal law in the modern period at the stage of legal education , when the independence of morality and law does not require justification. The result of both processes is the transformation of moral norms into the norms of criminal law, their perception by the legislator, consolidation in the criminal law, that is, legitimation. Proceeding from the fact that morality is a multilevel and structured education, the following questions inevitably arise: what degree of generalization should a moral norm be in order for the legislator to perceive it as a model, a model, a substantive component of criminal law norms; what structural element of the moral norm is transformed into a criminal legal norm, etc. The study of feedback (criminal law-morality) is promising. This "pendulum" movement: "morality - law - right - morality" reveals numerous paradoxes, contradictions, which are the impulse that generates this movement.

Sitnikova Alexandra Ivanovna

DESIGN AND LEGAL-TEXTOLOGICAL INTERPRETATION OF THE THEORETICAL MODEL OF THE CHAPTER "CAUSING HARM IN EXCEPTIONAL SITUATIONS"

No. 8 , 2016

The theoretical model (TM) of the chapter "Causing harm in exceptional situations" is developed in accordance with the legislative-textual approach, taking

into account the author's concept of the composition of lawful harm in exceptional situations. The normative text of the head of the TM of the Criminal Code, based on a new conceptual approach, has a number of design features in comparison with the criminal law provisions enshrined in Ch. 8 of the Criminal Code of the Russian Federation: the text of the head of the TM of the Criminal Code is structurally ordered by setting out the instructions of the institution of causing harm in the form of two parts - the first parts of the articles indicate signs of legitimate harm to law-protected interests, in the second parts, instructions are formulated providing for liability for excess; unified elements of the composition of lawful harm are used as structural elements of the novelties being designed; in the prescription for the necessary defense against an encroachment that is not dangerous to the life of the defender, an element has been introduced that clarifies the obviousness of the inadequacy of defense measures to the danger of encroachment; a note was formulated, in which a definition of exceptional situations was presented, a list of its types was provided, a definition of a punishable excess was presented, the applicability of prescriptions for the necessary defense and detention of a criminal in relation to persons under the age of criminal responsibility and persons with mental disorders precluding sanity was provided; in order to achieve compliance between the prescriptions of the General (Articles 37, 38 of the Criminal Code of the Russian Federation) and the Special Parts (Articles 108, 114 of the Criminal Code of the Russian Federation) of the criminal law, it is proposed to recognize premeditated murder and deliberate infliction of grave or moderate harm to the health of an attacker who committed a crime as a punishable excess.

The basis of the compositional construction of the draft chapter on causing harm in exceptional situations is: a new structuring of the designed short stories, the use of descriptive and thematic elements of the composition of lawful (non-criminal) harm in the design of prescriptions, the formulation of definitions in the notes, strengthening the consistency and compactness of wording, as well as differentiation of harm. the rights and legitimate interests of the lawful (non-criminal) and illegal (excess).

Shkabin Gennady Sergeevich

HARM IN CRIMINAL LAW: TYPES AND LEGAL REGULATION

No. 8, 2016

The article considers harm as one of the central, system-forming categories, which is at the center of the basic concepts and institutions of criminal law. The essence of this socio-legal phenomenon is not always subject to detailed analysis and is perceived by scientists as a priori understandable, not arousing criticism. In most cases, harm is associated with crime. However, the criminal law also provides for harm that is not criminal. The general concept of the category of harm in criminal law is proposed, and its classification is given. Depending on the material and formal criteria, harm is divided into criminal and non-criminal. The forms of criminal harm are analyzed. It is concluded that the concept of "harm" is generic and includes several categories that are narrower in their content, such as damage, losses and grave consequences. The linking role of harm between the act and the object of the crime is pointed out. Criminal consequences are distinguished as a sign of the objective side of the corpus delicti and criminal harm to law-enforced relations. Formal and truncated corpus delicti, unfinished criminal encroachment, actions of accomplices are considered from the perspective of causing harm. Particular attention is paid to the types and significance of harm that is not criminal. The latter, in turn, depending on the material criterion, is divided into socially dangerous harm, as well as socially useful or socially acceptable (legitimate). Particular attention is paid to the situations of lawful infliction of harm, which are provided for in the operational- search legislation. A classification of norms on acts causing lawful harm, in addition to the Criminal Code of the Russian Federation, in four more groups of normative acts is given. The analysis of the legal regulation of socially useful (socially permissible) acts that cause harm to objects of criminal protection, but the legality of which is not provided for by criminal legislation, is carried out. The possibility of applying the analogy of the

criminal law in such situations is considered. Taking into account the trends in legislative practice, an attempt has been made to make criminal-legal forecasting about the normative consolidation of the lawful infliction of harm.

Pan Dongmei

CHINA CRIMINAL LAW CHANGES: GENERAL

No. 8, 2016

The article is devoted to the analysis of the changes in the Criminal Code of the People's Republic of China, which entered into force in early November 2015. Their main distinguishing features are: reduction in the number of crimes in which the death penalty is provided for in order to protect human rights; increased penalties for terrorist offenses for which further provided nakazaknie material nature; criminalization of a number of acts associated with terrorism that pose a particular danger to society; clarification of the characteristics of some crimes, abolition of the norm on the release from criminal liability of persons who prevent the return of abducted women; improvement of legislative norms on corruption crimes in order to effectively counter official crimes; making significant changes to the Criminal Code of the PRC in relation to computer crimes to ensure social security; tougher punishment for breach of trust in order to ensure social integrity.

Shakhnazarov Beniamin Alexandrovich

INTERNATIONAL INDUSTRIAL PROPERTY LAW: TERMINOLOGICAL ASPECTS

No. 8, 2016

The article examines the problems of protecting the results of intellectual activity, expressed in certain objects of industrial property and equated to them in the context of the terminology of Russian legislation, means of individualization,

which have been the subject of discussion by states for a long time and are relevant to the present.

The main and most important area of international work in this area is cooperation in the field of unification of industrial property law, which led to the adoption, first of all, of the Paris Convention for the Protection of Industrial Property in 1883, some terminological aspects of which are discussed in this article.

The author notes that the Paris Convention, even in its final version (Stockholm Act 1967), did not offer a clear definition of industrial property objects and criteria for their determination. However, the criteria for the possible use of the result of intellectual activity (one or another object of industrial property) in industry and trade are proposed as defining criteria for the purpose of determining industrial property objects and distinguishing industrial property objects from objects, for example, copyright, as well as any property (property rights). , i.e. production of material goods and sale of goods (provision of services). It is on the basis of such criteria that it is proposed to refer to the objects of industrial property (after the adoption of the latest edition of the Paris Convention) that which appeared later as objects of protection: know-how (secret of production), topology of integrated circuits, breeding achievements (in particular, plant varieties).

In addition, it is proposed to consider the Stockholm Convention establishing the World Intellectual Property Organization as a fundamental international treaty for the separation of individual objects of industrial property and their differentiation from other objects of intellectual property. The article also examines the provisions of the TRIPS Agreement related to the protection of industrial property. The author also pays attention to the peculiarities of protection of appellations of origin of goods, geographical indications, considering the provisions of the Lisbon Agreement on the Protection of Appellations of Origin and Their International Registration, 1958, as amended by the Geneva Act 2015.

Ischenko Nina Sergeevna

ENVIRONMENTAL CHALLENGES AND NEW VECTORS OF SUSTAINABLE DEVELOPMENT IN MODERN CONDITIONS

No. 8, 2016

Many states in the context of a rapidly deteriorating ecological state of the environment (OS) form and develop ecological (organic) agriculture as one of the most important factors for ensuring sustainable development of the state, the quality and safety of food products, food and national security of states. The author believes that organic agriculture is not only one of the methods of food production, but also an alternative to today's intensive agriculture, which in the near future simply cannot exist and guarantee the state food, and hence economic, national security.

The author proves that the modern system of environmental law and its institutions are undergoing significant and dynamic changes caused by the complication of public environmental relations, the emergence of additional areas of environmental and legal regulation associated with the activities of high-risk production, energy, radiation hazardous facilities, negative impact on the environment and health. human chemical, biological and other hazardous substances, materials and waste, accidents and disasters of natural and man-made nature.

Instability in an era of global changes in the energy sector causes an increase in environmental risks, since, firstly, it leads to an unweighted policy that seeks to satisfy the ever growing needs of the economy for energy without regard to the interests of future generations, and, secondly, to the use of new technologies, the influence of which on the OS is poorly understood.

It is shown that further attention deserves the adherence to the implementation of requirements and the inevitability of positive and negative legal sanctions, economic stimulation of environmentally beneficial activities, public and state encouragement of individual and collective patriotic concern for nature,

the public and fair competition of elites, business, which has proven itself in world practice: in conjunction with with other constructive approaches, they can ensure the effectiveness of regulatory legal acts (RLA), the solution, in particular, of such environmental and legal problems as insurance, expertise, certification, environmental and legal education.

Kuzmich Irina Petrovna

Shakhrai Irina Sergeevna

LEGAL ENVIRONMENTAL PROTECTION IN AGRICULTURE OF THE REPUBLIC OF BELARUS

No. 8, 2016

The article considers the problems of the development of legislation on environmental protection in the agricultural sector of the economy from two sides: from the side of agrarian law and from the side of environmental law, the ecological specificity of violations in agriculture is taken into account. It is substantiated that the cultivation of row crops led to accelerated soil degradation, mineralization of the peat layer. In addition, this activity is a source of groundwater contamination. The problem of greening agricultural legislation, detailed elaboration of environmental requirements in agriculture is becoming urgent . This is embodied at the level of State programs through mechanisms of state support for agricultural producers and increased requirements for the quality of agricultural products. The authors substantiate the term "environmental safety in the implementation of agricultural activities", draw attention to the need to form an appropriate conceptual apparatus. The authors divide environmental and legal norms in agriculture into three groups: ensuring a balance of environmental and economic interests, establishing requirements for the protection and rational use of natural resources, establishing requirements for the protection of components of the natural environment. The features of the legal regulation of the mechanisms of withdrawal and provision of agricultural land are proposed. Authors concretize the

list of rights and duties of natural resources , contained in the relevant natural resource regulations, specifying the rights and obligations for the protection and rational use granted for agricultural purposes natural resources. Particular importance is attached to the reclamation of agricultural land, which includes two stages: technical reclamation, as applying a soil layer to areas whose soil cover is disturbed during the above works, or improving low-productivity lands with a removed fertile soil layer, the device of reclamation structures, as well as biological reclamation of disturbed land for their use in agriculture - restoration of fertility. The requirements aimed at protecting the components of the natural environment, natural objects experiencing anthropogenic pressure from agricultural activities are substantiated.

Zhavoronkova Natalia Grigorievna

Agafonov Vyacheslav Borisovich

ENVIRONMENTAL REMEDIES: LEGISLATIVE INNOVATIONS

No. 8, 2016

The article is devoted to the study of theory and legislation in the field of compensation for environmental damage. Based on the analysis of existing theoretical approaches to the definition of the concept of "environmental harm", the current legislation in the field of compensation for environmental harm, draft federal laws on amendments to certain legislative acts, as well as law enforcement practice, it is proved that it is necessary to consolidate a comprehensive the concept of "harm caused to the environment", in which it is proposed to define not only certain negative consequences for the environment, but also those possible actions that lead to the infliction of this harm. In addition, the article substantiates the need to take into account in the legislation the diversity of forms and methods of causing harm to the environment, while formulating the conclusion that the basic definitions of harm caused to individual components of the environment should be contained directly in the main codified acts of natural resource

legislation, and disclosed in taxes and methods of compensation for harm caused to the environment. The article also formulates a number of other conclusions and proposals for improving the current legislation in the field of compensation for environmental damage, including through the use of environmental insurance tools, the formation of a register of lands (territories) subject to reclamation , broken down by types and areas of damage elimination, expanding the rights of public environmental organizations.

Alfimtsev Vladimir Nikolaevich

THE MAIN STAGES OF THE CONSTITUTIONAL LEGAL REGULATION OF THE NATIONAL QUESTION IN RUSSIA

No. 8, 2016

The article shows the history of the development of legal regulation of the "national question" in acts of constitutional significance and constitutions of the Russian Empire, the USSR and Russia. The author notes two main directions in which the constitutional and legal regulation of the national question has developed, namely, the first - in the field of human rights and the second - in the field of state structure. In the course of the analysis, close attention is paid to the content of the relevant norms regulating the national question in the Constitutions, and an attempt is also made to establish a connection between the relevant norms and the historical events that led to their adoption. Additional reasons are established that led to the revolutionary change in the state structure in 1918. Through the prism of the Marxist-Leninist doctrine of the essence of the Constitution, the prerequisites for the adoption of the Constitutions of the USSR of 1936 and 1977, which consolidated the correlation of class forces in the corresponding historical period, are considered. Based on modern teaching, the mechanism of guarantees of interethnic peace in the Constitution of Russia in 1993 is analyzed.The historical and legal analysis allows the author to conclude that

there are five main stages in the development of constitutional and legal regulation of the national question, and also to determine the dominant principle laid in the foundation of the national policy of the main the law of the state of the corresponding historical period, which is a conceptual approach to defining the essence of the people inhabiting the country, reflected in the Constitution. This allows us to come to the conclusion that when changing the existing Constitution, it is necessary to be guided by the traced dialectics of development and build national policy on the basis of the beginning stage of nation building. In addition, the author comes to the conclusion about the continuity of the principles of national policy from the Declaration of the Rights of the Peoples of Russia in 1917 up to the Strategy of State National Policy until 2025. It is noted that three of the four key principles laid down in the Declaration of the Rights of the Peoples of Russia continue to operate in the Constitution of the Russian Federation , excluding only the principle of free secession from Russia.

Danshin Alexander Vladimirovich

THE CONTRIBUTION OF THE RUSSIAN SPIRITUAL MISSION TO THE STUDY OF THE LAW OF CHINA

No. 8, 2016

The article introduces the scientific activities of the participants of the Russian Spiritual Mission in Beijing to study the law of traditional China. Author schi -taet that a special interest in this issue in the XVIII-XIX centuries. was caused by the needs of the Russian-Chinese political, trade and economic relations, as well as the active legislative and creative activities carried out in Russia at that time . The systematic work on translating the Ch'ing legislation into Russian , begun under Catherine II, received an additional impetus during the period of large-scale codification of the 19th century, when, on the initiative of M.M. Speransky, one of the largest collections of laws of the Manchu dynasty, Lifanyuan tse-li (The Order of the Chinese

Chamber of Foreign Relations), was published, and the founder of Russian Sinology N. Ya. Bichurin translated the 48-volume code of laws "Da Qing Hui-dian " ("Code of Laws of the Qing Empire"), some borrowings from which, according to V.G. Belinsky, useful for Western countries. The article allows you to get an idea of all the published and archival materials of Russian missionaries, where the issues of criminal and civil law of imperial China are touched upon . Some authors of these materials (N.Ya.Bichurin, S.V. Lipovtsov , A.L. Leontiev) are well known in Russian and world Sinology, the names of others (A.G. Vladykin , V.V. Gorsky, I.I. Zakharov, V.S.Novose - lov , K. Pavlinov, G.M. Rozov, E.I.Sychevsky , M.D. Khrapovitsky, etc.) are known only to a narrow circle of specialists. Most of the legal studies of the participants in the Beijing mission have not yet been published. Among these works, such as "The decrees of the Chinese kings of ancient and modern" A. Vladykina , "The Code of the Chinese Chamber of external -nih relations regarding Minor cities of Bukhara " E.Sychevskogo and made student XIII-th mission M. Khrapovitsky full ne-revod all the "Treatise on the punishment" (" Xing Fa Zhi ") Chinese Officio-cial dynastic chronicles, the publication of which will give a modern IC -sledovatelyam unique material on the history of law of the imperial Ki-th. Without the influence of the scientific work of missionaries in the Russian legislative-ments have appeared, according to the author, some types of criminal penalties , as well as special "interpretation" in the "Marking military" Peter I and the special system of "degrees of confinement and punishment" in "the Code on penal and correctional punishments ”in 1845, which allows us to speak about the reception in Russia of certain elements of the criminal law of traditional China.

Varenikova Svetlana Pavlovna

KAZAKH USUAL LAW AND PROCEEDINGS OF BEATS

No. 8, 2016

Further improvement of the modern system of national law of the Republic of Kazakhstan on the basis of continuity and phasing makes it necessary to study the historical features of the formation and development of the phenomenon of Kazakh customary law and the activities of the people's "arbitrators" - biys . The article, devoted to the study of these issues, examines the main historical sources of Kazakh customary law: traditional customs and judicial precedents of biys , contained, as a rule, in oral folklore legends; Sharia norms based on Islamic (Qur'an) rules , which were applied in relation to crimes against religion and, in part, crimes against family and marriage relations; management received extraordinary congress biys - Erezhe , served standing law biys at a resolution of criminal and civil cases. In Erezhe in a systematic way poses the question about the order of the proceedings and the jurisdiction of the date dav¬nosti prosecution, on the responsibility of co-perpetrators, the types and amounts of punishment, in particular the razmepax Kuna (redemption) and aipa (fine), aggravating and extenuating circumstances, etc.

The independent historical development of the judicial and legal system of Kazakhstan was complicated by its accession to the Russian Empire in 1731, which caused not only certain restrictions on the application of customary law and the activities of the court of biys , but also the introduction on its territory of a general imperial system of courts operating on the basis of Russian laws. ... This circumstance caused an ambiguous attitude of contemporaries to the ongoing reforms . The outstanding Kazakh scientist Chokan Valikhanov noted the absence of formalities and any official routine as the main merit of the court of biys . Alikhan Bukeikhanov is a representative of the liberation movement in Kazakhstan at the beginning of the 20th century. considered that the court of biys was popular in essence and in form, and that the policy of the colonial authorities to replace it with other courts could not be considered a successful decision. The great enlightener , poet and thinker Abai Kunanbayev actively contributed to innovations in the current norms of customary law, systematized individual institutions of Kazakh criminal procedure and civil procedure

law. According to T. M. Kulteleev , the new order as a whole "had a certain progressive significance in comparison with the old order, which had taken root for centuries in the activities of the court of biys ." In the modern provisions of the national law of Kazakhstan, one can find examples of the legislative consolidation of certain norms of customary Kazakh law and the peculiarities of the biys' proceedings , in particular, the current Criminal Procedure Code of the Republic of Kazakhstan enshrines such principles of criminal procedure as publicity, the implementation of proceedings on the basis of adversarial nature and equality of the parties, comprehensive, complete and objective investigation of the circumstances of the case.

Ershova Inna Vladimirovna

Enkova Ekaterina Evgenievna

BANKRUPTCY: LEGISLATIVE MODEL AND LAW ENFORCEMENT PRACTICE

No. 8, 2016

The publication highlights the international conference "Bankruptcy: Legislative Model and Law Enforcement Practice", held on April 7, 2016 at the Moscow State Law University named after O.E. Kutafina (Moscow State Law Academy).

The conference participants - legal scholars, university professors, graduate students and students, arbitration court judges, businessmen, arbitration managers, lawyers - represented various regions of Russia. Guests from neighboring countries watched with interest the scientific discussion that unfolded at the forum.

The increased interest in the problems of insolvency is due to a number of factors: the economic crisis, entailing a sharp increase in cases of insolvency of business entities; constant reform of bankruptcy legislation and, as a result, a change in approaches in judicial practice; introduction of consumer bankruptcy from October 1, 2015, etc.

Bankruptcy is a complex legal institution that includes the norms of material and procedural, private and public branches of law. This feature is fully reflected both in the subject composition of the speakers and in the content of the reports delivered during the conference. Most of the speakers used comparative legal analysis to illustrate their conclusions, comparing the norms of Russian and foreign legislation.

On the positive side, it should be noted that the problem of insolvency has been studied in different dimensions. So, in theoretical terms, the categories of insolvency, competitiveness , competitive material legal relationship were subjected to scientific analysis . When it came to the problems of law enforcement , the speeches about the difficulties arising in arbitration courts when considering cases of bankruptcy of individuals, on the exercise of exclusive rights to the results of intellectual activity in a situation of insolvency, on the establishment of bankruptcy control in bankruptcy of legal entities, led to a lively discussion.

Significant interest was aroused by the report on the forthcoming radical reform of bankruptcy legislation in relation to legal entities. The main provisions of the draft Law on Restructuring in terms of improving rehabilitation procedures were announced.

Finally, in relation to the educational process, the problems of teaching academic disciplines devoted to competition law that arise in many universities were considered.

Within the framework of the international conference, the presentation of the textbook for bachelors "Bankruptcy of business entities", prepared by a team of teachers from the Department of Business and Corporate Law and the Department of Private International Law of the University named after O.E. Kutafina (Moscow State Law Academy).