

## Scientific and Information Journal

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# STATE AND LAW. LEGAL SCIENCE

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## THEORY AND HISTORY OF STATE AND LAW; HISTORY OF DOCTRINES ABOUT LAW AND STATE

### GENESIS OF THE STATE MODEL OF DEVELOPMENT THROUGH A PRISM OF THE FRENCH POLITICAL SCIENCE OF THE XX CENTURY

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In article the all-legal problem of formation of the modern constitutional state as the social, political and legal phenomena reflected in historical traditions of legal system of the states and world experience of transfer of political and legal culture in development of society is staticized.

*Key words:* state, political power, concept of the state, phenomenon of the state, European political theory.

In article the all-legal problem of formation of the modern constitutional state as the social, political and legal phenomena reflected in historical traditions of legal system of the states and world experience of transfer of political and legal culture in development of society is staticized. Features of approaches to the concept of the modern constitutional state of the French contemporaries on a cut of political doctrines in the light of new methods of knowledge are considered: structuralism, system analysis, functional analysis, methodological syncretism, etc.

The questions of theoretical and practical character connected with evolution of legal statehood, formation of prerequisites and influence of system of factors of formation of the modern constitutional state in concrete historical conditions are of particular importance.

New approaches to research of a phenomenon of the state as historical, political, social and legal phenomena, in particular in France (since the middle of the XX century), it was realized in a formulation and further development of a number of original concepts of political doctrines and the theory of the state. It broadened the sphere of further development of the general theory of the state, and also political science.

Addressing to doctrines of political science of France of the twentieth century, it is possible to observe, the palette of influence of the French political science and a number of modern French schools of sciences on formation of the modern concept of the state as political, social and legal phenomenon is how wide.

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#### **ANTI-TERRORISM LEGISLATION AT THIS STAGE**

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One of the features of modern life as the functioning of the international community and the Russian public is the work of the numerous parties, organizations and movements which are often aimed at the seizure of administrative, political, financial, natural and other resources and wealth. The techniques and methods used by these organizations to the achievement of these goals, often characterized by feelings of neglect, the value and dignity of ordinary citizens, certain social strata, and sometimes as much as national entities and states.

*Key words:* terrorism, the legal framework to counter the law enforcement authorities.

#### **MAIN OBJECTIVE FACTORS AFFECTING THE FACE AND CHARACTER MODERNIZED INTERNATIONAL RELIGIOUS-POLITICAL EXTREMISM AND TERRORISM**

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One of the most acute problems of modern Russia is the spread of extremism. Everything becomes more organized his character, increases the level of violence is increasing the number of crimes related to extremism. Increasingly extremism manifests itself not only in all spheres of society, but also in the political, economic, social and religious activities. The reasons for the spread of extremism are as common reasons inherent in crime in general (social, economic, and political factors), and specific, related to the specific conditions of the existence and characteristics of the individual social groups. The problem of extremism in our country for a long time was ignored. In criminal law qualified as hooliganism and extremist manifestations, including on national and religious grounds.

*Key words:* religious extremism, political extremism, combating international level, the functioning of society.

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**PREJUDICE IN CRIMINAL PROCEEDINGS**

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Over time, the legislation of the Russian Federation made significant changes, one of which is the inclusion in the Code of Criminal Procedure of prejudice. However, this procedural provision proved far from perfect, instead of solving the problems associated with the use of prejudice, it even aggravates them by proving on criminal cases. There is no single definition of the Russian legislation in our time has no prejudice. However, if we consider the history of the origins, it should be noted that the first mention of prejudice found in Roman law.

*Key words:* prejudice, law, criminal prosecution, procedural law, the state duties.

**THE ORDER OF CREATION AND FUNCTIONING OF FRONT DIVISIONS  
PATROL-SENTRY DUTY OF POLICE**

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In the current socio - economic conditions, there is a steady increase in the number of administrative offenses and crimes, the threat of terrorism, extremism and other threats to public safety are of particular importance to law enforcement. Despite the dominant role of the police in combating crime, today said activity police units for the protection of public order, to fight crime is not sufficiently effective. In this connection, it takes a comprehensive study of the main activities of police units for the protection of public order, identifying the positive aspects and disadvantages. The article attempts to give a description of the main activities of police units for the protection of public order, the main tasks of these units.

*Key words:* crime, administrative law, law enforcement, public order offense, the constitutional rights of the threat.

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**ON THE CLASSIFICATION OF VICTIMS FROM THE ATTACKS ON LIFE OF A LAW ENFORCEMENT OFFICER**

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The article is devoted to the classification of victims from the attacks on life of a law enforcement officer in accordance with article 317 of the criminal code. The circle stands for the various law enforcement agencies, which primarily can be recognised as victims in criminal cases of this category. Concludes that crime victims under article 317 of the criminal code may be referred to the citizens of the Russian Federation, being law enforcement and other authorities and military personnel, for which in accordance with the current legislation activity on protection of a public order and ensuring public security is the main or one of the main tasks.

*Key words:* crime, organized crime, classification of victims, violence to life, murder of a law enforcement officer, state protection, protection of public order.

**DETERMINANTS OF FEMALE CRIME**

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State Crime is one of the important characteristics of the development of society, a kind of indicator of their well-being. Crime in general and women in particular, related to the specific historical conditions of the life of society, that is dependent on the political, economic, social, demographic, cultural and other people's lives. Currently, the problem of female criminality attracts attention not only of scientists, lawyers and practitioners, and the general public. Every year there is an increase in the number of convicted women. If in 2000 the proportion of female offenders in the total number of convicted persons was 10.6 %, while by 2014 this figure had increased to 15.1 %. Unfortunately, the moral and spiritual issues in recent years in the community paid little attention. Young women from poor and needy families virtually no access to the fashionable garments and other prestigious things, having their eyes enormous charisma. However, thanks to television, print and social mobility, awareness of these benefits is high, and because so much they envy, and at the same time - a sense uschemlenosti and ejection. These reasons, and pushing some of them to commit thefts, robberies and robberies, as manifested in this bitterness, aggression and vandalism are a means of psychological compensation for the humiliation.

*Key words:* female criminality, the law enforcement system, criminal acts, social maladjustment.

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**FINANCIAL LAW; TAX LAW; FISCAL LAW**

**THE EVOLUTION OF THE PRINCIPLE AMOUNT OF THE LIABILITY  
OF MEMBERS FOR OBLIGATIONS OF A LEGAL ENTITY**

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The article is devoted to the peculiarities of legal regulation of extent of liability of legal entity members for its obligations during different periods of historical evolution from the Roman civil law period till modern times.

*Key words:* legal entity construction, liability distribution between subjects of law, liability limitation of legal entity members.

**INTERNATIONAL LAW. EUROPEAN LAW**

**TO THE QUESTION OF THE DEVELOPMENT OF THE STATE EXPORT SUPPORT  
IN RUSSIA BASED ON INTERNATIONAL STANDARDS**

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The basic national systems and approaches of state support of export, common in foreign countries - members of the WTO. Special attention is paid to the study of peculiarities of formation of the minimum interest rates on export credit under the provisions of the Agreement on official export credits (DOAK). As a result of consideration of various types of state support of exports, implemented by the export agencies of foreign countries, members of DOEK prepared recommendations for the development of state support of export in Russia.

*Key words:* WTO, OECD, DOAK, the Eurasian economic Union, BRICS, the European Union, state support of exports.

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## **ECONOMY. ECONOMIC SCIENCE**

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### **ECONOMICS AND MANAGEMENT OF NATIONAL ECONOMY**

#### **TO THE QUESTION OF THE EMPLOYMENT OF MACROECONOMIC PLANNING IN THE REALIZATION OF LONG- TERM STRATEGY OF RUSSIAN ECONOMIC DEVELOPMENT**

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The intrinsic characteristic of macroeconomic planning, decentralize (indicative) form, are analyzed. Special attention is paid to the role of indicative planning in realization of long-term economic development strategy and its adaptation to the changing reality.

*Key words:* macroeconomic planning, indicative planning, middle-term planning, long-term planning, economic policy of the State, socio-economic strategy of the development.

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### **MODERN PROBLEM OF CURRENT CAPITAL MANAGEMENT ON SERVICE ENTERPRISE OIL AND GAS BRANCHES TO INDUSTRY**

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The paper presents an overview of the main factors of influence on activities of service companies in General, and their policy formation and management of working capital, in particular. The conclusion is made about necessity of development and application of models in the management of working capital, which would ensure an integrated approach to the selection and justification of target (desired) state of an enterprise.

*Key words:* circulating assets, working capital management, profitability of current assets, current liquidity.

The factors that have a direct impact on the activities of the companies:  
- legal integration and the dependence of the service company from the customer (50 % of services service divisions of vertically integrated oil companies )



- the market of services in the oil and gas industries is a buyer's market, that is on a small number of major oil and gas companies have a large number of service companies, and offers from the sellers exceeds the demand from buyers

- the complexity of production conditions of oil and gas requires service companies to increase investment in the development of new technologies and ensure their implementations, as well as maintaining existing fixed assets at an acceptable level

- the heterogeneity of services provided and work performed

- seasonality of activity of the enterprises of the oil and gas industries

Factors determining the efficiency of working capital management

- investments

- mismanagement of the elements of current assets

- formation of optimal structure of financing sources

Can be divided decisions in the area of the WALK into two parts - decisions (activities) of the strategic and tactical nature. Strategic require the participation of state institutions and other actors of market relations. Tactical-level solutions of the service companies.

To resolve issues of tactical level is necessary to develop adequate information-analytical algorithm (methodical approach) of decision making in the processes of working capital management.

The authors of this article are of the view that such an algorithm should be assessed and the planning of such indicators of efficiency of working capital management, profitability of current assets, current liquidity, and turnover of current assets. This should be the proposed criteria values of indicators that will allow management to clearly evaluate the effectiveness of interventions in achieving stated objectives and to develop management decisions for the whole set of indicators included in the model.

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### **IMPROVING THE MECHANISM OF MANAGEMENT OF INDUSTRIAL ENTERPRISES ON THE BASIS OF ENSURING ITS SUSTAINABLE SCIENTIFIC AND TECHNOLOGICAL DEVELOPMENT**

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The article highlights the mechanism of management of scientific and technical developments of Russian industrial enterprises and justifies the subordination of its tools. Its stability is associated with the successful implementation of the innovative capacity of industrial companies that depend on adequate external environment of their operation.

*Key words:* scientific and technical development, innovative potential, factors of sustainable development of companies.

**THE CONCEPT OF DEVELOPMENT  
OF MANAGEMENT ACCOUNTING AND REPORTING**

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The diversity of literature in the field of methodology and organization of management accounting and reporting has one focus - to satisfy information needs of users of managerial accounting. Define theoretical and methodological principles for a modern approach to management accounting presented in the article as the author's position. The question of segmentation information for more effective information support of management decisions.

*Key words:* management accounting, reporting, criteria and principles, modules and segments, sustainable development.

**AN ANALYSIS OF INTEGRATION PROCESSES  
OF NETWORK COOPERATION  
IS IN THE SYSTEM OF RETRAINING OF SHOTS**

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Composition and interests of subjects of educational space are Structured. The authorial model of the system of network cooperation of participants of educational space is made.

*Key words:* regional resource center, network cooperation, retraining of management shots.

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**THE ST.-PETERSBURG INDUSTRY:  
POSSIBILITIES AND PROBLEMS OF IMPORT REPLACEMENT\***

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In article development of the industry of St.-Petersburg last years is considered. The basic directions of resource restrictions are presented. Influence of resource restrictions on Import replacement process in the industry of St.-Petersburg is shown. Influence of a conclusion of the industrial enterprises from the historical centre on possibility of the enterprises on Import replacement is considered.

*Key words:* the industry, St.-Petersburg, import replacement, resource restrictions.

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\* The article is made in the framework of the project No. 2.2.6 “research and methodological development on the basis of scientific-educational center for macroeconomic analysis and forecasting development of high-technology industries (SEC MAP)”, “program of strategic development of Federal STATE budgetary educational institution of higher professional education “St. Petersburg state economic University” for 2014-2016”.

**THE FORMATION OF COMPETITIVE STRATEGIES FOR CHOOSING  
THE QUALIFICATION LEVEL OF EMPLOYEES IN THE PRODUCTION OF ROCKET  
AND SPACE TECHNOLOGY**

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This study is aimed at solving problems of formation of porter strategies for choosing the qualification level of the personnel development system enterprise producing rocket and space technology (CT), which is one of the original factors to improve reliability and efficiency of functioning in conditions of competitive interaction.

*Key words:* competitive interaction, staff qualifications, market environment, condition-touchevent equilibrium, objective function, optimal solution.

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**ROLE AND FUNCTIONS OF REGIONAL RESOURCE CENTER IN THE SYSTEM  
OF RETRAINING OF MANAGEMENT SHOTS**

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The functions of regional resource centers are structured in the process of retraining of management shots, basic positive effects are educed from realization of the kernel programs of RSC.

*Key words:* regional resource center, network cooperation, retraining of management shots.

**EVOLUTIONARY MODEL OF THE TEMPORARY MECHANISM  
OF SELF-ORGANIZATION OF ECONOMY**

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In article the evolutionary model of the temporary mechanism of self-organization of economy which essence consists in reflection of objective interactions of the person with the nature and society by means of various ratio in the speed of course of internal time of the personality and the external time of environment acting as a source of nonequilibrium states and self-organization of economy is offered. The model shows ability to integrate methodological approaches of Marxist, neoclassical and evolutionary theories of economic science on the basis of synergetics.

*Key words:* economic time, methodology of economic science, time mechanism of self-organization of economy.

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**FOREIGN EXPERIENCE OF STATE REGULATION OF INSTITUTE  
OF THE CONSOLIDATED TAXATION WITHIN PROVIDING ECONOMIC SECURITY**

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In the present article foreign experience of state regulation and the state control of such special institute as the consolidated group of taxpayers is generalized. In article the comparative analysis of practice of application of this institute in foreign countries and in the Russian Federation is carried out. Positive characteristics of this institute and threat, as for economic security of the state, and business are allocated. The author draws a conclusion about need of development of this institute which possesses high potential, including taking into account observance of criteria of economic security.

*Key words:* a tax policy, the consolidated group of taxpayers, economic security, threats in economic security, threshold values of economic security.

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**EVALUATION OF THE FINANCIAL CONDITION OF THE BORROWING ENTERPRISE  
USING THE METHODS OF TECHNICAL ANALYSIS**

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Based on the methods of technical analysis, analyzes the current financial condition of the borrower of a commercial Bank - a legal entity, given the predictive assessment of the financial condition of the company and making decisions on the basis of the indicator - Bollinger Band, which significantly reduces the risk of bad debts of commercial banks.

*Key words:* technical analysis, evaluation of the financial condition of the company, Bollinger bands indicator, the decision-making mechanism.

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**SOME THEORETICAL AND METHODOLOGICAL ASPECTS  
OF THE MANAGEMENT OF FOOD SUBSTITUTION**

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The State of theoretical and methodological bases of modern food substitution. Classification guidelines. The analysis of the proposals. Weaknesses and advantages. Proposed equation food substitution. Carried out its verification.

*Key words:* food addiction, importozavisimost2, import substitution, and regulatory factor hypothesis.

**FOREIGN EXPERIENCE ADAPTATION POSSIBILITIES FOR OPTIMIZATION  
OF RUSSIAN MILK BRANCH**

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In spite of overall stabilization and specializing policy there are some serious problems in Russian milk branch, such as lack of innovations, old infrastructure and so on. Author suggests the directions of relevant foreign experience adaptation for solving of these problems.

*Key words:* milk, agroindustrial complex, state support, infrastructure, export.

**THE NEED FOR AND NATURE OF MONITORING MAJOR TRENDS AND PATTERNS  
OF DEVELOPMENT OF THE REGIONAL AGRI-FOOD MARKET**

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this article analyzes the State of the agri-food market. Identified by the objective reasons of its monitoring. Monitoring system of the agro-food market. The main elements of the structure, principles and monitoring mechanisms.

*Key words:* food market, market management, monitoring.

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**TRANSFORMATION MODEL OF DEVELOPMENT WAREHOUSE REAL ESTATE MARKET  
RUSSIA IN 2014-2015: IDENTIFICATION OF POST-CRISIS GROWTH IMPERATIVES**

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The author reveals and substantiates the causes and conditions of the current transformation of the inertial-crisis model of development warehouse real estate market in Russia, the worsening macroeconomic crisis, which in the period 2014-2015,. It forms the transition to the new path of more sustainable development of the warehouse with the weakening of its speculative component. This is a fundamental renewal of the imperatives of the market and the formation of a new model of growth. The latter will be fundamentally different from the old warehouse development transition into a new phase of development.

*Key words:* warehouse development, market model, the capitalization rate, retail, funding, built-to-suit.

The paper presents a comprehensive study of preconditions and conditions of the current transformation of the inertial-crisis model of development warehouse real estate market in Russia. The author shows that the development of the speculative market warehouses in Russia for many years supported the growth of end-use and system tied to a related business (retail, logistics, distribution, production), which ensures the growth of the market and the absorption is not always quality, but permanently expensive warehouse space.

However, the crisis of 2008-2009. and the current crisis of 2014-2015,. in fact terminated the path of extensive growth of the market, turning it back on track better and more professional, less speculative development.

The author provides a brief periodization of the development of the market and identifies a number of changes, limiting the possibility of prolongation of the previous model of growth and the need to move to a new less speculative. The important conclusions of the article, empirically verified data is an indication of the critical dependence of the dynamics of the market warehouses from macroeconomic conditions, which will retain its relevance in the nearby future.

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**FEATURES OF THE HOUSING MARKET AS A STRUCTURAL ELEMENT OF A HOUSING  
CONSTRUCTION COMPLEX OF THE REGION**

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Discusses the housing market and its features in modern conditions. The elements of the housing stock are considered as the factor of formation of demand for housing. Great amount of statistical data has allowed to reveal features of the structure and infrastructure of the housing market.

*Key words:* housing, factors, improvement of housing, housing complex, market, demand, supply.

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**OBSTACLES TO THE ESTABLISHMENT OF HOMEOWNERS' ASSOCIATIONS  
IN THE SMOLENSK REGION**

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Housing partnership is a form of exercise of public services households. In the Smolensk region HOA has not yet been widely adopted. The proposed article considered obstacles to the creation of the HOA in the Smolensk region and identified the preconditions conducive to the revitalization of the process.

*Key words:* the homeowners Association, direct manipulation, management company, communal utilities, home improvement apartment house.

To study the existing methods of management of apartment houses, the options utility supplies to households, multi-family homes and customer satisfaction in their existing homes forms of governance was carried out a questionnaire survey, which was attended by 125 people. Of these, 44 per cent were living in Safonovo urban settlement, 12 % in Yartsevo settlement, 36 % in Dorogobuzh urban settlement, 8 % - in the urban district of Desnogorsk, 4 % in Gagarin settlement.

Based on the results of the conducted questionnaire survey it can be noted that in most cases the management of apartment houses is carried out by the management company. Even having a private form of apartment ownership, the respondents did not show activity in the control house. Some consumers are not aware of what organization they pay for the services they receive and how contracts for these services. Some respondents enters into such agreements independently. This fact suggests that not all management companies perform the requirements of the Housing code of the Russian Federation under which they are obliged to conclude contracts with suppliers of utility resources. Many respondents noted the complex nature of the activities serving them of managing companies and homeowners associations, along with management provide services for the maintenance of an apartment building almost without involvement of contractors.

To activate the involvement of households in the process of creating the HOA and other forms of management of apartment houses should:

- 1) conducting explanatory work among the population about the features and benefits of the creation of homeowners associations or self-service home;
- 2) the training population on the order of creation of the HOA and in its legal registration;
- 3) development, with the participation of local government, order of holding General meeting of inhabitants of the MCD;
- 4) the introduction of standards and rules for the management of MCD, including the order of conducting and storage of technical documentation;
- 5) the dissemination of "good practices" on the activities of the HOA.

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**RUSSIAN-SLOVENE CLUB OF BUSINESSMEN AS A TOOL FOR INTERNATIONAL  
COLLABORATION MANAGEMENT**

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Russian-Slovene club of businessmen is considered as a tool for creating, implementing and supporting international projects. The model of non-profit-making organization is represented with the activity focused on connecting the business-interests of Russia and Slovenia. Model efficiency is evaluated.

*Key words:* Russian-Slovene club of businessmen, project management, management system, international collaboration.

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**THE EMERGENCE OF NEW PSYCHO-COGNITIVE BARRIERS TO LEARNING\***

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Adaptation of the educational process in higher education to the changing socio-economic environment and services conditions of learning requires special attention to overcome the psychological and cognitive barrier ditch, which may have a variety of causes. In practical activity the important role is played by the classification of the types of psychological and cognitive barriers. Along with the opportunities for learning new information environment, which is student, and generates new types of psychological and cognitive barriers that the tre would have the extension methods used to overcome them.

*Key words:* University, education, knowledge, information environment, social, psychological and cognitive barriers.

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