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STATE AND LAW. LEGAL SCIENCE

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

ECONOMIC LAW AND NEOINSTITUTIONALISM

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The article is devoted to analysis of the separate positions of lawful science and of neoinstitutionalism (uniformity and differences).

Key words: economy, law, economic law, institutionalism, neoinstitutionalism, rule-of-law state, economic interest.

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SUB-NATIONAL INTEGRATION PROCESSES AND THEIR IMPACT ON THE LEGAL SYSTEM OF THE RUSSIAN FEDERATION

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Formation of the law - it is a long historical process, which takes a number of steps. The initial step in the complex process of the formation of the legal system acts somehow ideologically expression of integration processes at various levels, through which ensured the coordination of social justified freedom of the individual and the particular interests of the cultural-historical community in which it operates. This approach is developed in this article through the opening of the Sub-national level of formation of legal systems.

Key words: right, legal system, formation of the legal system, the legal origin, integration processes, economic integration.

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ABOUT THE NECESSITY OF MODERNIZATION OF THE RUSSIAN CODE OF ADMINISTRATIVE OFFENCES IN CONDITIONS OF A DEVELOPING SYSTEM OF RELATIONS OF PRIVATE PROPERTY

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The article reveals the existing conflicts and legal uncertainty of the procedural and substantive norms of the Russian code of administrative offences that lead to the need of modernization in a developing system of relations of private property. Put forward a proposal to organize legislative work on the

modernization of the administrative code of the Russian Federation, aimed at ensuring harmonization of the legislation on administrative offenses with the legislation regulating the procedure for state control and supervision bodies of Executive power, and also any other duly authorized administrative-public bodies.

Key words: administrative responsibility of legal entities, administrative responsibility of individual entrepreneurs, manufacture on Affairs about administrative offences, mandatory requirements, control and Supervisory authorities.

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THE CONCEPT OF POSITIVE LAW ENFORCEMENT

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The author attempts to characterise the concept and attributes of positive law enforcement at law, describe the existing approaches to its definition, as well as define its meaning within the system of legal procedures and legal process in general.

Key words: positive law enforcement procedure, positive law enforcement, legal procedure, legal process, judicial process.

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ON THE TYPES OF POSITIVE LAW ENFORCEMENT

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The article dwells upon the types of positive law enforcement. The author defines positive law enforcement, considers its various classification criteria, analyses the importance of the classification for the study of general theoretical problems of positive law enforcement.

Key words: Legal process, legal procedure, positive law enforcement, positive law enforcement procedure, types of positive law enforcement procedures.

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**ON THE QUESTION OF CRIMINAL AND LEGAL ASSESSMENT
OF THE CRIMINAL LACK OF MEDICAL CARE**

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This article is devoted to analysis of the most important and controversial issues of criminal-legal assessment of lack of medical care to the patient. Particular attention is paid to qualifying criminally wrongful acts of medical workers.

Key words: health, medical care, criminal omission, criminal responsibility.

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INNOCENT HEALTH CARE WORKERS

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Analyses of the application of non-criminal harm to the life and health of the patient during medical intervention. Special attention is paid to the problem of a proper understanding of the term “medical error”.

Key words: doctor, patient, life, health, injury, medical mishap, medical error.

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FINANCIAL LAW; TAX LAW; FISCAL LAW**LEGAL REGULATION OF THE PROCEDURE OF PROVIDING HOUSING AND COMMUNAL SERVICES TO CITIZENS**

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One of the problems that hinder high quality provision of housing and communal services are the shortcomings of legislative regulation of this process. The article discusses the features of interaction between supplier and consumer of housing and communal services in the framework of the contractual relationship. Given the existing shortcomings of legal regulation of this type of relationship.

Key words: housing and communal services, consumer, contractor, quality of services.

The contractor will undertake the provision of public services consumer in accordance with the conditions of the prisoner between them the contract. Of services by the contractor under the contract, depending on the method of home management can be a management company, homeowners association or directly to the resource supplying organization. Under the terms of the contract, the contractor agrees to provide to the consumer all types of housing and communal services in accordance with established standards indicators of quality and the consumer, in turn, undertakes to accept and pay these services in full. The interaction between the contractor and the consumer of housing services, along with the contract, regulated by Rules of granting of utilities to owners and users of premises in apartment buildings and houses approved by the resolution of the RF Government 06.05.11 No. 354.

The rules for the provision of utility services (Chapter X) establishes the order of the consumer and the contractor in case of granting of utilities of inadequate quality. The consumer, in the event of

problems with the supply of utility services is obliged to notify in an emergency-dispatcherskaya service contractor is responsible for notifying the contractor lies with the consumer. If the corresponding signal is not received, the contractor is not able to react to the situation. In the case of incomplete and untimely payment by the consumer of utilities (within two months p. 118 Chapter XI of the Rules), the contractor has the right to terminate their provision. However, the limitation or suspension of the contractor to provide utilities, may lead to violation of the rights to receive utility services by consumers, fully meeting the obligation (clause 121 of the Rules). Therefore, this rule does not apply.

Applicable law in some detail issues were addressed by provision of public services (quality, order, price). But the consumer also acquires services from the contractor either directly from the organization, requirements to which are established by the Rules of technical operation of housing fund. The calculation of the fee for this service, the contractor will undertake on their own and then negotiate the fare with the consumer. But the consumer is not always a clear mechanism for the calculation of fees for this service (e.g., elevator maintenance, garbage collection). The legal order of the statement of charges for services at the General meeting of apartment owners is not practically enforced. Insufficiently regulated by law in the collection of funds for the implementation of the overhaul of the building: the authorities force the owners to deposit funds in a citywide major repair fund instead of enabling the creation of such funds for each house separately.

The insufficient legal regulation of the procedure of granting housing-utilities to consumers creates a problem of ensuring the rights of consumers for services that meet the quality requirements.

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INTERNATIONAL LAW. EUROPEAN LAW

CRITERIAS FOR APPLICABILITY OF THE UNIDROIT CONVENTION ON INTERNATIONAL FACTORING TO THE SPECIFIC FACTORING CONTRACTS

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This article is dedicated to issues related with the criteria's for applicability of the UNIDROIT Convention on International Factoring to the specific factoring contracts.

Key words: factoring, UNIDROIT Convention on International Factoring, financing under assignment of a monetary claim.

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INTER-STATE COOPERATION TO COMBAT INTERNATIONAL CYBER TERRORISM ON THE EXAMPLE OF THE EUROPEAN UNION

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The differences of international cyberterrorism from other types of computer crimes were analyzed in the article. The definition of international cyberterrorism was defined. There were given the basic forms of interstate cooperation between the countries of the European Union to combat international cyberterrorism. The evaluation of the effectiveness of such cooperation was presented.

Key words: terrorism, international terrorism, international cyber terrorism, cyberterrorism, cybercrime, European Union, interstate cooperation, fight against cyberterrorism.

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ECONOMY. ECONOMIC SCIENCE

ECONOMIC THEORY**OPTIMIZATION OF STRATEGIC COMPETITIVENESS OF SERVICES
IN THE CONDITIONS OF ECONOMIC UNCERTAINTY OF COMPLEX STRUCTURE**

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In article results of researches on a problem of strategic competitiveness of services in the conditions of macroeconomic and microeconomic uncertainty are stated. Methodologies of optimization G. Simon's hypothesis of limited rationality of economic decisions is assumed as a basis. The methodology of high-quality optimization of innovative development of strategic competitiveness of services is given. Cyclic forecasting of tendencies of the macroeconomic environment for elimination of objective uncertainty is offered. For elimination of subektivny macroeconomic uncertainty the strategy of state regulation of the market of services is considered. Microeconomic uncertainty is eliminated on the basis of assumptions of the jet strategy of target competitors. Object of optimization is the synchronized complex of innovative projects of development of strategic competitiveness of services.

Key words: service, strategy, competitiveness, innovation, uncertainty.

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COMPETENCE APPROACH IN HUMAN RESOURCE MANAGEMENT

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This article discusses how to use the competency approach to human resource management. We consider different approaches evaluating competencies, including country differences in approach. It is shown that the selection and training of staff on the basis of competence-based approach is an effective HR management tool. In our opinion it is a holistic competence typology is useful for understanding the relationship of the system of knowledge, skills and staff outcomes. Thus, the use of competency approach to human resource management allows on the one hand to attract valuable employees, on the other hand - to build a corporate training so as to maximize the efficiency and productivity of employees.

Key words: competency, competence, competence approach, human resources management, emotional intelligence, social intelligence.

Recruitment on the basis of competence, personal and professional, may be a non-trivial task. However, this practice should be a key in personnel management. In the selection of personnel must take into account features of the organizational environment: climate in the organization, the working context. In addition to the selection of competency, a matter of learning skills as promising. We do not put into question by the fact that the skills, knowledge and practical skills can be acquired in the course of corporate training and performance of official duties. Of greatest interest is the question of personal growth of employees, namely: whether the existing adult humans develop and / or acquire new personality? The analysis of foreign literature (Kanfer and Goldstein, 1991, Morrow et al, 1997, Pascarella and Terenzini, 1991;.. Winter et al, 1981) showed that an adult is able to develop personal competencies. However, the scale of the development is low: representing a positive change in the behavior of the employee caused by the specialized training, are significant only immediately after the training and disappear after some time. This effect is called "honeymoon effect". Accordingly, the question now is not possible by purchasing or personal behavioral skills through corporate education and training, and the possibility of long-term conservation of these skills. Several long-term studies on changes in people's emotional and social intelligence, which, in essence, is distinguished by outstanding employees from all others, showed that the changes have taken place in the course of training are *dolgochnymi* or permanent. Thus, the use of competency approach to human resource management allows on the one hand to attract valuable employees, on the other hand - to build a corporate training so as to maximize the efficiency and productivity of employees. The possibility of development of personality traits, behavioral skills, and enhance the characteristics of emotional and social intelligence *neobhomo* consider when planning educational programs and training: according to research programs aimed at long-term results should be long-term in itself.

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ECONOMICS AND MANAGEMENT OF NATIONAL ECONOMY

OPTIMIZATION OF THE DISTRIBUTION SYSTEM

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Conditions of formation of a distribution system of goods are considered, a comparative assessment of direct and indirect sale on the basis of work of the dealer and the trade mission is given.

Key words: marketing policy, direct sale, indirect sale, distributor, dealer, sales representative.

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RESERVES TO REDUCE MATERIAL COSTS IN DRILLING ORGANIZATIONS

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Discusses the mechanisms of quantitative assessment of internal reserves of decrease in expenses at the enterprises of mining complex and the principles of their implementation on the example of the effective use of material resources in drilling organizations.

Keywords: reserves, analysis, drilling of the organization, material resources, savings, incentives.

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