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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**

#### **PARTIES OF THE EMPLOYMENT AGREEMENT IN ACCORDANCE WITH THE EMPLOYMENT LEGISLATION OF NEW ZEALAND**

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In this article, based on the analysis of legislation, judicial precedents and legal literature, we are analyzing legal status of the employer and employee as parties to the employment contract in New Zealand.

*Key words:* employment legislation, leading case, employment agreement, employer, employee, New Zealand.

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#### **FUNDAMENTAL PROBLEMS OF MODERN COLLATERAL RELATIONS**

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This article has focused on the legal regime of collateral legal relations. Considerable attention is paid to the analysis of contractual and legal mortgages. The author notes a significant number of regulatory acts on the regulation of mortgage relations. Further, the specific features of the origin of a mortgage are investigated both by virtue of the law and by virtue of the contract. In the process of research, the peculiarities and subtleties of the civil law nature of the pledge of real estate subject to various grounds of emergence are revealed. It is noted that one of the main problems of modern mortgages is its imperfection of the current legislation, as well as in some cases its internal contradictions. The author makes an attempt to reveal the features of this mortgage institution in this context.

*Key words:* mortgage, pledge, pledge registration, legal pledge, contractual pledge, transfer of ownership, retention of title.

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

#### **THE ISSUES OF PROTECTING MINORITY SHAREHOLDERS IN RUSSIA**

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The practice of violations of the minority shareholders' rights in Russian companies is considered. The reasons of violation of the minority shareholders' rights are analyzed. The relevance of the topic depends on the main

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position of protection for minority shareholders as an indispensable condition for attracting investments in Russian economy.

*Key words:* minority shareholders, legal remedies, investors, financial market.

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**CRITERIA OF ASSESSMENT OF THE DISPOSALS OF NON-DOCUMENTARY SECURITIES  
TO DETERMINE AN APPROPRIATE MECHANISM TO PROTECT THE RIGHTS  
OF LEGITIMATE COPYRIGHT HOLDERS**

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Consider the importance of developing the required characteristics of the mechanism of protection of rights in uncertificated securities through their recovery based on an assessment of transactions for their implementation, the integrity of the parties, assess the changes of the civil legislation on this issue. Attention is paid to the necessity of development of civil legislation to provide a mechanism of protection when mixing and spraying of the lost book-entry securities account of good faith purchasers, the development of criteria.

*Key words:* uncertificated securities, the vindication of paperless securities, the mixing and spraying of book-entry securities, the good faith of the purchaser, its content and criteria.

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**INTERNATIONAL LAW. EUROPEAN LAW**

**FREEDOM OF SPEECH AND ITS LIMITATION OF THE MODERN INTERNATIONAL LAW  
OF HUMAN RIGHTS ON THE EXAMPLE OF EXTREMISM: THEORY AND PRACTICE**

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By analyzing individual international legal acts, modern legal restrictions on the right to freedom of speech are defined in the context of combating extremism. Through a review of theory and practice, the article attempts to define the line between the realization of freedom of speech - a person and the restriction of this freedom - by the state.

*Key words:* extremism, freedom of speech, restrictions on the right to freedom of speech, UN Human Rights Committee, Human Rights Council, General Comment No. 34 of the UN Human Rights Committee, International Covenant on Civil and Political Rights.

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**REQUIREMENTS FOR THE HEALTH OF CANDIDATES IN PRESIDENTS  
OF THE RUSSIAN FEDERATION**

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Discusses the requirements for candidates for the post of the head of state in various countries. Examines the list of requirements depending on culture, level of political development, religious beliefs. Special attention is paid to this requirement as the health of the candidate on a post of the head of state.

*Key words:* president, constitution, suffrage, health.

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**ECONOMY. ECONOMIC SCIENCE**

**ECONOMIC THEORY**

**ENTREPRENEURSHIP IN THE SYSTEM OF PRODUCTION FACTORS**

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The article touches upon the problem of transformation and interaction of factors of production in the postindustrial economy. It is proved that in the conditions of formation of a new paradigm of social and economic development, the concept of the content of the category of entrepreneurship changes significantly. The conclusion is made about the need to improve the institutional environment of entrepreneurial activity in the Russian economy.

*Key words:* factors of production, transformation, factors of production, entrepreneurship, institutional environment, creative work.

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**MODELS AND METHODS OF ANALYSIS OF QUALITY OF INFORMATION SYSTEMS  
OF ENTERPRISES OF OIL-PROCESSING INDUSTRY**

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The set-theoretic model of the information system of the oil refining enterprise is considered, which reflects the main blocks, components and their dependencies. On its basis and previously identified a set of key indicators of the quality of information systems of oil refining enterprises, a methodology for integrated assessment of the quality of information systems of oil refineries is developed. The method of analyzing complex systems by the criterion of functional completeness can be applied to the problems of analyzing the quality of the information system of an oil refining enterprise after a certain modernization of this technique.

*Key words:* model of information system of the enterprise, methods of assessing the quality of information systems of enterprises, analysis of the functional completeness of information systems, refining.

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**ON THE QUESTION OF THE ORGANIZATION OF THE SYSTEM OF SMALL ENTERPRISE**

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The role of small business as a structure-forming element of the institutional system that generates evolutionary transformations and structural changes is considered in the article. It is shown that the development of small business is becoming a determining factor in increasing the competitiveness of the domestic economy. The restrictions preventing the improvement of the organization of the small business system are revealed.

*Key words:* entrepreneurship, small business, competitiveness, structural changes.

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**THE CONTRADICTIONS OF “KNOWLEDGE ECONOMY”  
IN THE CONTEXT OF THE DEVELOPMENT OF THE MODERN EDUCATION SYSTEM**

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The study revealed the contradictions of an economy based on knowledge arising at the present stage of existence and development of the of the modern education system.

*Key words:* knowledge, education, types of education, innovation in education, private and public capital, information, asymmetry of knowledge.

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**ECONOMICS AND MANAGEMENT OF NATIONAL ECONOMY****PROACTIVE BUDGETING IS A TOOL FOR EFFECTIVE  
MUNICIPAL PROGRAMS**

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In the conditions of strategic planning at the municipal level development the issues of effectiveness of municipal program and determination of the optimal amount of financial provision are being actualized. A new tool for optimization is public participation in budgeting process - proactive budgeting.

*Key words:* effectiveness of municipal programs, financial provision, proactive budgeting.

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**IMPROVING THE LEGAL FRAMEWORK OF PPP FINANCIAL-ECONOMIC MECHANISM  
IN MODERN CONDITIONS**

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The article shows that during long time the formation of the regulatory framework for public-private partnerships (PPP) at the regional level had an expedited model compared with the federal level. The adoption of the 224<sup>th</sup> Federal law on public-private and municipal-private partnership made necessary substantial upgrading of the entire legislative base, regulating this issue. The paper focuses on the fact that the importance of the work in this direction is determined not only with the necessity to eliminate contradictions between the federal and regional laws on PPP, but with the usefulness to reflect in these laws the latest trends in the PPP development, to improve PPP projects management and their financing.

*Key words:* Russian regions, public-private partnerships, legislative regulation, investments, budgetary process.

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**INSTITUTE OF SMALL BUSINESS: FEATURES OF FORMATION AND PROBLEMS  
OF DEVELOPMENT IN RUSSIA**

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The article focuses on the socio-economic and socio-cultural foundations of the formation and development of small business. The special role of the correlation between tradition and innovation is underlined. Traditions must be revived, and innovations should be stimulated and implemented. Only in this dialectical unity is possible the dynamic development of the Russian economy and its most important element - the institution of small business. The most important functions of small business are innovative and social. Justice and trust become that lubrication, without which the market economy can not perform its functions. The need for collective action is realized through partnership, cooperation, state support, the correlation of "order" and "freedom".

*Key words:* institute of small business, institutional structure, traditions and innovation, "national man", entrepreneurial culture, social behavior.

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**MANAGEMENT OF GOVERNMENT AT REGIONAL LEVEL**

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The article proposes a set of measures for improving of the state control. The central point of this complex is the formation of a database of loading of every department of the administration by functions, projects and routine activities with measuring costs for each function and project. Outsourcing to private companies and non-profit organizations some of the functions is proposed. The establishment of project offices outside of the regional administrations in cooperation with private companies is justified.

*Key words:* management, functions, state, efficiency, outsourcing.

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**PRE-REFORM PRICING SYSTEM AS A FORM OF STATE PATERNALISM**

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The impact of the state on pricing is one of the most important and systematically applied methods of economic policy by influencing money proportions and distribution of national income between different sectors and

categories of the population. The article discusses the theory and methodology of formation of retail prices as a form of state protectionism.

*Key words:* retail prices, price formation, state protectionism, social product and its distribution.

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#### **MAIN STAGES OF THE DEVELOPMENT OF ANTI-CRISIS MEASURES IN THE ENTERPRISE**

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The proposed main stages in the development of anti-crisis measures depending on the need of implementation of the various measures of crisis management and their methodical support, suggesting the formation of a specialized organizational structure, definition of roles of each participant, the rules of selection of its members and the script works to eliminate the crisis.

*Key words:* crisis management, industrial plants, diagnostics of the enterprise.

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