
ECONOMIC AND LAW ISSUES

**Nº5 (155)
2021**

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Founder: LLC “Economic Sciences”

Address: 125057, Moscow, Chapaevskii per., 3-775

E-mail: info@law-journal.ru

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The Certificate of registration of mass media

ПИ №ФЦ 77-31419 from 06.03.2008

Subscription index 70180 (Agency “Rospechat”)

ISSN 2072-5574

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Issue date 31.05.2021

Format 60x84/8

Printed signatures 7.67

300 copies

Printed by “24 Print” Ltd

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STATE AND LAW. LEGAL SCIENCE

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

DUEL AS A CRIME IN RUSSIAN CRIMINAL LAW OF THE 18TH-19TH CENTURIES© 2021 **Zharov Sergey Nikolaevich**

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The article is devoted to the study of the development of criminal prosecution for participation in a duel in the law of the Russian Empire. The tradition brought from Western Europe, which had no roots in Russia, unexpectedly quickly turned into a serious problem, not without the connivance of lawmakers and judges themselves, as well as the encouragement of public opinion. The sources of the study were articles of normative acts that carved for participation in duels, as well as draft such acts and other texts that reflected the opinion of the legislator on this issue. Formal legal and historical methods made it possible to identify elements of the corpus delicti and the attitude towards it in society. A diachronic comparison of articles of normative legal acts showed a change in the perception of this act from a state crime to lynching and further to murder, and at the end of the period the legislator created a subject not only exempted from responsibility for the duel, but also obliged to initiate it.

Keywords: history of Russia, criminal liability, duel, honor and dignity, state crime, lynching, murder.

**IMPROVING THE LEGISLATIVE SUPPORT OF THE MONITORING SYSTEM
FOR ASSESSING THE EFFECTIVENESS OF THE APPLICATION
OF REGULATORY LEGAL ACTS**© 2021 **Larionova Karina Azatovna**

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The article is devoted to the study of the issue of legislative support for monitoring the assessment of the effectiveness of the application of normative acts, identifying problems in the implementation of the mechanism, presents the prospects for the development of legal regulation of the organization of the type of monitoring under consideration. The directions of improving the legislative support of the general mechanism for increasing the efficiency of normative acts are proposed and substantiated.

Keywords: normative legal acts, the effectiveness of the application of legal acts, improvement of legislative support, monitoring, law enforcement.

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ELECTRONIC MONEY AND DRUG TRAFFICKING IN RUSSIA: ANALYSIS AND COMPLEXITY OF REGULATION

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The article deals with the main problems of legal regulation of electronic money in connection with the complication of the situation with drug trafficking in the Russian Federation. The main world approaches to the definition of electronic money are proposed. The current state of the market of narcotic substances is analyzed, new ways of drug trade are considered: trade through marketplaces in the darknet. This article also provides a point-by-point analysis of the leader in the digital drug trade market, provides statistics of law enforcement agencies and health organizations, as well as research by independent media in this area. The key features of the Russian shadow market of drug trafficking are touched upon and the main difficulties of combating and preventing such crimes are revealed.

Keywords: electronic money, drugs, shadow market, digital drug trade, cryptomarket, money laundering

LEGAL SELF-REGULATION AS A TYPE OF LEGAL REGULATION

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The article is devoted to the issues of determining the legal nature of legal self-regulation. In order to answer the question posed, the author investigated the ratio of the signs of legal regulation and legal self-regulation, as well as the ratio of the elements of their mechanisms. Thus, the article formulates the thesis that legal self-regulation is a type of legal regulation.

Keywords: legal regulation; self-regulation; legal self-regulation; mechanism of legal regulation; mechanism of legal self-regulation; subject of legal self-regulation; method of legal self-regulation; limits of legal self-regulation; signs of legal self-regulation.

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MECHANISM OF «REGULATORY GUILLOTINE» IN THE SPHERE OF CONSTRUCTION

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The «regulatory guillotine» mechanism has been introduced since 2019. The article analyzes the existing system of regulatory and technical acts in the construction sector, the prerequisites for its reform. The results of the creation of an updated regulatory framework as of January 1, 2021 and problems in the implementation of the «regulatory guillotine» mechanism were studied. It is concluded that it is necessary to prolong the implementation of the mechanism.

Keywords: regulatory guillotine, reform of control and supervision activities, control and supervisory authorities, the system of mandatory requirements, the regulatory legal framework, the construction industry, entrepreneurship, small and medium-sized businesses, legal regulation.

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FINANCIAL LAW; TAX LAW; FISCAL LAW

A NEW ROUND OF DEVELOPMENT OF THE POLICY OF CONVENIENCE AND SIMPLICITY OF THE FULFILLMENT OF TAX OBLIGATIONS

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The article analyzes the Determination of the Supreme Court of the Russian Federation dated 23.11.2020 № 305-ES20–2879, in which the Court concluded that it was illegal to charge penalties for the period after confirmation of the overpayment until the actual decision on offsetting to the taxpayer, who timely submitted an application for offsetting the overpayment. The article presents the problem of the mechanism for the fulfillment of a tax obligation in the light of the principle of convenience, simplicity and economy of the fulfillment of an obligation.

Keywords: fine; tax discharge offsetting; the principle of convenient, simple, economical execution of a tax duty; the Determination of the Supreme Court of the Russian Federation dated 23.11.2020 № 305-ES20–2879.

FEATURES OF THE APPLICATION OF BUDGETARY PROCEDURAL RULES ON THE PROVISION OF A GRANT (SUBSIDY) BY THE ARBITRATION COURTS OF THE RUSSIAN FEDERATION

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The article discusses the problems of judicial law enforcement practice of applying budgetary procedural rules in the field of subsidizing legal entities and individual entrepreneurs. An analysis of law enforcement practice indicates that subsidiary bodies, as part of control measures, often misinterpret the provisions of the Subsidy Agreements in conjunction with the provisions of existing legislative acts, and therefore arbitration courts formulate a practice on the grounds for the recognition by the regulatory authorities of actions by recipients of subsidies as violations, which are the grounds for the return of the subsidy.

Keywords: application of budgetary procedural rules, conditions for the provision of subsidies, conditions for the use of subsidy funds, misuse of budget funds, principle of efficiency (effectiveness) of the use of budget funds.

INTERNATIONAL LAW; EUROPEAN LAW

EU ENVIRONMENTAL POLICY

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The article discusses topical issues related to the initiatives of the European Union in the context of the protection of natural habitats.

Keywords: environmental policy, climate, European Union, UN, greenhouse gases, F-gases, European Environment Agency, United Nations Framework Convention on Climate Change, Paris Climate Agreement, emissions trading system.

THE CONCEPT OF ELECTRONIC SECURITIES IN PRIVATE INTERNATIONAL LAW

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The purpose of the study is to define the concept and characteristics of electronic securities at the international level. The subject of the study was the Hague and Geneva Conventions on Securities. Currently, the concept of electronic securities is based on economic rather than legal criteria. The only feature of securities enshrined in international conventions is their financial nature. The list of electronic securities is vague and covers all financial assets and instruments, with the exception of cash. As a result, it is impossible to distinguish electronic securities from the totality of property rights as a whole.

Keywords: electronic security, financial asset, financial instrument, The Hague Convention, The Geneva Convention.

