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«DROPPING OUT CONSTRUCTIONS» IN THE CODE ON ADMINISTRATIVE OFFENCES OF THE RF: AN OBJECTIVE INEVITABILITY OR CONSEQUENCE OF FLAWS IN THE LEGISLATIVE THOUGHT AND TECHNIQUE?[1]

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The author considers and criticizes certain provisions of the Russian administrative-tort legislation regarding: presence of non-codified norms; discordance in time of the taken norms of the Code on Administrative Offences of the RF, which are located in different articles; incompleteness of normative defining of guilt of a legal entity; lack of common sense in determining the degree of social danger and corresponding to it administrative penalty for particular administrative offences.

Keywords: administrative-tort law, administrative responsibility, Code on Administrative Offences of the Russian Federation, institute of administrative responsibility of legal persons, administrative penalties, administrative fine.

July 01, 2012 marked the beginning of the second decade of functioning of the Code on Administrative Offences of the Russian Federation (hereinafter CAO RF). Paying tribute to its developers, who have managed in the current codification of the Russian administrative-tort legislation to significantly improve its quality, we should not close our eyes to the problems that either were inherent to the Code at the time of its adoption, and still remain so, or occurred with inclusion in it new novelties.

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Professor V. D. Sorokin, in his famous article "About Two Trends that Destroy the Integrity of the Institute of Administrative Responsibility", wrote that "the concept included in the project (CAO RF) give rise to concern about the fate of the institute of administrative responsibility in its classic form, since the called document is based on the recognition of two trends that are incompatible with the essence of administrative responsibility" [5, 46-54].

The first destructive tendency, according to V. D. Sorokin, manifested itself in a kind of "blurring" of the single legal framework of administrative offenses and, therefore, the integrity of the category of administrative responsibility itself and spawned decodification of the legislation on administrative responsibility – a completely unnatural process that destroys a unified legal substance of this legal institute.

V. D. Sorokin believed that "the solution to this problem is simple enough: we need the will of the legislator, aimed at "putting all departmental administrative offenses", both existing and ones, which may occur, in the relevant chapters of the Special Part of the CAO RF. Compositions of offences will find place in it!". Alas, some compositions have not found their place.

The new CAO RF has been operating already for ten years! And next to the newly built magnificent monumental building of the institute of administrative responsibility chaotically, as before, huddle frilly "huts of responsibility of mysterious nature", or rather "tent with the rules for the recovery of fines". At that, to those "huts"-"tents" that were not demolished during adoption CAO RF (articles 293, 295-306 of the Budget Code of the Russian Federation from 31.07.1998 No. 145-FL (as amended on 28.07.2012 No. 128-FL) (author's note. Hereafter texts of laws are reproduced according to the web-site Konsul'tant Plus – http://www.consultant.ru); articles 116, 118-120, 122, 123, 125, 126, 128, 129, 129.1, 129.2 and some other of part one of the Tax Code of the Russian Federation from 31.07.1998 No. 146-FL; article 19 of the Federal Law No. 125-FL from July 24, 1998 "On Compulsory Social Insurance against Industrial Accidents and Occupational Diseases"; article 27 of the Federal Law No. 167-FL from December 15, 2001 "On Mandatory Pension Insurance in the Russian Federation"), over time, already after the introduction into force of CAO RF, add new ones (article 74 of the Federal Law No. 86-FL from July 10, 2002 "On the Central Bank of the Russian Federation".

Outside of CAO RF there are also articles although not containing compositions of administrative offenses, but regulating, along with CAO RF, the procedure of administrative banishment of a foreign citizen out of the boundaries of

the Russian Federation (article 34 of the Federal Law No. 115-FL from July 25, 2002 "On the Legal Position of Foreign Citizens in the Russian Federation"…

The second trend that destroys the integrity of the institute of administrative responsibility, according to Professor V. D. Sorokin, was associated with the inclusion of the administrative responsibility of legal persons in CAO RSFSR, "the ideology of which in full accordance with the nature of administrative responsibility is intended only for guilty offenses of individuals". The adoption of the new CAO RF broke the process of decodification, where was a great merit of V. D. Sorokin and his associates. As for the second trend, qualitatively destroying the integrity of the institute of administrative responsibility, its legislative resolving in CAO RF is nothing more than a visibility of solving the problem, attempt of artificial joining of diverse, different parts.

Since the connection of dissimilar styles, ideas, and attitudes is described as eclecticism, then the joining in CAO RF the institute of administrative responsibility of legal persons, ambiguously evaluated by legal scholars, with the generally accepted, traditional, classical for administrative-tort legislation institute of administrative responsibility of individuals, I would call a kind of manifestation of *legislative eclecticism in jurisprudence.*

At that eclecticism as an architectural style, combining many different elements and styles, and is usually characteristic for the periods of decadence in art, can give either faceless works of architecture or masterpieces. As an example of a positive nature can serve the developed by Russian architect Konstantin Andreevich Ton "Russian-Byzantine style" of temple architecture, physical embodiments of which can be traced in the facades of the Grand Kremlin Palace and the Cathedral of Christ the Savior.

Therefore, all-in-all, there is nothing unnatural in eclecticism in general and eclecticism of CAO RF in particular, subject to the harmonious combination of its components. However, we cannot avoid unnaturalness regarding the guilt of a legal person. Although part 2 article 2.1 CAO RF contains the scheme of determining guiltiness of a legal person in committing an administrative offense, its content is not only contrary to the principle of fault, but on the contrary, is built on the principle of objective imputation, the application of which is not provided for in administrative law (not yet provided for).

His position on the causes of emergence the institute of administrative responsibility of legal persons and expediency, rather inexpediency, of its placement in CAO RF Professor V. D. Sorokin repeatedly stated to me in the course of our debates in the office of his cozy apartment in St. Petersburg. In short it

was due to the need to establish legal responsibility of economic units that have appeared in large numbers as a result of privatization of state property, and activities of which were increasingly going beyond the applicable legislation. Application of criminal responsibility to legal persons could not be considered as a possible option, as it was clearly contrary to the established canons of Soviet and Russian criminal legislation. Determination of civil responsibility looked the most acceptable option, first of all basing on the fact that the concept of "legal person" had been enshrined it in the Civil Code of the Russian Federation [1]. But against this option was the fact that civil procedure was quite cumbersome. In this regard, the legislator focused on administrative responsibility, the implementation of which was traditionally associated with the promptness of proceedings on cases of administrative offences. Although V. D. Sorokin remained opposed to enshrining the institute of administrative responsibility of legal persons in CAO RF, his position in the course of our debates softened somewhat in the direction of the fact that it was a given, which, unfortunately, we have to accept, subject to the resolution of the problem of establishing the guilt of a legal person under criteria different from ones in respect of physical persons.

In other words, we need new rules, but not exceptions to the rule. In this our positions with Valentin Dmitriyevich Sorokin coincided.

Perhaps, for the pedantic Germans it will look unnatural, but for the Russian people such adages look so familiar: "no man is wise at all times" and "there is an exception for each rule!" But exceptions differ...

In the already old Soviet times, when education in our country was not oriented on questionable principles of the Bologna system, did not bring Unified State Examination to the level of an objective evaluator of knowledge, did not substitute educational process by testing of "residual knowledge", which unfortunately in the original or in the "no-residuum form" left much to be desired, that is, when education was indeed a quality education, and not its imitated appearance, every schoolboy knew that there were many exceptions in the "great, powerful, truthful and free Russian language" [7].

For example, to accurately know 11 verbs-exceptions one had to learn the "zapominalka" (memory exercise):

"The second conjugation includes
All verbs that end with «ить»,
Excluding: to shave, lay (a tablecloth),
Adding: to look, offend, hear, see,

Hate, drive out, breathe, hold, tolerate,
And to depend, and even to twist,
Remember, friends,
They cannot be conjugated with «e».
(rhyme is not respected)

There are also more sophisticated exceptions. And there are even exceptions to exceptions, for example, the adjective "rozisknaya" (investigative) because of the nowadays returned to use adjective "razisknaya" (searching) is itself an exception to the rules of writing prefixes "raz" and "roz" [6]. But one thing is exceptions in grammar and quite another in jurisprudence.

At the moment of introducing CAO RF *the top amount of administrative fine* could not exceed five thousand rubles for citizens, fifty thousand – for officials, one million rubles – for legal entities. Thus, the legislator justifiably differentiated measure of administrative responsibility for the various categories of subjects of administrative offences. In addition, it is important that, under no circumstances, the top amount of administrative fine imposed on citizens, could not exceed the upper amount of administrative fine imposed on officials. A similar rule was applied, respectively, in respect of officials and legal persons.

But further the legislator stood up on the path of making exceptions to article 3.5 CAO RF and the current situation with the upper size of administrative fine is radically different. Part 1 article 3.5, as amended by the Federal Law No. 131-FL from July 28, 2012, is as follows: *"An administrative fine is a recovery of monetary assets expressed in rubles and imposed on citizens in an amount which does not exceed five thousand rubles, in cases provided for by article 14.1.2, part 2.1 article 14,16 of this Code – fifty thousand rubles, and in cases provided for by articles 5.38, 20.2, 20.2.2, 20.18, part 4 article 20.25, part 2 article 20.28 of this Code – three hundred thousand rubles; on officials – fifty thousand rubles, in cases provided for by article 14.1.2 of this Code – one hundred thousand rubles, in cases provided for by part 2.1 article 14.6 of this Code – two hundred thousand rubles, and in cases provided for by articles 5.38, 19.34, parts 1-4 article 20.2, articles 20.2.2, 20.18 of this Code – six hundred thousand rubles; on legal persons – one million rubles, and in cases provided for by articles 14.40, 14.42 of this Code – five million rubles or can be expressed in the size that is a multiple of…".*

Thus, in the case of business activity in the field of transport without a license (article 14.1.2), the upper amount of administrative fine that may be imposed on a citizen, comes up with the upper amount of administrative fine, which, under general rule, is provided for officials, and in commission administrative offenses provided for by articles 5.38 , 20.2 , 20.2.2 , 20.18, part 4 article 20.25 the upper amount

of administrative fine imposed on citizens is already 6 times higher than the generally established maximum amount of administrative fine for officials.

It is also unclear why in increasing the amount of administrative fine legislator has used different multipliers: for citizens 10-fold and 60-fold increase, while for officials – respectively 2-fold and 12-fold increase, i.e., five times less.

Sanction under part 1 article. 14.1.2, actually erases originally enshrined in CAO RF criterion of increased in comparison with citizens responsibility of officials, because according to it "exercising of entrepreneurial activity in the field of transport without a license is punishable by an administrative fine on citizens and (italics by V. D.) officials in the amount of fifty thousand rubles".

Article 14.1.2 "Exercising of Entrepreneurial Activity in the Field of Transport without a License" was introduced by the Federal Law No. 131-FL from July 28, 2012 and is correlated with article 14.1 "Exercising of Entrepreneurial Activity without State Registration or without a Special Permit (License)" as a special and general. Most likely, the appearance of article 14.1.2 in CAO RF is a reaction of the legislator to the increasing cases of road traffic accidents with severe consequences with the participation of bus drivers, who are engaged in long-distance transportation, and fixed-route taxi. But if we proceed from the official statistics and publications in the media, the legislator with the same success could and should have been introduce to CAO RF article 14.1.3 "Exercising Entrepreneurial Activity in the Field of Medicine without a License". The appearance in CAO RF of article 14.1.2 is an evidence of not the promptness of the legislator, but its unwillingness or inability to objectively assess the reasons for the growth of the above categories of road-traffic accidents and to propose a specific program to reduce them. Much easier to include in CAO RF a repressive norm. Unfortunately, there is no guarantee that such legislative practice on the carving new compositions of administrative offences out of article 14.1 will stop. As a consequence, article 14.1 and segregated from it articles 14.12-14.1.N will represent the same unsightly spectacle like an orchard, completely overgrown with underbrush or a train of the period of the Civil War, the passengers of which were located not only in the compartment, but also with their belongings occupied roofs of wagons.

Even more difficult to evaluate the increase of the amounts of upper administrative fines imposed on citizens and officials for violation of the legislation on meetings, rallies, demonstrations, processions and pickets (article 5.38), violation the established procedure for arranging or conducting a meeting, rally, demonstration, procession or picket (article 20.2), arrangement of mass simultaneous stay and (or) movement of citizens in public places, which has caused violation of public

order (article 20.2.2), blocking transport lines (article 20.18), evasion of execution an administrative penalty (article 20.25).

From the point of view of a law-abiding taxpayer, it is difficult for me to understand why for the arrangement of mass simultaneous stay and (or) movement of citizens in public places, which has caused violation of public order (article 20.2.2) an official may be imposed administrative punishment in the form of administrative fine in the amount of fifty thousand to one hundred thousand rubles, while for the failure to comply with norms and regulations on the prevention and elimination of emergency situations (article 20.6) the same official is imposed an administrative fine of between ten thousand to twenty thousand rubles!!! Events in July 2012 in the town of Krymsk, Krasnodar region showed, that inaction of officials on alerting the population about the coming flood led to a disproportionately larger losses (flooding in the Krasnodar region, which occurred on the night of July 7, according to the Emergencies Ministry, caused death of more than 170 people, 7.2 thousand houses on the territory of Krymsk, Gelendzhik, Novorossiysk and several villages of the Kuban were flooded. The size of the damage caused by severe flooding in the Krasnodar region was estimated at around 20 billion rubles, said the Head of the region Alexander Tkachev [9]) than taking place in May 2012 in Moscow on Bolotnaya Square events of organization (including by officials) of mass simultaneous stay and (or) movement of citizens in public places, which caused violation of public order (According to the Main Department of MIA, in the course of provocative actions of some participants about 20 police officers were hurt. Three of them were hospitalized with stab cut wounds and serious injuries. Interior Ministry also reported that organizers had exceeded the claimed number of participants; the rally was attended by about 8,000 people instead of declared 5,000. The protesters "provoked crowding, threw stones and water bottles, which fell on the police officers, other protesters and journalists, sprayed tear gas into the crowd". One citizen, who had been set on fire by the protesters needed to be put out by fire extinguishers [10]).

And is not it strange , if not absurd, that for organization or conducting of a public event *without filing notice in the prescribed manner* (emphasis by V. D.) about holding a public event (part 2 article 20.2) citizens and officials may be subject to an administrative fine in the amount of twenty thousand to thirty thousand rubles and fifteen thousand to thirty thousand rubles respectively , and for violating the state of emergency (article 20.5) – an administrative fine from five hundred to one thousand rubles for citizens and from one thousand to two thousand rubles for officials. It turns out that filing of a notification, but not in the prescribed

manner, i.e., with procedural violations, basing on the position of the legislator, has a much more significant impact on public safety and public order (common generic objects of administrative offenses provided for by chapter 20 CAO RF), than violation of such requirements of the state of emergency as violation of restraints on the freedom of travel throughout the territory in which the state of emergency is introduced and also the introduction of a special regime of entry into and exit from that territory, including the establishment of restrictions on the entry into and stay within that territory of foreign citizens and persons without citizenship; violation of especial order of sale, purchase and distribution of food and basic necessities; or violation of the requirements associated with the restriction or prohibition of the sale of weapons, ammunition, explosives, special means, poisonous substances, violation of an established special regime of trafficking in medicines, psychotropic substances, potent substances, ethanol, alcohol, alcohol-containing products (see paragraphs "b" and "d" article 11, paragraph "d" article 12 of the Federal Constitutional Law No. 3-FCL from May 30, 2001 "On the State of Emergency" [2]).

The choice of administrative offenses, in which the amounts of administrative fine at times exceed those amounts, which are applied under the general rule, is not legally substantiated, is not justified and can only be explained by the political interests of the ruling party, which has an overwhelming majority in the State Duma. Taking this decision the law-makers, in my opinion, even did not try to save their blushes and did not think about the fact that "every hideousness has its own decency" [3]. Although it is difficult to suspect the majority of deputies of a commitment to liberal ideas, regarding the situation with the decision to increase the amount of administrative fines for selected articles I recall the words of a liberal from the work of M. E. Saltykov-Shchedrin "Cultured People": "I was sitting at home and, as usual, did not know what to do with myself. Something like: either Constitution, or sturgeon with horseradish, or to have the shirt off someone's back. Have the shirt off someone's back first, flashed in my mind, have the shirt off someone's back, but later… And then, having proved myself good-minded, I can dream about constitutions at my leisure" [4].

I am firmly convinced that administrative responsibility should be established for acts that have proliferated and the subject of which can act, as a rule, an indefinite number of persons, whether it is a general or special subject. My position is also not shacked by the rare exceptions when administrative offenses have a strictly defined in quantitative terms range of subjects of administrative offenses, for example, provided for by article 5.25 CAO RF (PEC chairman – part 1, TEC chairman

– part 2, DEC chairman – part 3, Chairman of the Electoral Commission of a subject of the Russian Federation – part 4, Chairman of the Central Election Commission of the Russian Federation – part 5). There is a strictly defined range of subjects bound to posts, but not to personalities, in article 5.25 CAO RF. While the increasing the amounts of administrative fines in existing articles (articles 20.2, 20.18, 20.25) and inclusion in CAO RF of a new article (article 20.2.2) with an increased amount of administrative fine, although does not concretizes personalities, that is, formally oriented to an indefinite number of persons, initially and in fact has been directed against a number of specific most odious members of the opposition.

Another manifestation of the "blind parental love" of the legislator to fanciful designs has been expressed through the inclusion in CAO RF of article 3.12 "Administrative Suspension of Activity", which is directly contrary to the general principles of establishing administrative penalties that are laid down in article 3.1 CAO RF and clearly "falls out" from a general list of other previously established administrative penalties. Oddities of article 3.12 CAO RF begin already from the fact that it was put into effect by the Federal Law No. 45-FL from 09.05.2005. Yes, it is a day of celebration of the 60th anniversary of the Victory in the Great Patriotic War. I think that not only me, but anyone, who remember with what scale was celebrated this anniversary, has serious doubts about the necessity and even the very possibility of signing the law on this day. It could be signed, perhaps, only without reading!

The essence of the fact that article 3.12 CAO RF falls out from the general content of chapter 3 CAO RF is on the surface.

In article 3.1 "Aims of Administrative Punishment" not ambiguously, and namely clearly defined:

"1. An administrative punishment is a punitive measure for *committing* an administrative offence, established by the state, and it shall be administered *for the purpose of preventing the commitment of new offences* either by the offender itself, or by other persons.

2. An administrative punishment may not be aimed at the abasement of human dignity of a natural person who has committed an administrative offence, or at inflicting to it physical suffering, or at damaging business reputation of a legal person" (italics is mine – V. D.).

Contrary to this, in part 1 article 3.12 CAO RF the following is enshrined:

1. Administrative suspension of activity is a temporary cessation of the activities of persons engaged in entrepreneurial activities without forming a legal entity, legal entities, their branches, representative offices, structural units, production

sites, as well as operation of units, facilities, buildings or structures, exercising specific activities (works), rendering services. *Administrative suspension of activities is applied in case of threat* to the life or health of people, threat of epidemic, epizootic, infection (contamination) of quarantined objects by infected (polluted) objects, radiation accident or man-made disaster, causing substantial damage to the quality or state of the environment, *or in the case of an administrative offense in the field of* traffic in narcotic drugs, psychotropic substances and their precursors, plants containing narcotic drugs or psychotropic substances or their precursors, and their parts containing narcotic drugs or psychotropic substances or their precursors, in the field of countering the legalization (laundering) of proceeds from crime and financing terrorism, in the field of established, in accordance with the federal law, restrictions on the exercise of certain activities regarding foreign citizens, stateless persons and foreign organizations, in the field of rules of engagement foreign citizens and stateless persons in labor activities carried out in shopping sites (including in shopping malls), in the field of management procedure, in the sphere of public order and public safety, in the sphere of city planning and in the field of transport security" (italics is mine – V. D.).

And, although, administrative punishment is applied *in order to prevent the commission of further offenses*, but it is applied *for commission of an administrative offense*, that is, certainly not in the case of a threat of harm to the objects of administrative-legal protection. All the more, that a threat may remain just a threat. But imposition of an administrative punishment in the form of an administrative suspension of activity can cause real damage to business reputation of a legal entity, even if the sentence has been handed down, as it will be identified later, on the basis of an imaginary threat.

Negative attitude towards the additionally included in CAO RF punishment in the form of administrative suspension of activity is not changed by the fact that, in accordance with part 3 article 3.12 CAO RF, the judge, body, official, who has appointed administrative punishment in the form of administrative suspension of activity, at the request of a person engaged in entrepreneurial activity without forming a legal entity or a legal person, prematurely terminate the execution of administrative punishment in the form of administrative suspension of activity if it is established that the circumstances specified in part 1 article 3.12, which have given the reason to the imposition of the administrative punishment, have been eliminated. That is, will be eliminated the circumstances that have been evaluated as a potential threat? And then, instead of one subjective judgment on the reality or imaginary nature of threat, which has served as the ground for decision on

imposition of administrative punishment in the form of administrative suspension of activities, on the basis of other equally subjective judgment can be made a decision to terminate the execution of this administrative punishment? It is just a feast of judicial and administrative discretion!

I cannot help but focus my attention on the following circumstance. Review of the legislation and judicial practice of the Supreme Court of the Russian Federation for the fourth quarter of 2008 approved by the Decision of the Presidium of the Supreme Court of the Russian Federation from March 04, 2009 and from March 25, 2009 contains a very curious explanation regarding the practice of imposing an administrative punishment in the form of administrative suspension of activity [8]. Here is an extract from the document: "Question 8: If the sanction of the article provides for the possibility of imposing an administrative suspension of activity, but a protocol on administrative offence does not indicate which of cases listed in part 1 article 3.12 CAO RF pose a threat of harm to protected public legal relations, does the judge have the right to return the protocol on administrative offence? Answer: ... If the protocol on administrative offence does not indicate which of cases listed in part 1 article 3.12 CAO RF pose a threat of harm to protected public legal relations and does not show how is that proved, the judge *shall have the right* (*but not obliged* – V. D.) to make a ruling about the return of the protocol on administrative offence and other case materials to the body or official, who has drawn up the protocol, on the grounds provided in paragraph 4 part 1 article 29.4 CAO RF. From this it follows that the judge at its discretion have the right to return a poorly drawn up protocol on administrative offence, but may also make a decision on imposing administrative punishment in the form of administrative suspension of activity under the protocol on administrative offence that does not contain information about which of cases listed in part 1 article 3.12 CAO RF pose a threat of harm to protected public legal relations and does not indicate how is that confirmed. Is not it an example of legislatively not denied, and maybe even worse, encouraged lawlessness?

Proceeding from a deep inner conviction I'm not inclined to recognize the availability, as well as the emergence in CAO RF of such considered by me legal novelties, explicitly falling out from the architecture of its basic structures, as a result of objective inevitability caused by the desire of the legislator to respond quickly to changes in the content of the dynamically developing relations in the field of public administration, which naturally require administrative-legal protection through making appropriate adjustments in the administrative-tort legislation. "Dropping out constructions" that exist today in CAO RF are rather consequence of flaws in legislative thought and legislative technique.

"Dropping out constructions" of CAO RF – scientifically unfounded or insufficiently substantiated provisions of the Code, which are internally inconsistent with the traditional generally accepted fundamental norms of the Russian administrative-tort legislation, and in some cases, are directly contrary to them.

The appearance in CAO RF of "dropping out constructions" is due to the desire and attempts of lawmakers as soon as possible, but, unfortunately, often without adequate elaboration to address the issues of legal protection of existing and dynamically developed or newly emerging legal relations, which require the implementation of control and oversight activity of public authorities, or legal relations, development and orientation of which causes irritation of representatives of state power, and not so much dictated by the objectives of a constitutional state, but rather by imperatively understood expediency of ensuring interest of, above all, the state, or rather the ruling elite, and only then the interests of society and citizens.

References:

1. Civil Code of the Russian Federation, part 1 No. 51-FL from November 30, 1994, part 2 No. 14-FL from January 26, 1996 [Grazhdanskii kodeks Rossiiskoi Federatsii. Chast' pervaya ot 30 noyabrya 1994 g. № 51-FZ, chast' vtoraya ot 26 yanvarya 1996 g. № 14-FZ]. *System GARANT* [Electronic resource], Moscow: 2012.
2. *Rossiiskaya gazeta – Russian Gazette*, from June 02, 2001.
3. Saltykov-Shchedrin M. E. *Familiar Expressions* [Krylatye frazy].
4. Saltykov-Shchedrin M. E. *Cultured People* [Kul'turnye lyudi].
5. Sorokin V. D. About Two Tendencies that Destroy the Entirety of the Institute of Administrative Responsibility [O dvuh tendentsijah, razrushajuwih tselostnost' instituta administrativnoj otvetstvennosti]. *Pravovedenie – Jurisprudence*, 1999, no. 1, pp.
6. *Reference and Information Portal – gramota.ru – Russian language for everybody*. Available at: http://www.gramota.ru/class/istiny/istiny_2_razysknoj (accessed: 12.07.2012).
7. Turgenev I. S. *Prose Poem "Russian Language"* [Stikhotvorenie v proze «Russkii yazyk»].
8. Available at: *http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=86637;dst=100067* (accessed: 12.07.2012).
9. Available at: *http://delovoe.tv/event/Krimsk_2/* (accessed: 12.07.2012).
10. Available at: *http://mn.ru/society_civil/20120509/317613279.html* (accessed: 12.07.2012).