

*Materials of Conferences***NORMATIVE-LEGAL BASIS
OF MUNICIPAL PERSONNEL POLICY**

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Normative-legal basis of municipal personnel policy is formed of federal, regional legislation and regulative documents of local authorities.

One of the basic legal acts that regulate municipal personnel policy is federal law dd. 02.03.2007 № 25-FZ "On municipal service in Russian Federation". It defines basic principles of staff policy [1]. Even brief analysis of case 28 shows us that functions of personnel work have expanded significantly. The range of problems that stand before staff service is differentiated and detailed. Nowadays it regulates not only staff problems such as picking, selecting, and rotating employees, preparing projects of orders on problems of passing municipal service, but also problems of organizing municipal service and personnel management – performing competitions, attestations, etc., problems of controlling and overseeing over employees – checking data on income, following limitations and prohibitions, social problems – maintaining social guarantees, legal problems – consulting employees on law.

Staff policy of local authorities is also formed according to Federal law dd. 25.12.08 № 273-FZ "On reaction to corruption" that sets basic principles of reacting to corrupt practice, legal and organization foundation of preventing corruption and fighting it, minimizing and neutralizing results of corrupt violations [2] and it refers to republican regulative basis and, first of all, law dd. 16.07.07 № 453-z "On municipal service in Republic Bashkortostan" that is aimed to regulate relating in the area of municipal service within authorities of Republic state bodies, fixed by Federal law № 23 and does not keep force for status of deputies, members of the selected bodies of local authority, selected placemen of local authority, members of election commissions of municipal formations who act on regular basis and are legal people with the right of deciding vote, since the listed are not municipal servicemen [3].

A defining aspect of staff policy is the fact of accepting order of President of Republic Bashkortostan dd. 02.10.12 № UP-378 "On concept of personnel policy within the system of state bodies and local authorities of Republic Bashkortostan" [4].

References

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sian Federation on the 21st of February 2007 // Collection of legislation of Russian Federation, 05.03.2007. – № 10. – P. 1152.

2. On reacting to corruption: law dd. 25.12.2008 № 273-FZ: Accepted by State Duma of Federal Assembly of Russian Federation on the 19th of December 2008: Sanctioned by Federation Council of Federal Assembly if Russian Federation on the 22nd of December 2008 // Collection of legislation of Russian Federation, 2008. – №52 (chapter I). – P. 6228.

3. On municipal service in Republic Bashkortostan: Law of Republic Bashkortostan dd. 16.07.2007 № 453-z: accepted by State Assembly – Curultai of Republic Bashkortostan on the 12th of July 2007 // Register of State Assembly – Curultai, President, and Government of Republic Bashkortostan, 14.08.2007. – № 15 (261). – P. 800.

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CRIMINAL LIABILITY OF SERVICEMEN

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Crimes against military service are usually aimed against the fixed order of passing it. They can be committed by servicemen who serve on obligatory or contract basis in Armed Forces of Russian Federation and also by citizens who are in reserve and serve their assembly. Making servicemen answer to their criminal liability is carried out according to the Criminal code of Russian Federation (CC RF). A necessary sign of a crime against military service is its direction, aimed against the order of passing it, fixed by Federal laws "On protection", "On military duty and service", "On status of servicemen", and also other federal laws, general military codes and normative regulation acts of Russian Federation. Crimes against military service, specified by CC RF refer to different sides of the fixed order of passing it.

Service men bear criminal liability for committing general crimes and crimes, aimed against military service. A foundation of criminal liability of servicemen as well as other citizens is committing a crime, specified by CC RF. A formal diversification of crime categories is punishment period, as well as form of guilt for grave crimes. Specifics of a crime, aimed against military service are defined by peculiarities of the encroachment object and its subject. The main object of a crime against military service is the order of passing it. Strict observance of this order forms the essence of military discipline and is aimed

to establish military safety of a state. A person who committed a crime at the territory of Russian Federation is exposed to criminal liability in accordance with CC RF. Crimes, committed within the limits of territorial waters or aerial space of Russian Federation, are acknowledged as ones, committed on its territory. Servicemen of Russian military bases who are located outside of the country bear criminal liability according to CC RF for crimes, committed at the territory of a foreign country in case different is not implied by an international agreement of RF. Criminal liability takes place not only for the committed crime, but also for attempt at it, and, sometimes, even preparation for it. A serviceman does not bear criminal liability if they refuse to finish a crime on voluntary and complete basis. For committing general crimes servicemen bear criminal liability in accordance to a Special part of CC RF that includes

norms that define signs of specific types of crimes and set punishment for people who are guilty for committing these crimes.

References

1. Criminal code of RF dd. 13th of June 1996, № 63-FZ.
2. Federal law dd. 28th of March 1998 № 53-FZ "On military duty and military service".
3. Federal law dd 27.05.1998 № 76-FZ (edition of 03.03.2014). "On status of servicemen".
4. ORDER of the President of RF dd. 16.09.99 № 1237 (edition of 11.02.2013) "Questions on Passing Military Service" (along with "Case of order of passing military service").

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