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## CONTENTS

<i>Gloria Esteban de la Rosa</i> Cultural Diversity and European Private International Law.....	854
<i>Mohamed A. 'Arafa</i> Insights on Divine (Islamic) Law: Islamophobia Versus Terrorism, Death Penalty and Transitional Justice, Quo Vadis?.....	871
<i>Deborshi Barat</i> Sexual Harassment: The Role of Past Sexual Conduct.....	885
<i>Serena Quattrocolo</i> The Role of Compliance Programs in Italian Counter-Corruption Policies.....	891
<i>D.V. Bondarenko</i> Succession of alimony obligations: judicial precedent.....	906
<i>D. Bezzubov, N. Armash, R. Panasiuk</i> Information legal relations in business entity activity.....	915
<i>Anastasiia Iarova</i> Practice of dispute resolution in relation of marine pollution as a result of the emergency case.....	923
<i>Venelin Terziev</i> Importance of human resources to social development.....	933
<i>Venelin Terziev</i> Streamlining management solutions for economic, effective and efficient spending of resources for security and defense.....	940
<i>V. Litvinenko</i> Foreign experience of private detective work and its adaptation in Ukraine.....	948
<i>Said Gul'amov</i> Legal corporate mutual relations.....	955
<i>Dimitry Gegenava</i> Constitutional Court of Georgia as Positive Legislator: Transformation and Modern Challenges.....	959
<i>Olena Chernetska, Volodymyr Schillingov</i> Creating and Sources of Romano-Germanic Law.....	966
<i>Helen Opanasenko</i> Administrative and legal regulation of military personnel pensions.....	974
<i>Serhiy Lysenko</i> Some organizational and legal issues relative to identifying structural-functional components of information security as part of general corporate security.....	984
<i>A.F. Sultonov</i> Public administration reforms and the evolution of management technology in the Republic of Uzbekistan.....	990



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### ***Legal corporate mutual relations***

**Abstract:** In article are considered corporate legal relationship. Corporate relationship differs participant of a society is the active subject of relations on management of a society, and the society itself becomes the strong-willed organization subordinating «plurality» participants.

**Keywords:** legal relationship, joint-stock company, shareholders, joint-stock relations, dividends, joint-stock company liquidation.

Internal relations between shareholders and a society, from its point of view, are under construction not on obligations model where, the parties represent itself as participant's independent from each other legal relationship. Shareholders of a society are on position of its owners, instead of extraneous persons. Member legal relationship as complex of communications of participants of the organization among themselves and with organization, where to allocate two kinds of the rights with the same name: the right to the dividend and a liquidating quota as elements of the maintenance joint-stock legal relationship both the right to the dividend and the liquidating quota, maintenances being elements obligations legal relationship, arising between the shareholder and a society. For occurrence of these rights along with the facts establishing membership, the additional legal facts, for example the decision of the general meeting on payment of dividends or society liquidations is necessary.

The participant obligations relationship on payment the dividends and the reception of a liquidating quota the shareholder can and not to be, if he sells the action before appointment of dividends to payment or prior to the beginning of liquidating process. In such legal relationship obligations character the shareholder acts any more as the participant of a society, and as its creditor, but the creditor Special type of its right of the requirement is caused by the membership relation. Its liability laws on the dividend and a liquidating quota are caused by the member rights with the same name.



The maintenance corporate legal relationship is made by the property and non-property rights which also have independent character. The property right on dividend reception cannot "include" or "absorb", for example, the non-property rights connected with preparation, convocation and carrying out of general meeting of shareholders (participants). Corporate legal relationship represent separate group of the public relations settled by the right which is not subject «inscribe» in traditionally existing classification of civil-law relations.

Corporate legal relationship is complex legal relationships, representing set property and closely connected with them non-property organizational administrative relations.

Basis of system of corporate governance is forming of effective system of internal control over activity of managers of the company on behalf of its owners (investors) as only thanks to the means, given by them, the company can begin the activity and will create a field for activity of other interested groups.

It is possible to allocate three levels of management in the companies: meeting of shareholders: definition of overall aims of activity of the company, Board of Directors (supervisory board): definition of concrete strategic problems and ways of their achievement, managers, realization of the put forward problems.

Existence of these three levels assumes division of responsibility for company activity between various groups and possibility for owners to carry out control over the group occupied directly with management. As political analogue of this system the democratic political system which is based on such mechanisms, as general election, parliament and the government can serve.

Distribution of powers between the specified three levels of management usually is fixed in the charter of the company and in the law regulating its activity.

The basis of occurrence corporate legal relationship is the legal fact of creation of corporation by its establishment or as a result of reorganization.

The corporate statutory act is one of the basic, most perfect sources of the corporate right. Corporate certificates by which concrete affairs are resolved, unlike statutory acts are called as corporate individual certificates. Corporate statutory acts, along with certificates legislative, contain legislative grounds for the permission of individual affairs.



If a corporate statutory act it is documents of controls the corporations containing corporate norms corporate certificates are created by controls available at the enterprise. In them the will of collective is to some extent expressed.

As has shown the analysis, the corporate certificate possesses following signs: it has law-making character, i.e. in it or corporate norms are established, either change, or their action stops; the corporate certificate should be published by controls only within the competence, differently on the same question in the organization there will be some standard decisions between which it will for certain be found out, and even contradictions that does not promote qualitative regulation of intra corporate relations; the corporate certificate always clothes in the documentary form; corporate certificates should not contradict the Republic of Uzbekistan Constitution, the legislation and the corporate certificates having the big validity. Besides corporate statutory acts at the enterprise other corporate certificates which are not carrying standard character are published also. Interpretation certificates concern them, or interpretative certificates. Their difference from corporate statutory acts consists that they do not establish new norms but only detail, concretize, make comments on the norms containing in any statutory act. In Rules of the internal labor schedule as sanctions for guilty default of labor duties dismissal is provided. However reception of an explanation from the infringer and if the question on what form of explanations and an order of their reception should be, is reflected in the special corporate certificate it is necessary to recognize it as the interpretation certificate should precede it. More often such certificates are used to inform and explain taking into account features concrete those enterprises or other acts. Certificates of realization of the rights and duties of the parties: Contracts (about cooperation, competition between structural divisions), the orders of the head having concrete character (to give out the award, a costly present to allow a loan and etc.), receipts, bills, etc. Kinds of corporate statutory acts usually classify on the various bases: on subjects, to a branch sign (regulating financial activity, management sphere, and work scope of application, sphere of social security and property sphere. In the course of creation of corporate norms various subjects participate. Depending on it corporate law it is possible to subdivide into three kinds: direct, representative and mediated. Corporate norms cannot be reduced only to the local norms expressed in local certificates of corporation.



It is possible to understand rules of behavior of participants of corporation as corporate norms irrespective of, they are expressed or not in this or that local certificate.

It is important, that these norms did not contradict the legislation and right principles. Morally-ethical standards of a rationality, justice and conscientiousness also are considered as a component in regulation of corporate relations and get the increasing value in activity of joint-stock companies.

Such ethical standards regulating corporate relations are stated in the Code of corporate behavior recommended to joint-stock companies to application.

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