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23 December 2020 Protocol № 8 Head of the department Savoskin A.V. Council on Educational and Methodological Issues and Quality of Education

20 January 2021



MODULE PROGRAME

Module title	Legislation of Foreign States
Field of study	38.04.02 MANAGEMENT
Profile	International Business (in English)
Mode of study	full-time and part-time

Enrollment year

full-time and part-time 2021

Developed by: Associate Prof., cand. Jurid. sci. Galitskov V.A.

> Yekaterinburg 2021

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INTRODUCTION

The program of the subject is a part of the main professional educational program of higher education - the master's degree program is developed in accordance with the Federal State Educational Standard of Higher Education

	Federal State educational standard of higher education - Master's degree in the field of training 38.04.02 Management (Order of the Ministry of Education and Science of the Russian Federation No. 952 dated 12.08.2020)
ПС	

1. THE PURPOSE OF MASTERING THE SUBJECT

The objectives of mastering the subject (module) "Legislation of foreign states" is the development by students of the provisions of the modern theory of law, global patterns, trends and prospects of its development, the formation of the ability to solve the following professional tasks:

law enforcement and expert consulting activities; scientific activity, participation in the preparation of draft normative legal acts; search for optimal legal solutions, justification and adoption of decisions within the scope of official duties, as well as performing actions related to the implementation of legal norms; ensuring legality, law and order, security of the individual, society and the state; implementation of legal education and pedagogical activities, etc.

2. THE PLACE OF SUBJECT IN THE STRUCTURE OF OPOP

The subject belongs to a variable part of the curriculum.

		Co	ontact work	(classes)	Self-preparation	
Interim assessment	Total in a semester	Total	Lectures	Practical classes, including course projects	work including preparation of control and course papers	Credits
Semester 3						
Exam	144	24 8 16			84	4

3. THE SCOPE OF THE SUBJECT

4. LEARNING OUTCOMES

As a result of mastering the OPOP, the graduate should have the competencies established in accordance with the Federal State Educational Standard of Higher Education.

The cipher and the name of the competence	Indicators of competence achievement

УК-5 To be able to analyze and ИД-2.УК-5 To be able to: present professional information in the process take into account the diversity of intercultural interaction; analyze the features of social interaction taking into account national, ethno-cultural characteristics

ИД-3.УК-5 To have practical experience in organizing interaction in a professional environment taking into account national and ethno-cultural characteristics; skills of intercultural interaction taking into account the diversity of cultures

Professional competencies (ΠK)

The cipher and the name of the competence	Indicators of competence achievement
1	ИД-1.ПК-1 To know: Regulatory legal acts regulating foreign economic activity International agreements in the field of standards and product requirements Regulatory legal acts regulating state support of foreign economic activity Types, forms and instruments of state support for foreign economic activity Rules for registration of documentation on a foreign trade contract The order of document circulation in the organization Terms of the foreign trade contract Marketing and pricing terms Ethics of business communication and rules of negotiation English (threshold of advanced level B2) Fundamentals of economic theory Fundamentals of labor legislation of the Russian Federation Rules of administrative document management The procedure for drawing up the established reporting Fire safety rules Labor protection requirements
	ИД-2.ПК-1 To be able: Use computing, copying, auxiliary equipment and various types of telecommunications Formulate and distribute tasks among the employees of the department in the organization To communicate with potential partners using modern means of communication Conduct business correspondence with foreign partners Evaluate the effectiveness and compliance of the documentation of commercial proposals, requests of participants in foreign economic activity Identify the interests of potential partners to form individual proposals Generalize and systematize the requirements of the legislation of the Russian Federation and the requirements of international agreements and contracts for foreign economic activity Identify the interests of potential partners to form individual proposals Summarize and systematize information about the activities of the organization

ПК-1	Preparation	and	ИД-3.ПК-1 To have practical experience:
execution	of	foreign	Planning and setting tasks for employees of a division in the organization
economic	transactions	5	Obtaining and analyzing information on the implementation of foreign trade
			contracts
			Ensuring internal interaction between the relevant specialists of the
			organization on the terms of cooperation with potential partners for the
			conclusion and (or) conduct of a foreign trade contract
			Determining the circle of participants in the implementation of a foreign trade contract
			Interaction with the relevant specialists of the organization and third-party
			organizations in order to verify the reliability of potential partners for the
			conclusion of a foreign trade contract
			Processing of the received data, information and documents about potential
			partners for the conclusion of a foreign trade contract
			Conducting a final analysis of the proposals of potential partners on the
			terms of cooperation for the conclusion of a foreign trade contract
			Selection of potential partners for the conclusion of a foreign trade contract
			Ensuring coordination of the draft foreign trade contract in the organization and with the counterparty
			Ensuring the procedure for signing a foreign trade contract with a counterparty
			Monitoring changes in the requirements of the legislation of the Russian
			Federation for foreign economic activity and changes in the requirements of
			international agreements and contracts
			C

	Hours						
Topic		Hours in total	Con	tact work (cla	isses)	self-preparation work	Control of self-preparation work
Tople	Name of the topic		Lectures	Laboratory classes	Practical classes		
	Semester 3	108					
Topic 1.	International legislation and national law	12	2			10	
Topic 2.	International law and public international law	12			2	10	
Topic 3.	The concept of the legal system. Grounds for classification of national legal systems	18	2		2	14	
Topic 4.	Characteristic features and peculiarities of the Romano-German legal family in the system of international legislation		2		4	14	
Topic 5.	The Anglo-Saxon legal family. The common law system as an element of international law		2		2	14	

5. THEMATIC PLAN

Topic 6.	The "socialist" legal family in the system of international legislation	12		2	10	
Topic 7.	Religious legal systems: A) Jewish law; B) Muslim law	8		2	6	
Topic 8.	Legal systems of the countries of the Far East (China and Japan)	8		2	6	

6. FORMS OF CURRENT CONTROL AND INTERIM ASSESSMENT ASSESSMENT SCALES

Section/Topic	Type of evaluation tool	Description of evaluation tool	Evaluation criteria
		Current control (Appendix 4)	
Topics 1-8	Reports with a presentation (appendix 4)	An approximate list of topics for the preparation of reports on topical issues of the state of legislation of foreign countries	50-75 scores
Topics 1-8	Control paper (appendix 4)	4 options are offered. Each option has 3 questions	15-25 scores
]	Interim assessment (Appendix 5)	
3 semester (Exam)	An exam ticket (appendix 5)	The ticket consists of 2 theoretical questions and a topic for a free interview	50-100 scores

DESCRIPTION OF ASSESSMENT SCALES

The indicator of the OPOP development assessment is formed on the basis of combining the current and interim assessment of the student.

The rating indicator for each subject is expressed as a percentage, which shows the level of preparation of the student.

Current assessment. A 100-point grading system is used. The evaluation of the student's work during the semester is carried out by the teacher in accordance with the system of evaluation of academic achievements developed by him in the process of studying in this subject.

In the programs of subject and practices, the types of current certification, the planned results of control measures and criteria for evaluating educational achievements are fixed.

During the semester, a teacher conducts at least 3 control measures to assess the student's activities. If the omissions of classes in a discipline are included in the rating, then this indicator is no more than 20% of the maximum number of points in the discipline.

Interim assessment. A 5-point grading system is used. The evaluation of the student's work at the end of the discipline (part of the discipline) is carried out by a teacher in accordance with the system developed by him for evaluating the student's achievements in the process of studying in this discipline. Intermediate certification is also carried out at the end of the formation of competencies.

The procedure for transferring the rating provided for by the assessment system, by discipline, to a five-point system.

High level - 100% - 70% - excellent, good. Average level is 69% - 50% - satisfactory.

Assessment indicator	According to the 5-point system	Characteristic of the indicator
100% - 85%	excellent	they have full theoretical knowledge, understand, independently know how to apply, investigate, identify, analyze, systematize, categorize, calculate indicators, classify, develop models, algorithmize, manage, organize, plan research processes, evaluate results at a high level
84% - 70%	good	they have full theoretical knowledge, understand, independently know how to apply, investigate, identify, analyze, systematize, categorize, calculate indicators, classify, develop models, algorithmize, manage, organize, plan research processes, evaluate results. There may be shortcomings corrected by the student independently in the process of work (response, etc.)
69% - 50%	satisfactory	 they have general theoretical knowledge, understand, independently know how to apply, investigate, identify, analyze, systematize, categorize, calculate indicators, classify, develop models, algorithmize, manage, organize, plan research processes, evaluate results at an average level. Mistakes are made by the student and can hardly be corrected by him/herself
49 % and lower	unsatisfactory	They have an incomplete amount of general theoretical knowledge, they can not independently know how to apply, investigate, identify, analyze, systematize, categorize, calculate indicators, classify, develop models, algorithmize, manage, organize, plan research processes, evaluate results. Skills and abilities for solving professional tasks are not formed.
100% - 50%	credited	the characteristic of the indicator corresponds to "excellent", "good", "satisfactory"
49 % and lower	not credited	the characteristic of the indicator corresponds to "unsatisfactory"

7. CONTENT OF THE SUBJECT

7.1. Content of lectures

Topic 1. International legislation and national law

Generally recognized signs and peculiarities of law in various legal systems. Consistency, orderliness, normativity, formal certainty, general obligation and accessibility of law. Imperative and regulatory nature of law. The manifestation of law as a universal scale and equal measure in relation to all subjects of the formation of law as an important area of state activity. The guarantee of the norms of law. The use of the conceptual apparatus of national legal systems in comparative jurisprudence. Development of concepts in national (domestic) law. The evolution of the views of domestic and foreign authors on the concept and content of the form of law. The concept of the source of law. Classification of sources of law according to various criteria. Material, social and other sources of law. Correlation of forms and sources of law. Forms (sources) of law of various legal systems.

Topic 3. The concept of the legal system. Grounds for classification of national legal systems The concept of the legal system. Grounds for classification of national legal systems.

The necessity and importance of classification of national legal systems. The necessity and importance of classification of national legal systems. The basis of classification. The concept of legal families. Features of their formation. Taking into account historical, national, ethnic and religious traditions in the process of forming legal families. The importance of taking into account the level of legal and political culture, legal awareness, legal psychology of the nation and the people. The inadmissibility of the mechanical transfer of legal institutions, principles and doctrines from one legal system and legal families to others. Types of criteria for the classification of national legal systems and the formation of various legal families based on them. The relative nature of the classification of national legal systems.

Topic 4. Characteristic features and peculiarities of the Romano-German legal family in the system of international legislation

Characteristic features and peculiarities of the Romano-Germanic legal family The spread of Romano-Germanic law. The main groups of countries belonging to the Romano-Germanic legal family. Historical roots of Romano-Germanic law. The close connection of the Romano-German legal family with other legal families. "Romano-German legal family" as a synonym for "continental law". Reasons for terminological diversity.

The main stages of the development of Romano-Germanic law.

The role of medieval European universities in spreading the ideas of Roman law, as well as other ideas underlying Romano-Germanic law. The essence of the "university" concept of law, developing during the Middle Ages in Western Europe.

Distinctive features and peculiarities of Romano-Germanic law. Its organic connection with Roman law. The doctrinality and conceptuality of Romano-Germanic law. The special significance of the law in the system of sources of Romano-Germanic law. The pronounced nature of the division of Romano-Germanic law into public and private. Codification of legislation as one of the features of Romano-Germanic law. The influence of the Napoleonic Code and other fundamental legal acts on the development of the Romano-Germanic legal family.

Sources of Romano-Germanic law. The role of legal doctrine and "general principles" of law in the system of sources of Romano-Germanic law. Classification of sources of law. Dividing them into primary and secondary sources of law. Organic, programmatic and special laws: their concept and content.

Customs in the system of Romano-Germanic law. Types of customs used in the Romano-Germanic legal family. Secondary sources of Romano-Germanic law. Their types and features. The place and role of precedent in the system of sources of Romano-Germanic law. Correlation of judicial precedent with law and custom. The influence of legal doctrine on the law-making and law enforcement process.

Topic 5. The Anglo-Saxon legal family. The common law system as an element of international law. The Anglo-Saxon legal family. Common law system.

Extension of the Anglo-Saxon legal family to English-speaking countries. The role of colonialism in its world expansion. Terminological features of Anglo-Saxon law. The identity of the terms and concepts "Anglo-Saxon law" and "common law".

The legal system of Great Britain. Specific features and features of Anglo-Saxon law. The judicial nature of Anglo-Saxon law. The casuality of common law. Independence of the judiciary in relation to other State bodies. Constitutional and legal consolidation of "judicial immunity" in common law countries.

Features of the formation and development of Anglo-Saxon law. The main stages of its formation and development. Extension of the common law system outside the UK. Features of the development of common law in Australia, Canada, the USA and other countries.

The main sources of Anglo-Saxon law: concept, content. Types of common law sources. The role and significance of delegated legislation. Judicial precedent as the main source of Anglo-Saxon law. The concept, structure and role of precedent. The principle of mandatory compliance with the precedent. The main requirements that the precedent must meet. Features of the use of precedents in the UK and the USA.

7.2 The content of practical and laboratory classes

Topic 2. International law and public international law

International law and public international law

Conducting comparative legal studies at the level of national (domestic) and international law. The relatively independent nature of the systems of national (domestic) and international law.

The main ways and forms of influence of international law on national (domestic) law. The reverse effect of national (domestic) law on international law. The social meaning and content of the concept of the primacy (supremacy) of international law over national (domestic) law. The ambiguity of the perception of this concept in different countries. Interrelation and interaction of modern international law and Russian domestic law.

Topic 3. The concept of the legal system. Grounds for classification of national legal systems

The concept of legal families. Features of their formation. Taking into account historical, national, ethnic and religious traditions in the process of forming legal families. The importance of taking into account the level of legal and political culture, legal awareness, legal psychology of the nation and the people. The inadmissibility of the mechanical transfer of legal institutions, principles and doctrines from one legal system and legal families to others.

Types of criteria for the classification of national legal systems and the formation of various legal families based on them. The relative nature of the classification of national legal systems.

Topic 4. Characteristic features and peculiarities of the Romano-German legal family in the system of international legislation

Characteristic features and peculiarities of the Romano-German legal family

1. The concept and formation of the Romano-Germanic legal family. 2. Structure and sources of law of the Romano-Germanic legal family. 3. French law is a model of the French legal group. Sources and legal system of modern France. The judicial system of France. 4. German law - the model of the German legal group. Sources and legal system of modern Germany

Characteristic features and peculiarities of the Romano-German legal family

Topic 5. The Anglo-Saxon legal family. The common law system as an element of international law The legal system of Great Britain. Specific features and features of Anglo-Saxon law. The judicial nature of Anglo-Saxon law. The casuality of common law. Independence of the judiciary in relation to other State bodies. Constitutional and legal consolidation of "judicial immunity" in common law countries.

Features of the formation and development of Anglo-Saxon law. The main stages of its formation and development. Extension of the common law system outside the UK. Features of the development of common law in Australia, Canada, the USA and other countries.

The main sources of Anglo-Saxon law: concept, content. Types of common law sources. The role and significance of delegated legislation. Judicial precedent as the main source of Anglo-Saxon law. The concept, structure and role of precedent. The principle of mandatory compliance with the precedent.

Topic 6. "Socialist" legal family in the system of international legislation

The "Socialist" legal family

Prerequisites for the formation and development of the socialist legal family. Regularities and national-historical features of the legal systems included in this legal family.

Features of the Soviet legal system, its economic, ideological and political foundations. The principles of Soviet law, their system, the peculiarity of consolidation and forms of implementation. The role of the principles of law in legal regulation.

The concept of law in the Soviet doctrine at different stages of the development of legal science. Sources of law, their main types and evolution. The place and role of laws in the system of sources of law of the socialist legal family. Judicial practice in the mechanism of legal regulation.

The structure of law and its features. The uniqueness of the main branches of law and legal institutions. Evolution of the structure of law, its trends. Factors that caused the crisis of the socialist legal family. Ways of development of post-socialist legal systems: general and national-special in this process.

Topic 7. Religious legal systems: A) Jewish law; B) Muslim law

Religious legal systems: A) Jewish law; B) Muslim law

1. The concept and historical evolution of Muslim law. 2. Sources and features of Muslim law. The role of the Koran and the Sunnah in Muslim law.

Topic 8. Legal systems of the Far East (China and Japan)

Legal systems of the Far East countries (China and Japan)

Theoretical foundations of the concept of law in the countries of the Far East. Persuasion as the main method of preserving social order. The meaning of self-criticism behavior, the spirit of moderation and consent.

Chinese law. The history of formation. Codification and creation of codes in the XX century. The Constitution of the People's Republic of China and the law of the socialist era. The period of Maoism and the development of the legal system. The modern legal system of China.

Japanese law. The traditional way of thinking in Japan and the influence of China. Adoption of the first codes. The Constitution of 1889. Changes in Japanese law after 1945. The Constitution of 1946. Public and private law. The significance of settlement agreements. Social reality and law. The future of the Japanese law.

7.3. Content of the self-preparation work

Topic 1. International legislation and national law

Generally recognized signs and peculiarities of law in various legal systems. Consistency, orderliness, normativity, formal certainty, general obligation and accessibility of law. Imperative and regulatory nature of law. The manifestation of law as a universal scale and equal measure in relation to all subjects of the formation of law as an important area of state activity. The guarantee of the norms of law.

The use of the conceptual apparatus of national legal systems in comparative jurisprudence. Development of concepts in national (domestic) law. The evolution of the views of domestic and foreign authors on the concept and content of the form of law.

The concept of the source of law. Classification of sources of law according to various criteria. Material, social and other sources of law. Correlation of forms and sources of law.

Forms (sources) of law of various legal systems. repetition of lecture materials; work with regulatory legal acts, portal of electronic educational resources; work with literature and Internet resources;

preparation for practical classes.

Topic 2. International law and public international law

Conducting comparative legal studies at the level of national (domestic) and international law. The relatively independent nature of the systems of national (domestic) and international law.

The main ways and forms of influence of international law on national (domestic) law. The reverse effect of national (domestic) law on international law. The social meaning and content of the concept of the primacy (supremacy) of international law over national (domestic) law. The ambiguity of the perception of this concept in different countries. Interrelation and interaction of modern international law and Russian domestic law. work with regulatory legal acts, portal of electronic educational resources; work with literature and Internet resources;

preparation for practical classes.

Topic 3. The concept of the legal system. Grounds for classification of national legal systems The concept of the legal system. Bases of classification of national legal systems

repetition of lecture materials; work with normative legal acts, portal of electronic educational resources; work with literature and Internet resources;

repetition of lecture materials; work with regulatory legal acts, electronic portal

Topic 4. Characteristic features and peculiarities of the Romano-German legal family in the system of international legislation

Characteristic features and peculiarities of the Romano-German legal family repetition of lecture materials; work with normative legal acts, portal of electronic educational resources; work with literature and Internet resources;

Topic 5. The Anglo-Saxon legal family. The common law system as an element of international law The Anglo-Saxon legal family. Common law system repetition of lecture materials; work with regulatory legal acts, portal of electronic educational resources;

work with literature and Internet resources; preparation for practical classes Topic 6. "Socialist" legal family in the system of international legislation The "Socialist" legal family

Prerequisites for the formation and development of the socialist legal family. Regularities and national-historical features of the legal systems included in this legal family.

Features of the Soviet legal system, its economic, ideological and political foundations. The principles of Soviet law, their system, the peculiarity of consolidation and forms of implementation. The role of the principles of law in legal regulation.

The concept of law in the Soviet doctrine at different stages of the development of legal science. Sources of law, their main types and evolution. The place and role of laws in the system of sources of law of the socialist legal family. Judicial practice in the mechanism of legal regulation.

The structure of law and its features. The uniqueness of the main branches of law and legal institutions

Evolution of the structure of law, its trends. Factors that caused the crisis of the socialist legal family. Ways of development of post-socialist legal systems: general and national-special in this process. Work with Internet resources, open library services.

Topic 7. Religious legal systems: A) Jewish law; B) Muslim law

Religious legal systems: A) Jewish law; B) Muslim law

repetition of lecture materials; work with regulatory legal acts, portal of electronic educational resources; work with literature and Internet resources.

Topic 8. Legal systems of the Far East (China and Japan)

Legal systems of the countries of the Far East (China and Japan)

repetition of lecture materials; work with regulatory legal acts, portal of electronic educational resources; work with literature and Internet resources.

7.3.1. Exemplary questions for self-preparation for the test / exam Appendix 1 $\,$

7.3.2. Practical tasks in the subject for self-preparation for the test / exam Appendix 2 $\,$

7.3.3. List of course papers Not provided

7.4. Student's electronic portfolio Materials are not placed

7.5. Methodological recommendations for the implementation of the control work Not provided

7.6 Methodological recommendations for the implementation of the course work Not provided

8. FEATURES OF THE ORGANIZATION OF EDUCATIONAL PROCESS OF DISCIPLINE FOR PERSONS WITH DISABILITIES

According to the student's application

In order to make the program accessible to people with disabilities, if necessary, the department provides the following conditions:

- a special procedure for mastering the discipline, taking into account the state of their health;

- electronic educational resources on the discipline in forms adapted to the limitations of their health;

- study of the discipline according to an individual curriculum (regardless of the form of study);

- e-learning and distance learning technologies that provide for the possibility of receiving and transmitting information in the forms available to them.

- access (remote access) to modern professional databases and information reference systems, the composition of which is determined by the RPD.

9. THE LIST OF BASIC AND ADDITIONAL EDUCATIONAL LITERATURE NECESSARY FOR THE DEVELOPMENT OF THE DISCIPLINE

USUE Library Website

http://lib.usue.ru/

Basic literature:

1. Нешатаева Т. Н. Решения Европейского Суда по правам человека: новеллы и влияние на законодательство и правоприменительную практику. [Электронный ресурс]:Монография. - Москва: Норма: ИНФРА-М, 2013. - 304 – Режим доступа: https://znanium.com/catalog/product/371804

2. Страданченков А.С. Законодательство и управление как культура. [Электронный ресурс]:Статья. - Ижевск: ФГБОУ ВПО "Удмуртский Государственный университет", 2010. - 5 с. – Режим доступа: https://znanium.com/catalog/product/525989

3. Гаврилюк О. В., Гайдаенко-Шер И. Н., Меркулова Т. А., Минина Е. Л., Сакович О. М. Аграрное законодательство зарубежных стран и России. [Электронный ресурс]:монография. - Москва: ИНФРА-М, 2019. - 320 – Режим доступа: https://znanium.com/catalog/product/1009674

4. Брославский Л.И. Зарубежное экологическое право: природоохранное законодательство США. [Электронный ресурс]:Учебное пособие. - Москва: ООО "Научно-издательский центр ИНФРА-М", 2020. - 300 с. – Режим доступа: https://znanium.com/catalog/product/1056637

10 THE LIST OF INFORMATION TECHNOLOGIES, INCLUDING THE LIST OF LICENSED SOFTWARE AND INFORMATION REFERENCE SYSTEMS, ONLINE COURSES USED IN THE IMPLEMENTATION OF THE EDUCATIONAL PROCESS IN THE DISCIPLINE

List of licensed software:

Microsoft Windows 10. Contract No. 52/223-PO/2020 dated 13.04.2020, Act No. Tr000523459 dated 14.10.2020. The licensed period is 30.09.2023.

Astra Linux Common Edition. Contract No. 1 dated June 13, 2018, act dated December 17, 2018. The license is valid for an unlimited period.

Microsoft Office 2016.Contract No. 52/223-PO/2020 dated 13.04.2020, Act No. Tr000523459 dated 14.10.2020 License validity period 30.09.2023.

List of information reference systems, resources of the Internet information and telecommunication network:

The Garant legal reference system. Contract No. 58419 dated December 22, 2015. The license is valid for an unlimited period of time

Legal reference system Consultant +. Contract No. 163/223-U/2020 dated 12/14/2020. The license is valid until 31.12.2021

11. DESCRIPTION OF THE MATERIAL AND TECHNICAL BASE NECESSARY FOR THE IMPLEMENTATION OF THE EDUCATIONAL PROCESS IN THE SUBJECT

The implementation of the subject is carried out using the material and technical base of USUE, which ensures the conduct of all types of training sessions and research and self-preparation work of the students:

Special rooms are classrooms for all types of classes, group and individual consultations, ongoing monitoring and intermediate certification:

The premises for independent work of students are equipped with computer equipment with the ability to connect to the Internet and provide access to the electronic information and educational environment of USUE.

All rooms are equipped with specialized furniture and equipped with multimedia equipment, special equipment (information and telecommunications, other computer), access to information retrieval, legal reference systems, electronic library systems, databases of current legislation, other information resources serving to present educational information to a large audience.

For conducting lecture-type classes, presentations and other educational and visual aids that provide thematic illustrations.