

Название публикации:

Qualification of Labour Safety Criminal Violations at Russian Coal Mining Enterprises

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Аннотация:

In this paper, the issues of qualification of criminal safety violations at coal mining enterprises are discussed in detail. Firstly, a number of articles of the Criminal Code of the Russian Federation for qualification of these acts are defined. The differences between articles 143 and 216 of the Criminal Code of the Russian Federation with the analysis of a concrete example from judicial practice are considered. A similar procedure is carried out in the course of qualifying safety violations at coal mining enterprises under article 217 of the Criminal Code. In this work, the authors do not try to justify the need to decriminalize any articles of the Criminal Code of the Russian Federation, but try to work with the existing legislative framework so that the qualification rules formulated in the work can be used in practice. Also the authors formulate rules for the qualifications of the violations considered in this paper and propose amendments to the Criminal Code that do not require any "revolutionary" changes. A special difficulty is that there are no scientific recommendations on the qualification of criminal safety violations at coal mining enterprises.

Ключевые слова:

Coal, Coal mines, Codes (symbols), Coal mining enterprise, Legislative frameworks, Russian federation, Safety violations, Crime