



Legal Regulation and Organisation of Control and Supervision Activity: New Methodological Horizons for a New Discipline



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Actual problems of legal regulation and organisation of control and supervisory activity: Textbook [Aktualnie problemy pravovogo regulirovaniya i organizatsii kontrolno-nadzornoj deyatel'nosti: Uchebnik]. Team of authors; under general editorship of A. I. Zemlin. Moscow, KnoRus publ., 2023, 592 p. ISBN 978-5-406-10620-4.

The article is a review of the textbook «Actual problems of legal regulation and organisation of control and supervisory activity: Textbook» intended for students of transport universities studying in master's programs. The textbook was prepared by the staff of the Department of Transport Law of the Law Institute of the Russian University of Transport under the general editorship of the Honoured Scientist of the Russian Federation, D.Sc. (Law), Professor Alexander I. Zemlin. The review highlights the relevance of the topics included in the content of the textbook, the breadth of their coverage, which allows for a complete and comprehensive mastering of the didactic material, the depth of the scientific approach demonstrated by the authors in the process of working on the publication, the practical significance and potential

relevance of the textbook. The sufficiency of the material presented in the textbook is especially significant for both the students of transport educational organisations and acting inspectors of Federal Service for Supervision of Transport (Rostransnadzor) from the point of view of development of professional competencies, which are necessary for successful fulfilment of their official duties in conformity with the provisions of the Federal Law dated July 31, 2020, No. 248-FZ «On State Control (Supervision) and Municipal Control in the Russian Federation» valid from July 1, 2021.

The textbook is recommended as main educational literature for training of master's students in Jurisprudence and for inspectors of Rostransnadzor attending the programs of additional professional education «Legal provisions and organisation of control and supervision activity in transport industry» and «Organisational and legal foundations of control and supervision activity in transport industry». When preparing the textbook, reference legal systems «GARANT» and «ConsultantPlus» were used, the validity of laws is as of March 1, 2022.

Keywords: control and supervisory activity, transport, law, legislation, training, students, attendees, legal support.

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Текст статьи-рецензии на русском языке публикуется в первой части данного выпуска.

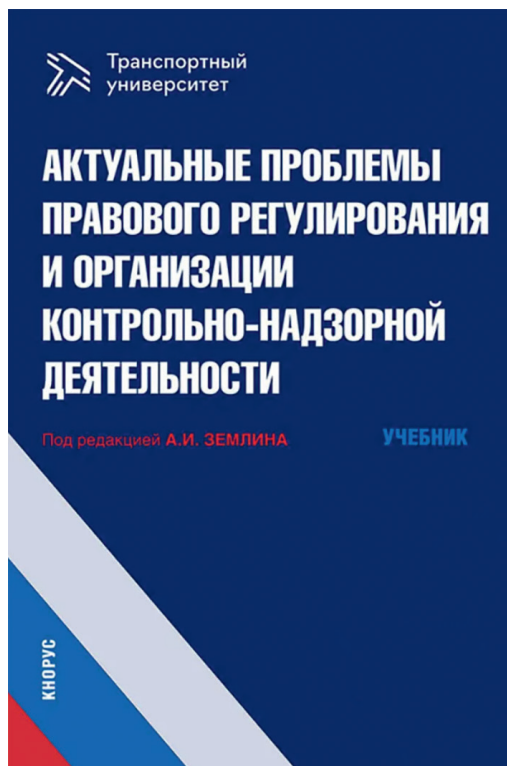
The successful functioning of the transport system implies, along with implementation of measures to ensure safety and security of the transport infrastructure [1; 2], fulfilment of international legal obligations of our state in the transport sector [3], deployment of a set of social and medical measures aimed at reducing the risk of emergencies and preserving health of people [4], reducing environmental damage [5; 6] and many others, the implementation of control and supervision activity.

The attention paid by specialists in the field of transport and legal science to the problems of legal regulation of transport relations that arise in the course of various types of activities is quite natural and is due to the needs of development of the Russian transport system [7]. The training of specialists of the transport industry in the field of legal support for their professional activities is the key to continuous improvement and development of the industry [8]. All this fully applies to control and supervision activity in transport field.

This circumstance is determined by the role played by the «human factor» together with other prerequisites and causes of violations of the rules for operation of transport infrastructure facilities and vehicles [9], as well as by the importance of transport safety and security in general, which in this area should be formed within the framework of institutional subjects of legislation, responsible for servicing the relevant industries [10], by a high degree of vulnerability of transport infrastructure facilities to acts of unlawful interference [11; 12], as well as by other circumstances that are emphasised by representatives of transport and legal science and education [13–16].

The practical significance of training highly qualified specialists for implementation of control and supervision activities in transport sector, who have systemic legal knowledge and skills in organising control (supervision), is confirmed by the results of the work of transport prosecutors, who often note the low level of both theoretical and practical background of the inspectors of the Federal Service for Supervision of Transport (Rostransnadzor), as well as of employees of controlled organisations.

At the same time, Federal Law dated July 31, 2020, No. 248-FZ «On State Control (Supervision) and Municipal Control in the Russian Federation», which entered into force on July 1, 2021, stipulates fundamentally new requirements for



the procedure and proceedings of control and supervision activities in the Russian Federation and imposes new requirements for training of participants in control and supervision relations.

So, the main tasks solved in the process of training a specialist are: providing students with a set of legal knowledge, skills and abilities necessary to understand principles, forms and methods of public administration, control (supervision) and their implementation in the process of official professional activity; development of students' skills and abilities necessary for effective participation in implementation of control measures, for ensuring that controlled (supervised) persons comply with requirements of the law, and mandatory requirements.

In addition, Article 29 of the Federal Law «On State Control (Supervision) and Municipal Control in the Russian Federation» sets the duties of an inspector, fulfilment of which presupposes that he has legal competences related to implementation of legally significant activities and exercise of rights of an inspector.

These circumstances necessitated the publication of the textbook «Actual problems of legal regulation and organisation of control and supervisory activity», which was prepared by a team of scientists, representatives of the scientific





school «Transport Law», created and functioning at the Law Institute of Russian University of Transport, which is the basic industry university, scientific, educational, and methodological centre of the national transport industry. The material presented in the textbook has been radically revised and significantly supplemented, compared with the topics presented in the printed materials previously available on the market.

While stating its timeliness, theoretical validity, and practical significance, it should also be noted that the authors set as their goal to fill the lack of educational literature necessary for the student to fulfil the duties within the future mission and in accordance with qualification requirements for persons occupying positions of the state civil service related to exercising the authority of an inspector.

When forming the structure of the textbook, the needs of transport specialists in obtaining legal knowledge in all areas of control and supervision activities were taken into account. Thus, the edition contains didactic blocks included in the work program of the discipline «Actual problems of public legal regulation of transport relations in implementation of control and supervision activities», studied by students of the Law Institute of RUT as part of the master's program within a training profile «Legal support of transport security, control and supervision and law enforcement activities in transport» in Jurisprudence. Also, the textbook is recommended as the main literature source for training in the programs of additional professional education «Legal provisions and organisation of control and supervision activity

in transport industry» and «Organisational and legal foundations of control and supervision activity in transport industry», focused on advanced training and retraining of civil service employees including inspectors of Rostransnadzor and officials of controlled (supervised) organisations.

The material contained in the textbook is presented in an accessible form, structured in accordance with the logic of mastering the knowledge necessary for a systemic perception of the problems of implementing control and supervision activities.

It should be especially noted that the publication of the textbook under review by representatives of the scientific school «Transport Law» of the Law Institute of Russian University of Transport indicates the continuation of traditions that have historically developed in the leading transport university, according to which formation of a high legal culture is the most important component of training a specialist for the needs of the transport industry [17–21].

In view of the foregoing, it seems possible to state that the textbook is written in an accessible, but at the same time, legally literate and literary language. There is no doubt that it largely compensates for the existing lack of educational literature for teaching students of transport educational organisations, students of master's programs, and fully complies with the state educational standard in jurisprudence and, of course, will be in demand not only by RUT students and students of additional professional programs, but also by Ph.D. students, scientific and pedagogical and practical employees.

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