

АНГЛИЙСКИЙ ЯЗЫК ДЛЯ ЮРИСТОВ

**LEGAL ENGLISH:  
VISUAL REFERENCE  
MATERIALS  
COMPREHENSIVE  
EDITION**

**АНГЛИЙСКИЙ ЯЗЫК  
ДЛЯ ЮРИСТОВ:**

**РИСУНКИ,  
СХЕМЫ,  
ТАБЛИЦЫ**

**СВОДНОЕ  
ИЗДАНИЕ**



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Сводное издание

Учебное пособие

ОРЕНБУРГ – 2019

УДК 811.11(07)  
ББК 81(Англ)я73  
П58

Рекомендовано редакционно-издательским советом  
Оренбургского института (филиала)  
Московского государственного юридического университета  
имени О.Е. Кутафина (МГЮА)

П58 Попов Е.Б. Legal English: Visual Reference Materials: Comprehensive Edition: Английский язык для юристов: рисунки, схемы, таблицы: Сводное издание.– Оренбург: Оренбургский институт (филиал) Университета имени О.Е. Кутафина (МГЮА), 2019.– 257 с.

Учебное пособие предназначается для студентов-юристов, уровень подготовки: бакалавриат, специалитет, магистратура; а также для студентов, обучающихся по программе дополнительной квалификации «Переводчик в сфере профессиональной коммуникации». Книга содержит дополнительные материалы в виде рисунков, схем и таблиц, которые призваны помочь студентам не только овладеть ключевыми понятиями и категориями, сложившимися в англоязычной правовой культуре, но и усовершенствовать навыки обработки профессионально значимой информации на английском языке.

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## INTRODUCTION

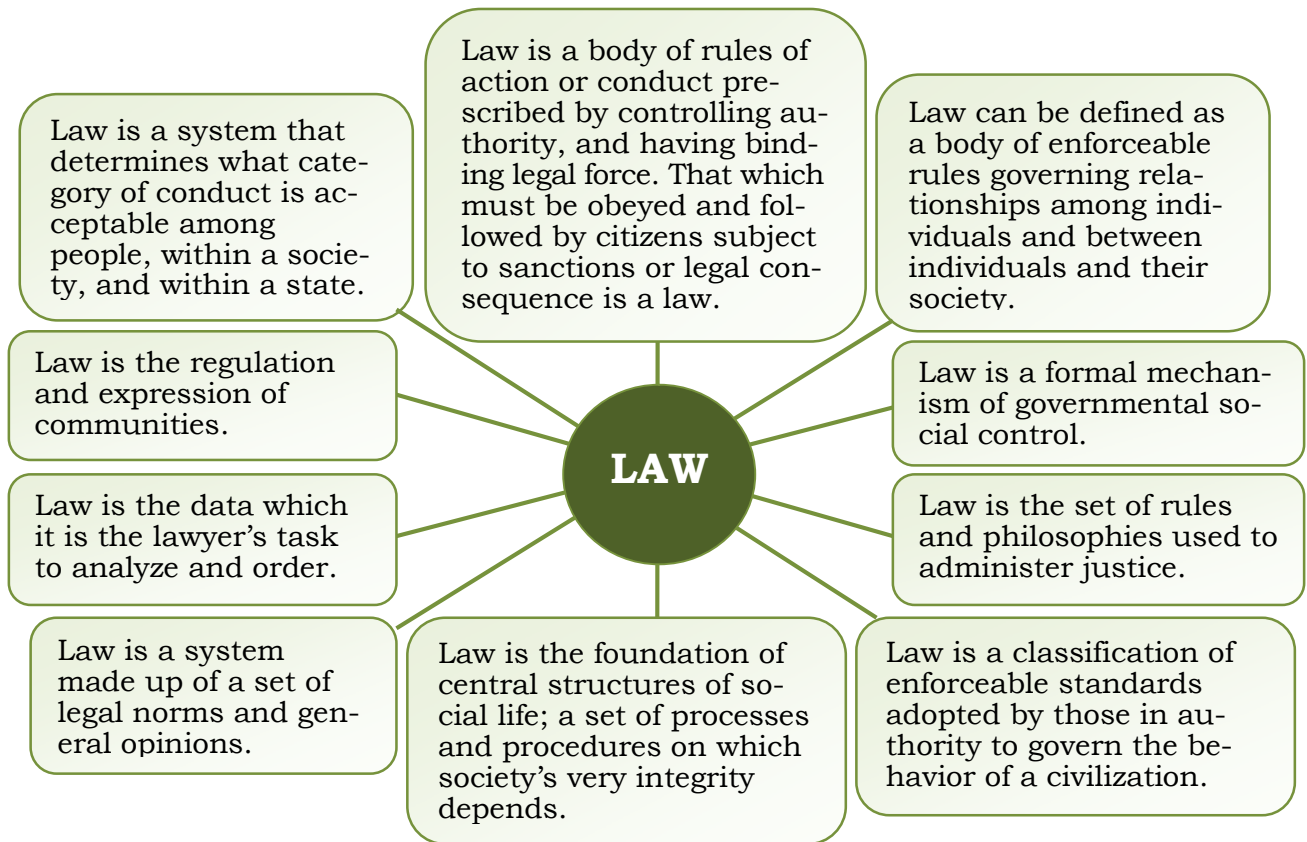
Учебное пособие предназначается для студентов-юристов, уровень подготовки: бакалавриат, специалитет, магистратура; а также для студентов, обучающихся по программе дополнительной квалификации «Переводчик в сфере профессиональной коммуникации».

Пособие содержит материалы по следующим тематическим блокам: право и его источники, конституционное и административное право, международное право, право Евросоюза, экологическое законодательство, гражданское право и процесс, право собственности и имущественное планирование, семейное право, формы предпринимательства, трудовое право, агентские взаимоотношения, договорное право, продажа товаров, денежные отношения, страхование и налогообложение, деликтное право, уголовное право и процесс, средства доказывания и расследование, обеспечение национальной безопасности, полицейские

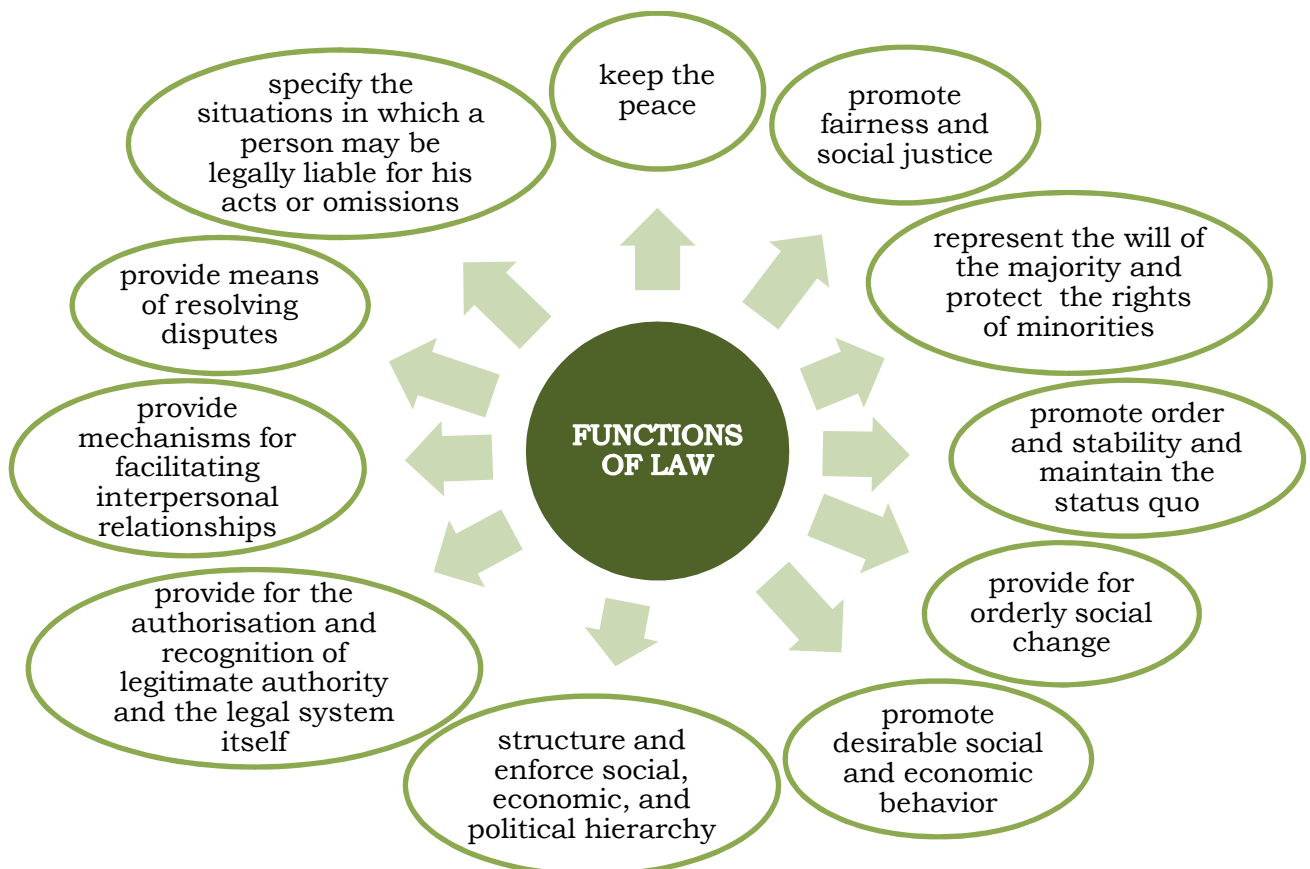
силы, судоустройство, арбитраж и урегулирование споров, профессия юриста и юридическое образование.

Наглядные материалы, представленные в учебном пособии, призваны помочь студентам не только овладеть ключевыми понятиями и категориями, сложившимися в англоязычной правовой культуре, но и усовершенствовать навыки обработки профессионально значимой информации на английском языке, представленной в таблицах, схемах и рисунках. Эти образовательные материалы подобраны из различных англоязычных печатных и электронных источников с целью создания у студентов-юристов, изучающих профессиональный иностранный язык, целостной и более полной картины правовой действительности в странах изучаемого языка. Основные источники информации, использованные при создании данного учебного пособия, указаны в виде ссылок на стр. 252.

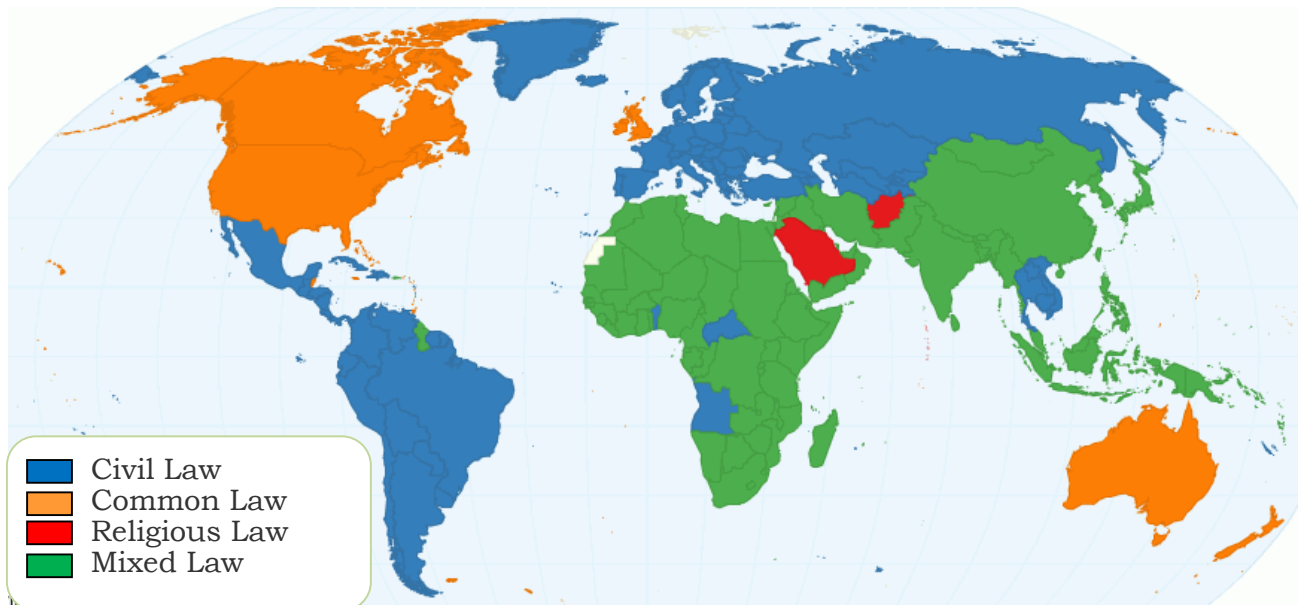
## Definition of the Term 'Law'



## Functions of Law

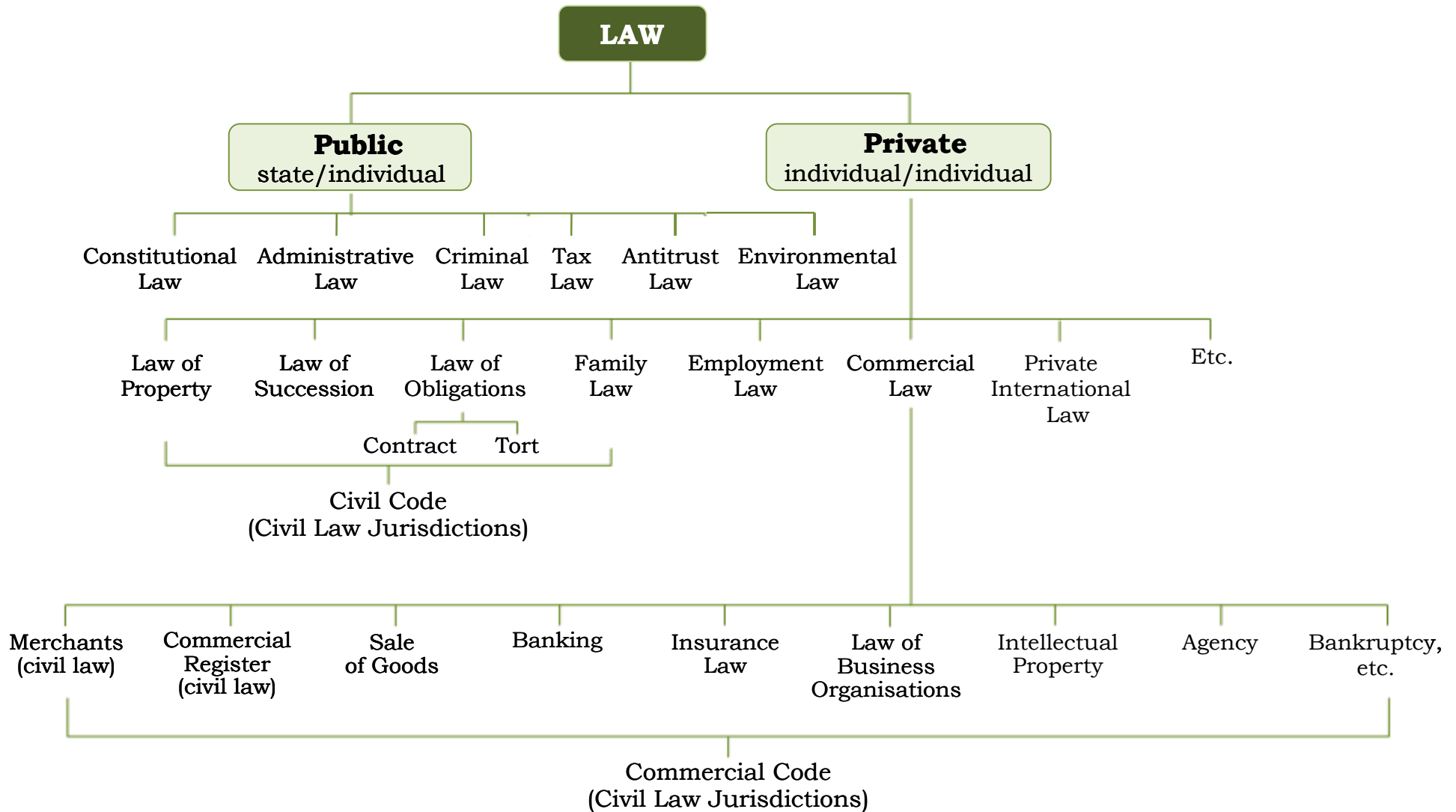


## Legal Systems of the World<sup>167</sup>



| LEGAL SYSTEM         | DESCRIPTION   |
|----------------------|---|
| <b>Civil Law</b>     | <p>The civil law system is the most widespread legal system in the world. The distinguishing feature of the civil law system is that its legal authority is organized into written codes. The civil law system is derived from Roman law and is found in much of continental Europe, Central America, South America, and several other regions. Civil Law can be subdivided into three distinct groups:</p> <ul style="list-style-type: none"> <li>• French Civil Law: France, the Benelux countries, Italy, Spain, and their former colonies;</li> <li>• German Civil Law: Germany, Austria, Croatia, Switzerland, Russia, Greece, Portugal, etc.;</li> <li>• Scandinavian Civil Law: Denmark, Norway, Sweden, Finland and Iceland.</li> </ul> |
| <b>Common Law</b>    | <p>In contrast to the codified laws of the civil law system, doctrines and rules developed over time by judges serve as "legal precedent" in the common law system. The common law system is derived from the English common law and is found in many parts of the English speaking world such as the United Kingdom, the United States, Australia, Canada, and other countries.</p>  |
| <b>Religious Law</b> | <p>The religious law system is a legal system that is based on religious beliefs or texts. The main religious laws are Sharia in Islam, Halakha in Judaism, and Canon Law in Christianity. Islamic law (or Sharia law) is the most widespread religious law system, and it governs all aspects of public and private life. Islamic law systems are found throughout Africa, the Middle East, Central Asia, and South Asia, and their laws widely vary among Muslim countries.</p>   |
| <b>Mixed Law</b>     | <p>Mixed law refers to a combination of elements of the legal systems described above. Plural legal systems are particularly common in former colonies, where the law of a former colonial authority may exist alongside with more traditional legal systems. Legal pluralism also occurs when different laws govern different groups within a country. For example, in India and Tanzania, there are special Muslim courts that address concerns in Muslim communities by following Islamic law principles and secular courts deal with the issues of other communities.</p>   |

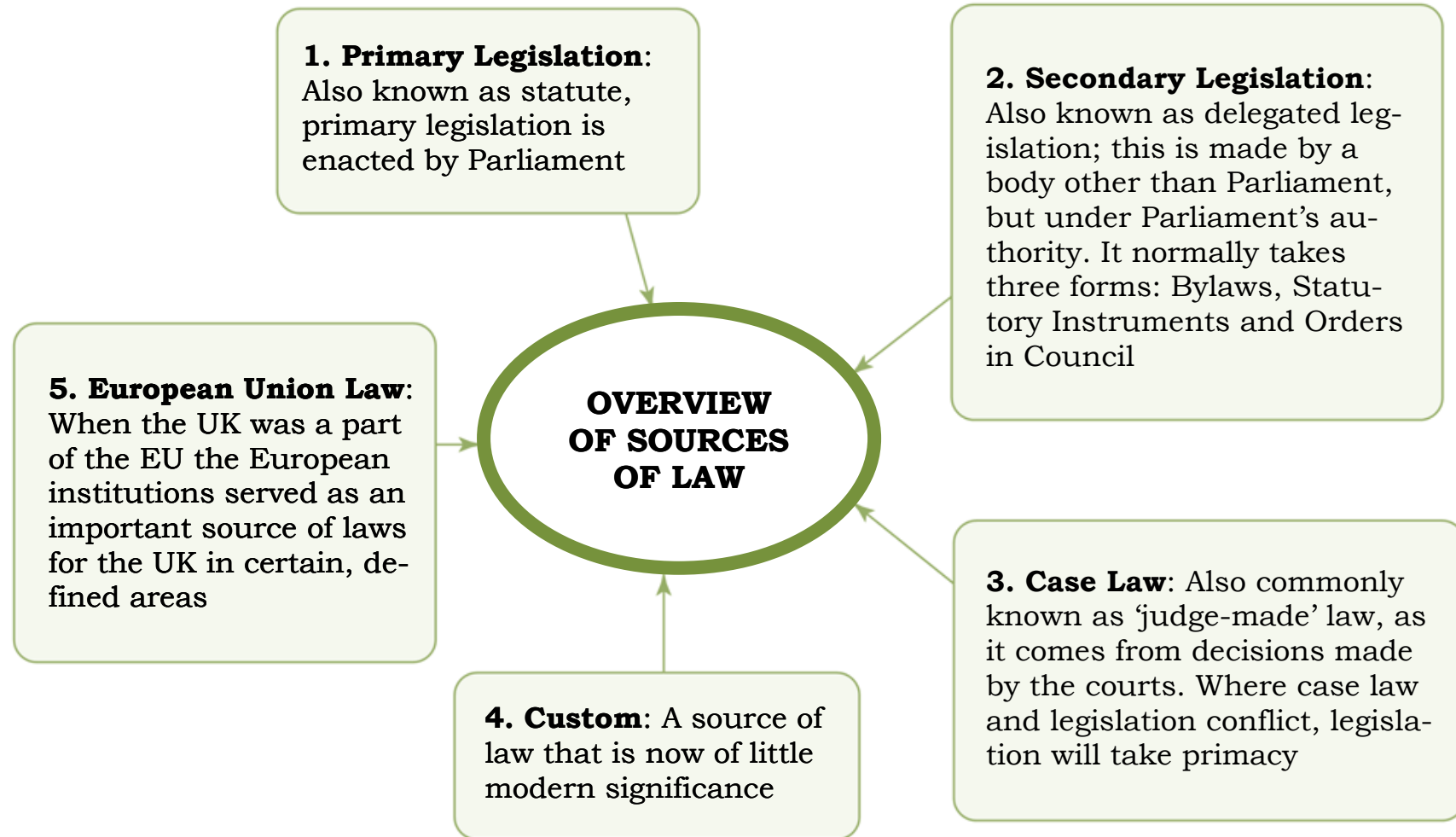
## Main Branches of Law (Civil Law and Common Law Systems)<sup>88</sup>



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civil law – континентальное право, романо-германское право (в противоположность англосаксонскому праву)  
 common law – общее (обычное) право; неcodифицированное или прецедентное право, англосаксонское право (в противоположность романо-германскому, или континентальному, праву)

## Overview of Sources of Law in the UK<sup>108</sup>



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primary legislation – первичное законодательство (законодательные акты, принимаемые непосредственно парламентом в форме статутов; в отличие от законодательных актов, принимаемых другими органами, которым парламент делегирует право принимать нормативные акты)

secondary legislation – вторичное законодательство (законодательные акты, принимаемые не парламентом, а органами законодательной власти меньшего значения, или органами исполнительной власти, которым парламент делегирует право принимать нормативные акты)



## Legislative Process in the UK<sup>108</sup>

**Introduction:** Most new legislation is introduced by the government as a result of policy decisions. However, legislation can be introduced by a Member of Parliament (MP) or peer (a member of the House of Lords). This flowchart concentrates on legislation introduced by the government but a similar process will be followed for legislation introduced by others.

**Consultation stages:** Consultations allow the opportunity for interested parties to provide their comments on legislative proposals. While the following stages are commonly employed, and provide an opportunity to influence future legislation, they are optional:

- (i) Green Paper: a consultation paper may be issued; interested parties are consulted. As a result:
  - (ii) White Paper: sets out proposals for change.
- Draft Bill prepared: undertaken by specialist lawyers.



**Passage of a Bill:** The following stages are a requirement if a Bill is to become law:

- (i) First Reading: comprises a formal introduction. Long title of Bill will be read out but no opportunity for debate is provided. Completion of this stage allows a Bill to be printed.
- (ii) Second Reading: MPs discuss the main principles of a Bill. MPs may vote at the end of this stage, particularly if a Bill is controversial.
- (iii) Committee stage: Bill is considered by a committee of MPs. Amendments may be proposed and voted on.
- (iv) Report stage: Bill, with amendments or changes, is 'reported' to the House. All MPs can review the amended Bill.
- (v) Third reading: MPs debate and vote on the Bill in its final form.



**Transfer to the House of Lords:** If a Bill begins in the House of Commons - and is approved - it is then sent to the House of Lords, where it goes through the same stages. If the Lords make changes to a Bill, it returns to the Commons for MPs to consider any amendments. Both the Commons and Lords must agree on the final Bill before it can become law. If the Bill is a Finance Bill, the legislation can be passed after a year even if the House of Lords is opposed to it.



**Royal Assent:** Once approval has been obtained from both the Commons and Lords, the Bill will require the approval of the monarch - called 'Royal Assent'. The monarch provides approval on the advice of ministers. Once assent has been provided, the Bill then becomes law (on a specified date) and is described as an Act of Parliament.

optional – используемый по выбору, дискреционный

Green Paper – Зеленая книга (официальный документ, содержащий ситуацию по определенному вопросу; представляется парламенту для обсуждения; называется по цвету обложки)

White Paper – Белая книга (официальный документ по какому-л. вопросу; обычно разъясняет планы перед введением нового закона)

Reading – чтение в парламенте (стадия прохождения законопроекта в каждой из палат)



168. <https://www.itu.int/en/ITU-D/Cybersecurity/Pages/legislation.aspx>
169. <https://www.justia.com/international-law/>
170. <https://www.legalmatch.com/law-library/article/sale-of-good-agreement-lawyers.html>
171. [https://www.texasbar.com/AM/PrinterTemplate.cfm?Section=Grievance\\_and\\_Ethics\\_Information2&Template=/CM/HTMLDisplay.cfm&ContentID=22866&FuseFlag=1](https://www.texasbar.com/AM/PrinterTemplate.cfm?Section=Grievance_and_Ethics_Information2&Template=/CM/HTMLDisplay.cfm&ContentID=22866&FuseFlag=1)
172. [https://www.ueunion.org/org\\_steps.html](https://www.ueunion.org/org_steps.html)
173. <https://www.usa.gov/branches-of-government>
174. <https://www.usnews.com/best-graduate-schools/top-law-schools/law-rankings?int=ald108>
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177. <https://lecturenotes.in/project-report/17568-cyber-crime-and-its-prevention/12>
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Е.Б. Попов

*Учебное пособие*

Подписано в печать 14.01.19. Формат 60X84/8. Объем 15 фпл.