



中国·长春·吉林大学

CN22-1051/D  
ISSN1003-4781

# 当代法学

CONTEMPORARY LAW REVIEW

全国中文核心期刊  
中国人文社会科学核心期刊  
中文社会科学 CSSCI 来源期刊

2015/6

第二十九卷第六期(总第一七四期)

**仲裁与诉讼的关系(纪念《仲裁法》颁布实施20周年)****仲裁监督之逻辑生成与逻辑体系**

——仲裁与诉讼关系之优化为基点的渐进展开 ..... 汪祖兴(3)

诉讼视角下的仲裁管辖权限的扩张及问题 ..... 赵秀举(18)

基本权利释义学的困境与出路 ..... 翟国强(26)

论协作共治视角下食品安全政府治理机制的完善 ..... 宋慧宇(34)

刑法视野下临终患者的自主决定权及限制 ..... 于佳佳(42)

职务侵占罪中“职务”范围的合目的性解读 ..... 刘伟琦(56)

**“知假买假”受消费者权益保护吗?**

——兼论消费者权益保护法的适用范围 ..... 郭明瑞(68)

再论相邻关系 ..... 邱本王岗(74)

**应收账款质权登记的法理**

——以《应收账款质押登记办法》的修改为中心 ..... 高圣平(86)

**破产程序中的“股转债”**

——合同法、公司法及破产法的“一揽子竞争” ..... 蒋大兴 王首杰(98)

我国破产原因制度的反思与完善 ..... 齐明(111)

论网络消费安全的多元规制 ..... 钱玉文(121)

民间借贷合同逾期利息请求及其判决 ..... 王学棉(131)

司法公正权威与检察监督的关系 ..... 韩成军(139)

国际投资法上公平与公正待遇条款改革的列举式清单进路 ..... 王彦志(147)

《当代法学》2015年总目录 ..... (158)

**Contemporary Law Review**  
**Vol. 29 , No. 6( Ser. No. 174 ) , November. 2015**

**Main Contents**

- **Symposium on the Relationship between Arbitration and Lawsuit ( 20 Anniversary of The Promulgation and Implementation of the Arbitration Law ) ·**
- Logical Construction and Logical System of Arbitration Supervision: The Gradual Development of the Relationship between Arbitration and Litigation ..... WANG Zu - xing( 3 )
- The Extension of the Jurisdiction of Arbitration and Problems  
        in the Perspective of Litigation ..... ZHAO Xiu - ju( 18 )
- Dilemma and Way Out on the Interpretation of Basic Rights ..... ZHAI Guo - qiang( 26 )
- On The Improvement of Government Governance Mechanism on Food Safety  
        in the Perspective of Collaborative Governance ..... SONG Hui - yu( 34 )
- Hospice Patients' Autonomous Decision and Limitation in the Perspective  
        of Criminal Law ..... YU Jia - jia( 42 )
- On The Purpose of the Scope of "Duty" in the Crime of Duty Encroachment ..... LIU Wei - qi( 56 )
- Is the Activity "Know Fake Buy Fake" Protect By the Consumer Protection Law?  
        The Application Scope of Consumer Protection Law ..... GUO Ming - rui( 68 )
- Adjacent Relationship Revisited ..... QIU Ben , WANG Gang( 74 )
- The Legal Basis of Pledge Registration on Accounts Receivable: A Study on the Amendments of  
        Measures for Pledge Registration of Accounts Receivable ..... GAO Sheng - ping( 86 )
- Transforming Bonds to Stocks in Bankruptcy Proceedings: A Package Competition of Contract Law ,  
        Company Law and Bankruptcy Law ..... JIANG Da - xing , WANG Shou - jie( 98 )
- The Bankruptcy Cause System of China: Reflections and Perfection ..... QI Ming ( 111 )
- Multiple Regulation on Consumer Security for Internet Business ..... QIAN Yu - wen( 121 )
- The Claim and Decision on Overdue Interest of Private Loan Contract ..... WANG Xue - mian( 131 )
- The Relationship between Judicial Authority and Procuratorial Supervision ..... HAN Cheng - jun( 139 )
- The Listing Approach in the Reform of Fair and Equitable Treatment Clause  
        in International Investment Law ..... WANG Yan - zhi( 147 )

( Translated by HE Zhi - peng )

反映当 今 动 态  
承 担 代 言 使 命  
推 动 法 治 进 步  
引 领 学 术 潮 流

ISSN 1003-4781



9 771003 478042

## 当代法学

(双月刊)

主管、主办 吉林大学  
承办 吉林大学法学院  
编辑 《当代法学》编辑部  
出版 《当代法学》杂志社  
社长 姚建宗  
主编 姚建宗  
社址 长春市前进大街 2699 号  
邮编 130012  
电话 86-431-85166050  
传真 86-431-85166061  
投稿网址 ddfx.paperonce.org  
国内发行 吉林省报刊发行局

邮发代号 12-342  
印刷 长春新华印刷集团有限公司

**Supervisor:**Jilin University  
**Sponsor:**Law School,Jilin University  
**Editor:**Editorial Department of Contemporary Law Review  
**Publisher:**Magazine House of Contemporary Law Review  
**Magazine House Director:**Yao Jian-zong  
**Editor in Chief:**Yao Jian-zong  
**Address:**2699,Qianjin Street,Changchun,China  
**Post Code:**130012  
**Tel:**86-431-85166050  
**Fax:**86-431-85166061  
**http://ddfx.paperonce.org**  
**Domestic Distributor:**Newspaper and Magazine Distribution Bureau,Jilin Province

**Postal Distribution Code:**12-342  
**Printing:**Changchun Xinhua Printing Group Co.,Ltd.

定价:15.00 元