



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

2016/1

第三十卷第一期(总第一七五期)

### 《刑法修正案(九)》研讨

- 也谈《刑法修正案(九)》关于贪污贿赂犯罪的修改 ..... 张旭 (3)  
论《刑法》第383条之修正 ..... 欧阳本祺 (12)  
《刑法修正案(九)》的犯罪控制策略视野评判 ..... 王志远 (21)

### TPP与中国

- 论《跨太平洋伙伴关系协议》(TPP)与我国多边和区域一体化战略 ..... 杨国华 (32)  
国际经济法治格局的研判与应对  
——兼论TPP的中国立场 ..... 何志鹏 (43)

- 互联网监管政策与多边贸易规则法律问题探析 ..... 黄志雄 (54)  
重大行政决策行为的性质与认定 ..... 尹奎杰 王箭 (70)  
美国司法机构职能外包的质疑和回应  
——聚焦“政府固有职能” ..... 蒋红珍 (79)  
过失共同正犯否定论 ..... 胡东飞 (88)  
论“航空运输总条件”的合同地位与规制 ..... 郝秀辉 (101)  
论比例性原则在私法关系中的运用  
——以英国和欧洲人权法院案例为视角 ..... 邱静 (112)  
工业用地出让价格管制研究 ..... 万江 (121)  
立案形式审查中的事实主张具体化 ..... 曹志勋 (130)  
家事纠纷法院调解实证研究 ..... 汤鸣 (140)  
论庭前会议功能失范之成因  
——从庭前会议决定的效力切入 ..... 吉冠浩 (149)

**Contemporary Law Review**  
Vol. 30, No. 1 (Ser. No. 175), Jan. 2016

**Main Contents**

**Symposium on “Criminal Law Amendment (IX)”**

The Crime of Bribery Amended in “Criminal Law Amendment (IX)” Revisited .....	ZHANG Xu ( 3 )
On the Amendment to Article 383 of the Criminal Law .....	OUYANG Ben - qi ( 12 )
“Criminal Law Amendment (IX)” Crime Control Policy Vision Evaluation .....	WANG Zhi - yuan ( 21 )

**Symposium on TPP and China**

The “Trans – Pacific Partnership Agreement” (TPP) and China’s Multilateral and Regional Integration Strategies .....	YANG Guo – hua ( 32 )
The Judgement and Countermeasures on the Constellation of International Economic Law:	
Also on China’s Position on TPP .....	HE Zhi – peng ( 43 )
Legal Issues of Internet Regulatory Policy and Multilateral Trade Rules .....	HUANG Zhi – xiong ( 54 )
Nature and Identification of Major Administrative Decision – Making Activities .....	YIN Kui – jie , WANG Jian ( 70 )
Questioning and Responding on Outsourcing US Judiciary Functions:	
Focusing on “Inherent Government Functions” .....	JIANG Hong – zhen ( 79 )
A Negative Discussion on Negligence Joint Principal Offenders .....	HU Dong – fei ( 88 )
The Contractual Status of “General Conditions of Air Transport” and Its Regulation .....	HAO Xiu – hui ( 101 )
The Application of the Principle of Proportionality in Private Law Relations:	
Cases from UK and ECtHR .....	QIU Jing ( 112 )
Regulation of Industrial Land Transferring Price .....	WAN Jiang ( 121 )
Specifying Factual Claims in the Formal Review of Registration a Case .....	CAO Zhi – xun ( 130 )
Empirical Study on Court Mediation of Family Disputes .....	TANG Ming ( 140 )
Cause of the Pre – Trial Conference Functional Anomie:	
The Aspect of the Effectiveness of Pre – Trial Conference Function .....	JI Guan – hao ( 149 )

(Translated by HE Zhi – peng)

反映**当**代**法**学动态  
承担**当**代**法**言使命  
推动**当**代**法**治进步  
引领**当**代**法**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 蔡立冬  
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:**Cai Li-dong  
**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