



QK2054233

1672-1500

t-1246/D

- ▶ 中国核心期刊(遴选)数据库收录期刊
- ▶ 中国学术期刊综合评价数据库来源期刊
- ▶ 中国学术期刊(光盘版)全文收录期刊
- ▶ 万方数据——数字化期刊群全文上网期刊
- ▶ 中文科技期刊数据库全文收录期刊
- ▶ 超星域出版平台收录期刊

JOURNAL OF SHANXI POLITICS AND LAW INSTITUTE FOR ADMINISTRATORS

山西省政法管理干部学院

学报

第33卷 总第121期

4

2020

SHANXI SHENG

ZHENGFA

GUANLI GANBU XUEYUAN XUEBAO



目次

法学纵横

我国制定统一调解法的必要性分析 侯怀霞,晏 亭 ①

新形势下保障劳动者休息休假权之思考 胡永红 ⑤

现代法律职业共同体及其形成基础 张慧平 ⑨

行政公益诉讼诉前检察建议之完善 刘法鸿 ⑬

美国条约解释方法对我国的启示 赵怡然 ⑰

数字经济时代下个人数据保护探究 陈金金 ⑳

本期关注

生态化的法律解析 张红梅 ㉔

黄河流域生态保护和高质量发展立法实践问题探究
——以河南省为视角 郑曙光 ㉗

食用野生动物的法律规制 曾 健 ㉓

我国《野生动物保护法》的完善 张鹏富 ㉖

民商法研讨

有限公司股东会计账簿查阅权之查阅范围浅析 龚倩倩,高 凜 ㉘

实体与程序交错视域下胎儿民事权利能力保护 荣国梁 ㉙

刷脸支付下消费者个人信息的法律保护 蒋淑旭,胡 丹 ㉚

账户质押制度的完善 戴 煜 ㉛

我国商业银行投贷联动法律风险探究 周燕楠 ㉜

夫妻间赠与的法律适用	熊 崧	54
离婚后夫妻共同债务的认定及清偿	辛莉芳,王小英	58
我国儿童权利保护的法律问题及对策	张 钰	61
刑 事 法 学 论 坛		
侦查阶段刑事涉案财物处置中存在的问题	李江贞,李笑娜,王志晴	64
无证醉驾型危险驾驶罪处罚依据分析	高蕴麟,余 波	68
浅谈认罪认罚案件中缴纳罚金对认罚的影响	许 江	71
罪犯政治改造浅析	任 琰,陈 珍,谭恩惠	74
利用未成年子女逃避刑事收监执行的法律问题探究	胡亚军	77
非法经营罪的适用探讨	刘靖宇,任志贤	81
司 法 实 务		
浅析留置与刑事强制措施的衔接转化	张 微,郑超峰	86
职业院校顶岗实习学生权益保障机制探究	郭兰英,陈 涛	89
大学生体质测试导致伤害的成因分析	高 雄	93
居住权的设立和完善	杜丽萍	96
我国老年人居住权的保护	原申惠	100
浅析“法律思维”教育	关鸿临	103
提高公证服务的有效路径	杜惠君	106
网络营销的法律规制	李 丰	109
山西省政法管理干部学院学报 2020 年总目次		112

CONTENTS

Analysis of the Necessity of Formulating Unified Mediation Law in China HOU Huai-xia, YAN Ting(1)

Reflection on Guaranteeing Workers' Right to Rest and Vacation under the New Situation HU Yong-hong(5)

The Modern Legal Profession Community and Its Foundation ZHANG Hui-ping(9)

The Perfection of the Suggestion of Administrative Public Interest Litigation before Prosecution LIU Fa-hong(13)

The Enlightenment of American Treaty Interpretation Method to Our country ZHAO Yi-ran(17)

Research on Personal Data Protection in Digital Economy Era CHEN Jin-jin(20)

The Legal Analysis of Ecologicalization ZHANG Hong-mei(24)

Research on the Legislative Practice of Ecological Protection and High Quality Development in the Yellow River Basin
——From the Perspective of Henan Province ZHENG Shu-guang(27)

Legal Regulation on the Consumption of Wild Animals ZENG Jian(30)

The Perfection of China's Wildlife Protection Law ZHANG Peng-fu(33)

Analysis on the Scope of the Right to Consult the Accounting Books of Shareholders in Limited Companies
..... GONG Qian-qian, GAO Lin(35)

The Protection of Fetal Civil Rights Capacity under the Cross-sectional View of Entity and Procedure RONG Guo-liang(39)

Face Recognition Payment under Consumer's Personal Information Protection Law JIANG Shu-xu, HU Dan(43)

The Perfection of Account Pledge System DAI Yu(47)

Research on the Linkage Legal Risks of Investment and Loan of Commercial Banks in China ZHOU Yan-nan(51)

The Law Governing the Gift between Husband and Wife XIONG Song(54)

Husband and Wife's Joint Debt Identification and Liquidation after the Divorce XIN Li-fang, WANG Xiao-ying(58)

Legal Problems and Countermeasures of Children's Rights Protection in China ZHANG Yu(61)

Issues in the Disposition of Property Involved in Criminal Investigation LI Jiang-zhen, LI Xiao-na, WANG Zhi-qing(64)

A Study on the Crime of Driving under the Influence without a License
——From the Perspective of Driving License Being Temporarily Withheld GAO Yun-lin, YU Bo(68)

A Brief Discussion on the Influence of Paying Fine on Admitting Punishment in the Case of Guilty Plea XU Jiang(71)

A Brief Analysis on Political Reform of Criminals REN Yan, CHEN Zhen, TAN En-hui(74)

To Explore the Legal Issues of Using Minor Children to Evade Criminal Detention HU Ya-jun(77)

An Exploration to the Application of Illegal Business Crime LIU Jing-yu, REN Zhi-xian(81)

A Brief Analysis of the Connection and Transformation between Lien and Criminal Compulsory Measures
..... ZHANG Wei, ZHENG Chao-feng(86)

Research on the Rights and Interests Protection Mechanism of Internship Students in Vocational Colleges
..... GUO Lan-ying, CHEN Tao(89)

Analysis on the Causes of Injury Caused by Physical Fitness Test of College Students GAO Xiong(93)

Establishment and Improvement of Residence Right DU Li-ping(96)

Protection of the Right of Residence for the Elderly in China
——The Investigation of Germany's Judicial Practice and Its Reference to China YUAN Shen-hui(100)

Overview of "Legal Thinking" Education GUAN Hong-lin(103)

The Work Path to Improve the Effectiveness of Notary Service DU Hui-jun(106)

Legal Regulation of Network Marketing LI Feng(109)



山西省政法管理干部学院学报 (季刊)

JOURNAL OF SHANXI POLITICS AND LAW INSTITUTE
FOR ADMINISTRATORS(Quarterly)

第33卷 第4期 (总第121期)

Vol.33 No.4 (Sum No. 121)

1988年创刊

Started in 1988

主管单位：山西省司法厅

主 办：山西省政法管理干部学院

编辑出版：《山西省政法管理干部学院学报》编辑部

主 编：冀建峰

地 址：太原市大营盘体育北街6号

出版日期：2020年12月

邮政编码：030012

电 话：0351-7620282

电子信箱：sxzfxb@126.com

印 刷：太原市中远新印刷有限公司

发行范围：国内外公开发行

国际刊号：ISSN 1672-1500

国内刊号：CN 14-1246/D

定 价：13.00元

Sponsor: Shanxi Politics and Law Institute for
Administrators

Editor and Publisher: Ed. Dept of Journal of Shanxi
Politics and Law Institute for
Administrators

Chief Editor: Ji Jian-feng

Address: Ti Yu North Street No.6 Dayingpan,
Taiyuan, China

Publishing Date: Dec., 2020

Post code: 030012

Telephone: 0351-7620282

E-mail: sxzfxb@126.com

Printer: Taiyuan Zhongyuanxin Printing Co.Ltd

ISSN 1672-1500



9 771672 150201

