

ISSN 2095 - 9206
CN 10 - 1281/D



财经法学

Caijing Faxue

2024年9月15日出版

2024年第5期(总第59期) 双月刊

□ 财经法治热点：数字经济法治

人工智能基础模型安全风险的治理 周 辉	3
数据跨境双轨制下个人信息出境监管豁免制度的适用与完善 刘金瑞	23
个人信息匿名化制度的反思与改进 夏庆锋	41
网络平台行为规制中的基本权利私人间效力论之否定 刘爱茹	59
论数字产品及其给付规则 ——以数字内容与数字服务区分为中心 吴逸越	78

□ 专论

对司法智能化应用局限性的观察与思考 ——以民事司法智能化应用为中心 张卫平 冉 博	94
金融制裁与反制裁中的国家能力建设 沈 伟	109
商事合同格式条款的效力评价方法 ——以《民法典》第497条的合理性评价要件为中心 黄 帅	132

□ 争鸣

“同宪法相抵触”的标准：从宪法规范的区分切入 梁芷澄	150
居住权物上代位论质疑 崔 炜	165
帮助信息网络犯罪活动罪的司法误区与理论校正 王华伟	179

LAW AND ECONOMY

No. 5, 2024 (Serial No. 59)

September 15, 2024

Platform Governance of Safety Risks in Artificial Intelligence Foundation Models	<i>Zhou Hui</i> (3)
Application and Improvement of Exemption System from Supervision on Outbound Transfer of Personal Information under the Dual-track System for Cross-border Data	<i>Liu Jinrui</i> (23)
Reflection and Improvement of Personal Information Anonymization System	<i>Xia Qingfeng</i> (41)
The Negation of Horizontal Effect of Constitutional Rights in the Regulation of Online Platform Behavior	<i>Liu Airu</i> (59)
On Digital Products and Their Performance: Centered on Distinguishing between Digital Content and Digital Services	<i>Wu Yiyue</i> (78)
Observations and Reflections on the Limitations of the Judicial Intelligentized Application: Centered on the Intelligentized Application of Civil Justice ...	<i>Zhang Weiping Ran Bo</i> (94)
State Capacity Building in Financial Sanctions and Counter-sanctions	<i>Shen Wei</i> (109)
Methods for Evaluating the Validity of Standard Business Terms in B2B Contracts: Focusing on Evaluation of Reasonability in Article 497 of the Chinese Civil Code	<i>Huang Shuai</i> (132)
The Standard of "Violating the Constitution": From the Perspective of the Distinction of Constitutional Norms	<i>Liang Zhicheng</i> (150)
Critique of the Theory of Subrogation of the Right of Habitation	<i>Cui Wei</i> (165)
Judicial Misunderstandings and Theoretical Correction of the Crime of Helping Cybercrime	<i>Wang Huawei</i> (179)
