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### Protecting rights of multi-housing construction participants in developer insolvency cases

**Keywords:** Developer insolvency; declaratory action on recognition of ownership right; action for state registration of transfer of ownership right to estate; claim; multi-housing construction participant; court recognition of ownership right

The federal law "On insolvency (bankruptcy)" sets out that in case of developer's insolvency participants of multi-housing construction shall the court may as a remedial action recognize participants' ownership right to housing. The author analyzes the advantages and possible downsides of such legislative provision. In particular, the author tries to establish whether the Federal law has expanded the list of cases which provide grounds for "filing constitutive lawsuits on recognition of ownership right"? To this end the author analyzed relevant doctrines as well as relevant court practice and puts forward his own view on the questions under study.

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### Challenging validity of transactions and novels on estoppel

**Keywords:** Invalidity of transactions; estoppels; good faith; consideration

The author analyzes a number of real disputes and analyzes how courts apply (or disregard) the norms on estoppel adopted with the latest amendments to the RF Civil Code.

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### Creation of National system of payment cards: issues of law

**Keywords:** National system of payment cards; NSPC; international payment cards; national payment systems

Creation of the Russian National system of payment cards was a response to restrictions introduced against a number of banks and individuals of the Russian Federation. The author of the article analyzes development of the national payment system (which was envisaged in recently passed laws), legal status of national payment system operators, which handle the turnaround of payment cards, as well as legal status of payment cards.

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### Legislative specification and differentiation of electronic payments

**Keywords:** Electronic means of payment; payment instrument; electronic payment instrument; pre-paid payment card; electronic money; law on national payment system

Not so long ago the federal law "On the national payment system" has introduced a special provision on pre-paid payment cards. The author analyzes some features of 'electronic payment means' and how it relates to such notions as 'payment card', 'electronic payment instrument', 'means of access'. It is assumed that pre-paid payment card will be one of the compulsory elements of electronic means of payment which may serve other functions as well as for example when it comes to payment services related to money transfer.

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### Philosophical issues of law

**Keywords:** Law; economics; relationship of law and philosophy; legal philosophy; law progress; legal globalization; human rights

The authors present a review of 'Issues of philosophy of law' by S.I. Zakhartsev.

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### Easement: fee calculation

**Keywords:** Easement; reasonable fee for easement; reasonable fee criteria

The existing Russian legislation sets out the principle of creation of easement on a fee basis. The owner of a land plot can set a reasonable fee for the use of land plot by other party. In case parties fail to agree on the conditions of easement the dispute will be considered by court. In the article the author analyzes criteria which courts will apply in order to calculate a reasonable amount of fee.

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### Legal regulation of the derivatives: forward transactions, derivative financial instruments

**Keywords:** Derivatives; forward (future) transactions; derivatives market; option; futures; swap; share depositary receipt

This article analyzes economic characteristics of the derivatives. This paper studies the types of forward (future) transactions, regulated by the existing regulatory acts, and identifies the goals of such transactions. The author identifies legal characteristics of the derivatives, which help qualify derivatives as independent type of contracts, studies the problems of legal regulation of the derivatives, makes suggestions with regard to improvement of legal regulation of the derivatives.

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### Treasure-trove: unanswered questions of Civil Code

**Keywords:** Civil law; civil legislation; ownership right; right in things; grounds for acquisition of ownership right; ownerless property; treasure-trove

The article deals with article 233 of the RF Civil Code, in particular, the definition of treasure-trove and acquisition of ownership right for the treasure-trove. Having carried out historical, comparative law analysis as well as analysis of court practice the author shares her ideas on specification of the treasure-trove concept. The author also provides her suggestions regarding changes of numerous procedures for recognition of valuables as treasure-trove and ownership rights.

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### Draft of executive code of Russian Federation

**Keywords:** Concept of RF Executive Code; system level; part; section; paragraph; chapter

The article analyzes development of the structure system for the RF Executive Code. The Appendix presents the scheme of the structure system.

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### Licensing system in Russian Federation

**Keywords:** Licensing system; license; permit; administrative method; administrative regime; security; public order

A license or other types of permits are a necessary condition for carrying out different types of activity. In the article the author analyzes the essence and the meaning of licensing system based on the analysis of vital issues related to practical implementation of this system.

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### Settlement agreement in bankruptcy proceedings

**Keywords:** Insolvency (bankruptcy); settlement agreement; bankruptcy proceedings; creditor's register; abuse of right; pledge relationships; post-bankruptcy creditors

Settlement agreement is an important procedure for it can withdraw a legal person from bankruptcy proceedings, which leads to a positive economic effect. At the same time a number of theoretical as well as practical problems impede practical realization of this important mechanism. The authors analyzed certain features inherent to the parties to settlement agreement; they studied the correlation between settlement agreements subject to the norms of the RF Administrative procedure code and the norms of the Law on Bankruptcy; the status of pledge lender, possible situations of abuse on the part of creditors which were not in the list of claims.

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### Development of Civil code of laws draft and development of civil law science in Russia at the end of XIX — early XX century. Article ten.

**Keywords:** Russian civil law; draft of Civil Code of laws; possession; grounds for protection of possession

The article finalizes the analysis of the concept of possession, grounds for protection of possession under the Civil Code of Laws developed at the end of XIX till early XX century.