

SUMMARY

Key Words: the performance of an obligation; international contract of purchase and sale.

Subject matter: Peculiarities of fulfillment of obligations from a contract of international sale

Author: Lysenko Alina Georgevna

Supervisor: Durneva P.N. Cand. Jur. Sciences, Assoc. the Department of civil law and process

The supervising organization: Pyatigorsk State University

The topicality of the research Significant differences between the national legislations of individual countries, continued, despite the tendency of harmonization of the legal institutions of States, including those belonging to different legal systems, determine the preference of regulation of such transactions by international treaties. However, the relative paucity and inconsistency of such acts provide for a significant role of conflict rules of national law, a unified governmental rules of private international law and international customs. The study in the millet of the interaction of these four components for contracts for the international sale of goods concluded by Russian legal entities, in theory and practice is an actual problem of the Russian legal science.

The aims of the research final qualifying work is a comprehensive study of problems arising in the field of legal regulation of execution of obligations of contracts of the international purchase and sale and on the basis of research to develop recommendations to the participants of foreign trade turnover.

Objectives:

1. Analysis of the main sources of legal regulation of obligations from a contract of international sale.
2. The study of peculiarities of the collision regulation of the specified relations.
3. Defining characteristics of the international contract of purchase and sale
4. The General provisions on performance of obligations as a base for solving the goal.

5. Consideration of a legal framework for the execution of the contract of the international purchase and sale.

6. Development of recommendations for the participants of the foreign trade turnover

The theoretical and practical value of the research is that the basic provisions and the conclusions received on to results of a study can be used in quality scientifically-methodical base for preparation of projects of legislative and other legal acts; eliminating gaps in the legislation on the improvement of the Institute's fulfillment of obligations from the contract of sale. The conclusions and recommendations made by the author, can be applied in the process of preparing and teaching the course of international private and commercial law; when conducting further research on this issue.

The results obtained: The contract for the international sale is invited to consider how the deal is simple for a commercial purpose to persons of different nationality and which involve the creation, modification or termination of civil rights and obligations connected with the realization of material benefits or other results of human activity.

Recommendations:

On the basis of the findings of the study, the following recommendations for improving the civil and customs legislation of the Russian Federation:

To avoid contractual disputes during execution of obligations from a contract of international sale it is recommended that contractors during project development agreement to include the basic terms of delivery, applying the interpretation of INCOTERMS 2010.

It is proposed to amend article 1211 of the civil code, stating that "the right of due future application to contractual relations shall be governed in matters of origination and of termination of the right of ownership and other property rights to a content property which is the subject of the contract".