

SUMMARY

Theme of graduate qualification work: Business activities on the Internet: civil limb and custom law

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Urgency of the research is determinates is justified primarily by the spread of information and telecommunication technologies to have a significant impact on entrepreneurial activity. It's difficult to imagine a successful company is not promoting your product on the Internet. The use of the global telecommunication network significantly affects the demand, leads to an increase in the number of concluded contracts of purchase and sale and provide the contracted services. Together with the growing popularity of Internet Commerce, the use of opportunities of global network in business is very specific legal regulation, while, despite of the specified popularity, the unified normative legal act regulating the use of the Internet, business entities are not. Due to the constant improvements of Internet technologies and the advent of more sophisticated electronic Commerce techniques, theoretical science and practice requires identifying and understanding patterns in the field of public relations. In such a situation there is a need for theoretical-legal study of business organization in accordance with the provisions of existing laws guaranteeing the observance and protection of rights, duties and legitimate interests of all subjects of market relations.

The relevance of the research topic is based, first of all, on the spread of information and telecommunication technologies, which have a great impact on the implementation of business activity. Now it is difficult to imagine a successful company that does not promote its goods on the Internet. The usage of the possibilities of a global telecommunications network influences to emergence of demand and increases of concluding contracts of sale and purchase and rendered contractual services. Due to the continuous improvement of the Internet technology and the use of more advanced methods of electronic commerce, theoretical science and practice require the study and awareness of the laws in this area of social relations. In this situation, there is a need for a theoretical and legal study of the organization of entrepreneurial activities in accordance with the provisions of the current legislation, guaranteed compliance, protection of rights, duties and legitimate interests of all subjects of market relations.

Work objective: analysis of civil and custom issues of the implementation of Business activities on the Internet.

Objectives:

1. To analyze of civil and custom legislation.
2. To articulate concepts which are using in Business activity on the Internet
3. To investigate of types of Business activities on the Internet
4. To consider the rights and responsibilities of subjects of Business activity on the Internet.
5. To define civil characteristics of Business activity on the Internet
6. To identify the custom`s component of electronic business activity on the Internet.
7. To develop recommendations and proposals for improving civil and customs legislation.

Theoretical and practical relevance of the research lies in justification of conclusions and proposals for improving of legal and regulatory framework of business activities on the Internet and cross-border Internet trade. The findings, as well as practical suggestions can be used in the teaching of such disciplines as entrepreneurial law, commercial law, information law and customs law.

Research results. Legal regulation of the relations that develop with the use of the Internet, is currently developing very actively. The same can be said about the legal science devoted to the study of the problems of legal regulation of these relations

In this area of scientific knowledge, the very foundations, basic concepts and phenomena require

development. This, of course, is due to the novelty of the public relations and the Internet itself. The stated concept of entrepreneurial activity in the Internet, as well as the proposal on the classification of business activities in one way or another related to the World Network, seem to be conducive to the further development of science and legislation. Cross-border e-business is related to import and export, but this concept also includes: online data transmission, electronic transmission, electronic cargo documents and so on. It can be said that cross-border e-business is an electronic trade that has crossed the state border.

The high assessment of e-business by the economic community has prompted the emergence of research in the legal framework of electronic trade of many international organizations. Model laws and other acts regulating the legal side of electronic business (cross-border e-business) were adopted.

To date, increased attention has been paid to the control of cross-border electronic business activities both in world practice and within the framework of the EAEC. However, differences in terminology and approaches to regulating e-business in the domestic legislation of different states lead to difficulties in regulating cross-border relations.

Recommendations:

Based on the conducted research, it is necessary to introduce the following changes in the existing legislation:

In part 3 of paragraph 1 of Article 2 of the Civil Code of Russian Federation should be read as follows: "Civil law regulates relations between persons engaged in entrepreneurial activities, including entrepreneurial activities carried out electronically using a global computer network or with their participation, on the basis from the fact that the business is independent, carried out at your own risk activities aimed at systematically profit from the use of property, the sale of goods, works or services by persons registered as such in accordance with the law. "

– Paragraph 1 of Article 23 of the Civil Code must be stated in the following interpretation: "Civil law has the right to engage in entrepreneurial activity without the formation of legal body, including business activity on in the electron form using global computer networks, since official registration as an individual entrepreneur ".

– The adoption of a special comprehensive regulation in this area - Federal law "One of economic activity", designed to become wasp's new system of regulations in the field of regulation of the electronic segment national economy. In this act must be:

- the notion and types of electronic economic activity are fixed;
- resolved the terminology problems we have identified in this area;
- the tasks, objectives and main principles of state regulation of electronic economic activity are defined;
- established in the development of the constitutional provisions, the state guarantees of effectuation in the Russian Federation electronic economic activities as one of the first species is not prohibited by business and other economic activities.