

SUMMARY

Key Words: honor, dignity, business reputation, moral damages, civil protection.

Subject matter: civil legal norms regulating the relations on protection of honor, dignity and business reputation, as well as the materials of practice of application of these norms.

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The topicality of the research. The Constitution of the Russian Federation establishes that the person, his rights and freedoms are the Supreme value. Important in this case is entitled to the honor, dignity and business reputation. Intangible benefits are currently subject to scrutiny in civil law. However, many controversial issues of legal protection of honor, dignity and business reputation has still not found its final permission and require the necessary theoretical understanding. The latter, in particular, include the establishment of a relationship between the concepts of honor and dignity as the philosophical categories and objects of legal protection; the definition of the boundaries within which permitted the dissemination of information discrediting the honor, dignity and business reputation; the ability to protect against the dissemination of information, relevant fact, determining the amount of compensation of moral harm and a number of others. The above calls for a comprehensive scientific study of civil law protection of honour, dignity and business reputation of citizens in order to develop concrete and practical recommendations and areas of improvement of civil legislation regulating these public relations, which fully confirm the relevance of the chosen research topic

The aims of the research: a comprehensive study of the categories of honor and dignity of citizens and also business reputation of citizens and legal persons as subjects of civil-legal protection.

Objectives:

- to give the concept of honor, dignity and business reputation;
- consider the historical aspects of development of legislative base on protection of honor, dignity and business reputation;
- explore ways to protect intangible benefits;
- to give the concept of pecuniary damage and to determine the nature of his compensation;
- to clarify on the issue of determining the amount of compensation for moral damage.

The theoretical and practical value of the research – determined by the relevance and novelty of issues it addresses. First of all, it is the development of a scientific understanding of the civil protection of honour, dignity and business reputation as means of implementation of these moral rights. The provisions of dissertational research can be used for further theoretical researches and scientific

developments relating to the mechanism of protection of intangible goods, as well as in the improvement of the civil and procedural legislation that will make a real contribution to improving the effectiveness of the various forms of protection of honor, dignity and business reputation.

The results obtained:

1. Among the intangible benefits of the special place is occupied with honor, dignity, business reputation is a moral category, defining together the moral status of the individual, affecting the person's importance to society. The loss of these benefits can mean for citizen social death.

2. Citizens have the opportunity to solve certain tasks, achieve certain goals both independently and through Association in groups or teams. Every citizen is a member of the collective organizations have the right to protection of honor, dignity and business reputation, as well as the right to protection of business reputation of a legal entity.

3. Article 152 of the civil code establishes the right to protection of honor, dignity and business reputation only in the case of the validity of the common information. In our opinion, should provide in law that the protection of those intangible benefits in the dissemination of defamatory information corresponding to reality.

4. The most common method of protection in defamation is a refutation. This method can be divided into two types. The first one is realized in meeting the court requirements for refutation. The second type can be implemented when laying on the defendant's duty to refute.

5. As a method of protection of honor, dignity and business reputation plays an important role of compensation for moral damage. The civil code defines moral damages as physical and moral suffering, have emerged due to the violation of personal non-property rights or infringe on its intangible benefits. It seems more correct to use the term "psychological harm" as moral damage is manifested in the form of negative mental reactions of the victim.

6. Legal entity, despite the absence in the law direct instruction, have the possibility to claim compensation of the moral harm caused to business reputation by defamation. In this regard, the Civil code of the Russian Federation should introduce the term "moral reputational damage" which is a separate category of non-pecuniary damage caused by defamation and business reputation of a legal entity information.

Recommendations:

- in the civil legislation of Russia to introduce the institution of defamation for the protection of honor, dignity and business reputation regardless of matching common information.

- as the definition of moral damages to pin the term "psychological harm";

- the Civil code of the Russian Federation should introduce the term "moral reputational damage" which is a separate category of non-pecuniary damage caused by defamation and business reputation of a legal entity information.