

## SUMMARY

**Key Words:** Private international law, court, Acts of national law, Institutional labor relations, National Legal Act, domestic law, public relations.

**Subject matter:** «Acts of national law in the system of sources of private international law»

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**The topicality of the research** lies in the volume of interstate regulation of private-law relations with a foreign element that is constantly growing, which is directly related to integration processes. A significant number of international agreements concluded, broad coverage of the issues they regulated, led, for example, to the fact that in some areas the main source of private international law is an international treaty. This trend is typical for civil-law, family, labor relations, which are most closely related to the life activity of a person regardless of where they live. This provision makes it necessary to study in detail the nature of the sources of private international law.

**The aim of the research** is to analyze acts of national law as a source of private international law, to identify topical issues related to the application of national legislation in the legal regulation of private international law relations

**Objectives:**

- to study the system of sources of Private International Law;
- to analyze international and domestic law in regulating private-law relations with a foreign element;
- to consider in detail the National Legal Act as a source of Private International Law;
- to investigate the application of the national legislation of the Russian Federation in the legal regulation of international private law relations;
- to analyze the application of the national legislation of Great Britain in the legal regulation of international private law relations;

- to identify contemporary problems of the application of national legislation in the legal regulation of international private law relations.

**The theoretical and practical value of the research** lies in the fact that its conclusions describe problems faced by the international commercial arbitration and the ways of their solution. The findings can be used for further improvement of the Russian legislation in the field of international commercial arbitration.

The content of the study can be used in conducting research work on this subject in the educational process and improving the legislation.

**The results obtained.** The study of the system of sources of private international law made it possible to establish that the sources of private international law in the general theory of law are generally understood to mean the totality of forms and means of external expression and the consolidation of legal norms. Traditionally, several types of forms are singled out: domestic legislation, legal custom, international treaties, judicial and arbitration practice.

Proceeding from the specifics of public relations regulated by international private law, as well as its place in the legal system, the sources of private international law have a specific feature, consisting in the so-called duality of the forms of expression and the consolidation of its norms. On the one hand, sources are international treaties and international customs, and on the other - the norms of legislation and judicial practice of individual states. In the first aspect, international regulation is meant, and in the second, regulation is domestic. The priority of certain types of sources of private international law in different states is not the same and, as already noted, depends on the specifics of its legal system.

Analyzing international and domestic law in regulating private-law relations with a foreign element, it is worth noting that two main theories of the relationship between international and domestic law are singled out: dualistic and monistic theories. Dualistic theory considers international and domestic law, as two different, and living independently of each other, systems. Monistic theory, which adheres to the position of unity of the whole law, considers international and domestic law as constituent parts of one legal system. It should be noted that both points of view, on

which these theories rest, have ideological prerequisites. The dualistic theory holds positivism, while monistic theory follows the natural legal thinking and liberal ideas of the world community.

Having considered in detail the national legal act as a source of Private International Law, it can be concluded that domestic law will be the main and primary source of private international law as an area of national law. It should be noted that national laws play the main role in the creation of norms of private international law. In the first place are those national laws that are specifically designed to regulate civil relations with a foreign element.

Investigating the application of the national legislation of the Russian Federation in the legal regulation of international private law relations in the resolution of private legal disputes related to foreign law and order, it became clear that the conflict-based method of regulation continues to dominate in the practice of courts and arbitration.

Having identified modern problems of applying national legislation in the legal regulation of international private law relations, it can be concluded that discussions at conferences have recently become a matter of controversy regarding the degree of transboundary jurisdiction in matters of electronic commerce and defamation. The question is whether the national courts of the member states reach an agreement on the application of certain rules governing these problems, remains open.