

*The Vinogradoff Institute
University College London*

CIVIL CODE
OF THE
REPUBLIC UZBEKISTAN

THIRD EDITION

Translated from the Russian by

W. E. Butler

SIMMONDS & HILL PUBLISHING LTD

KLUWER LAW INTERNATIONAL

**CIVIL CODE OF THE
REPUBLIC UZBEKISTAN**

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CONTENTS

| | |
|---|----|
| The Civil Code of Uzbekistan – W.E. Butler and Maryann E. Gashi-Butler | ix |
| Detailed Table of Contents | xi |
| Laws on Confirmation of Part One and Part Two of Civil Code | 1 |

Civil Code of the Republic Uzbekistan

Part One

Section I. General Provisions

Subsection 1. Basic Provisions

| | |
|------------------------------------|---|
| Chapter 1. Civil Legislation | 3 |
|------------------------------------|---|

| | |
|--|---|
| Chapter 2. Origin of Civil Rights and Duties Effectuation and Defence of Civil Rights | 6 |
|--|---|

Subsection 2. Persons

| | |
|---|---|
| Chapter 3. Citizens (Natural Persons) | 9 |
|---|---|

| | |
|------------------------------------|----|
| Chapter 4. Juridical Persons | 19 |
|------------------------------------|----|

| | |
|-------------------------------|----|
| § 1. General Provisions | 19 |
|-------------------------------|----|

| | |
|-------------------------------------|----|
| § 2. Commercial Organisations | 30 |
|-------------------------------------|----|

| | |
|--|----|
| § 3. Noncommercial Organisations | 38 |
|--|----|

| | |
|--|----|
| Chapter 5. The State as Participant of Civil-Law Relations | 41 |
|--|----|

Subsection 3. Objects

| | |
|-------------------------------------|----|
| Chapter 6. General Provisions | 42 |
|-------------------------------------|----|

| | |
|------------------------------------|----|
| Chapter 7. Material Benefits | 42 |
|------------------------------------|----|

| | |
|---|----|
| Chapter 8. Nonmaterial Benefits and the Defence Thereof | 46 |
|---|----|

Subsection 4. Transactions

| | |
|-------------------------------|----|
| Chapter 9. Transactions | 48 |
|-------------------------------|----|

| | |
|---|----|
| § 1. Concept, Types, and Form of Transactions | 48 |
|---|----|

| | |
|---------------------------------------|----|
| § 2. Invalidity of Transactions | 53 |
|---------------------------------------|----|

| | |
|--|----|
| Chapter 10. Representation and Power of Attorney | 58 |
|--|----|

Subsection 5. Periods. Limitations

| | |
|--|----|
| Chapter 11. Calculation of Periods | 64 |
|--|----|

| | |
|-------------------------------|----|
| Chapter 12. Limitations | 65 |
|-------------------------------|----|

Section II. Right of Ownership and Other Rights to Thing

| | |
|--------------------------------------|----|
| Chapter 13. General Provisions | 70 |
|--------------------------------------|----|

| | |
|--|----|
| Chapter 14. Right of Economic Jurisdiction. Right of Operative Management | 73 |
|--|----|

| | |
|--|----|
| Chapter 15. Acquisition and Termination of Right of Ownership | 75 |
|--|----|

| | |
|-------------------------------------|----|
| Chapter 16. Private Ownership | 84 |
|-------------------------------------|----|

| | |
|------------------------------------|----|
| Chapter 17. Public Ownership | 86 |
|------------------------------------|----|

| | |
|------------------------------------|----|
| Chapter 18. Common Ownership | 88 |
|------------------------------------|----|

| | |
|--|-----|
| Chapter 19. Defence of Right of Ownership and Other Rights to Thing | 94 |
| Section III. Law of Obligations | |
| Subsection 1. General Provisions on Obligations | |
| Chapter 20. Concept of and Parties to Obligations | 96 |
| Chapter 21. Performance of Obligations | 97 |
| Chapter 22. Securing Performance of Obligations | 104 |
| § 1. Penalty | 104 |
| § 2. Pledge | 105 |
| § 3. Withholding | 118 |
| § 4. Suretyship | 119 |
| § 5. Guarantee | 121 |
| § 6. Deposit | 125 |
| Chapter 23. Change of Persons in Obligation | 125 |
| Chapter 24. Responsibility for Violation of Obligations | 129 |
| Chapter 25. Termination of Obligations | 134 |
| Subsection 2. General Provisions on Contract | |
| Chapter 26. Concept and Conditions of Contract | 137 |
| Chapter 27. Conclusion of Contract | 143 |
| Chapter 28. Change and Dissolution of Contract | 150 |

Part Two

| | |
|---|-----|
| Subsection 3. Individual Types of Obligations | |
| Chapter 29. Purchase-Sale | 155 |
| § 1. General Provisions on Purchase-Sale | 155 |
| § 2. Retail Purchase-Sale | 173 |
| § 3. Delivery | 179 |
| § 4. State Contract for Delivery of Goods | 188 |
| § 5. Agricultural Procurement Contract | 192 |
| § 6. Electric Power Supply | 194 |
| § 7. Sale of Immoveable | 198 |
| § 8. Sale of Enterprise | 202 |
| Chapter 30. Barter | 207 |
| Chapter 31. Gift | 208 |
| Chapter 32. Rent | 213 |
| § 1. General Provisions | 213 |
| § 2. Permanent Rent | 215 |
| § 3. Rent for Life | 217 |
| Chapter 33. Alienation of Dwelling House (or Apartment) with Condition of Maintenance for Life | 219 |
| Chapter 34. Property Rental (Lease) | 221 |
| § 1. General Provisions | 221 |
| § 2. Rental | 231 |
| § 3. Lease of Means of Transport | 233 |

| | |
|--|-----|
| § 4. Lease of Buildings and Installations | 236 |
| § 5. Lease of Enterprise | 239 |
| § 6. Finance Lease (Finance Leasing) | 242 |
| Chapter 35. Rental of Dwelling Premise | 246 |
| Chapter 36. Uncompensated Use | 252 |
| Chapter 37. Independent Work | 257 |
| § 1. General Provisions on Independent Work | 257 |
| § 2. Domestic Independent-Work | 271 |
| § 3. Construction Independent-Work | 275 |
| § 4. Independent-Work Contract for Design and Survey Work | 284 |
| § 5. Independent-Work for Scientific-Research, Experimetal-Construction Design, and Technological Work | 287 |
| Chapter 38. Compensated Rendering of Services | 290 |
| Chapter 39. Carriage | 293 |
| Chapter 40. Transport Expediting | 298 |
| Chapter 41. Loan and Credit | 301 |
| § 1. Loan | 301 |
| § 2. Credit | 305 |
| Chapter 42. Financing Under Assignment of Monetary Demand | 307 |
| Chapter 43. Bank Deposit | 311 |
| Chapter 44. Bank Account | 317 |
| Chapter 45. Settlement of Accounts | 324 |
| § 1. General Provisions on Settlement of Accounts | 324 |
| § 2. Settlements of Accounts by Payment Orders | 325 |
| § 3. Settlement of Accounts by Letter of Credit | 326 |
| § 4. Settlements of Accounts by Encashment | 329 |
| § 5. Settlements of Accounts by Cheques | 331 |
| Chapter 46. Commission | 335 |
| Chapter 47. Actions in Another's Interest Without Commission | 339 |
| Chapter 48. Commission Agency | 342 |
| Chapter 49. Trust Management of Property | 350 |
| Chapter 50. Complex Entrepreneurial License (Franchising) .. | 357 |
| Chapter 51. Keeping | 362 |
| § 1. General Provisions on Keeping | 362 |
| § 2. Individual Types of Keeping | 370 |
| § 3. Keeping in Goods Warehouse | 374 |
| Chapter 52. Insurance | 378 |
| Chapter 53. Simple Partnership | 401 |
| Chapter 54. Public Competition | 407 |
| Chapter 55. Public Promise of Reward | 409 |
| Chapter 56. Conducting Games and Betting | 411 |

| | |
|---|-----|
| Chapter 57. Obligations as Consequence of Causing Harm | 412 |
| § 1. General Provisions | 412 |
| § 2. Compensation of Harm Caused to Life and Health of Citizen | 421 |
| § 3. Compensation of Harm Caused as Consequence of Defects of Goods, Work, or Services | 428 |
| § 4. Contributory Compensation of Moral Harm | 429 |
| Chapter 58. Obligations as Consequence of Unfounded Enrichment | 430 |
| Section IV. Intellectual Property | |
| Chapter 59. General Provisions | 433 |
| Chapter 60. Author's Right | 438 |
| Chapter 61. Neighbouring Rights | 451 |
| Chapter 62. Right to Industrial Property (Right to Invention, Utility Model, Industrial Design) | 454 |
| Chapter 63. Rights to New Varieties of Flora and New Strains of Fauna | 457 |
| Chapter 64. Defence of Undivulged Information Against Illegal Use | 458 |
| Chapter 65. Means of Individualisation of Participants of Civil Turnover, Goods, Work, and Services | 460 |
| § 1. Firm Name | 460 |
| § 2. Trademark (or Service Mark) | 461 |
| § 3. Name of Place of Origin of Good | 462 |
| Section V. Inheritance Law | |
| Chapter 66. General Provisions on Inheriting | 464 |
| Chapter 67. Inheriting by Will | 467 |
| Chapter 68. Inheriting by Operation of Law | 475 |
| Chapter 69. Acquisition of Inheritance | 479 |
| Section VI. Application of Norms of Private International Law to Civil Law Relations | |
| Chapter 70. General Provisions | 484 |
| Chapter 71. Conflicts Norms | 487 |
| § 1. Persons | 487 |
| § 2. Personal Nonproperty Rights. Intellectual Property .. | 490 |
| § 3. Transactions. Representation. Periods of Limitation .. | 491 |
| § 4. Rights to Thing | 492 |
| § 5. Contractual Obligations | 493 |
| § 6. Extracontractual Obligations | 495 |
| § 7. Inheritance Law | 497 |
| Decree on the Procedure for the Introduction into Operation of the Civil Code of the Republic Uzbekistan | 499 |

THE CIVIL CODE OF UZBEKISTAN

W. E. Butler and Maryann E. Gashi-Butler

Just as the other Independent States, the Republic Uzbekistan had in place when the former Soviet Union disappeared its own Civil Code of the Uzbek SSR confirmed on 23 March 1963 which replicated in all material respects the 1961 Fundamental Principles of Civil Legislation of the USSR and Union Republics. However, Uzbekistan did not emulate Kazakhstan and the Russian Federation by introducing the 1991 Fundamental Principles of Civil Legislation of the USSR and Republics into force in Uzbekistan. Rather the 1963 Civil Code was partially replaced and augmented by a series of individual laws on Land (20 June 1990, as amended), ownership (31 October 1990, as amended), entrepreneurship (15 February 1991, as amended), enterprises (15 February 1991, as amended), foreign economic activity (13 June 1991, as amended), lease (19 November 1991, as amended), pledge (9 December 1992, as amended), insurance (6 May 1993, as amended), trademarks and service marks (7 May 1993), foreign investments (5 May 1994, as amended), bankruptcy (5 May 1994, as amended), the protection of electronic computer and data base programmes (6 May 1994), inventions, utility models, and industrial designs (6 May 1994), and the law on joint-stock societies (26 April 1996), amongst the most salient.¹

The Republic Uzbekistan was the first member of the Commonwealth of Independent States to enact a full Civil Code. It has relied in considerable measure upon the Model Civil Code developed within the Inter-Parliamentary Assembly of the CIS, but in a number of respects has departed from that Model. In particular, the number of articles devoted to juridical persons is considerably less as in Uzbekistan detailed regulation is to be left to individual laws.² Family law is being retained intact as the object of a separate

¹ For a list of the laws of Uzbekistan since independence, see W. E. Butler *Uzbekistan Legislation* (Tashkent, Adolat, 1999).

² These are collected and translated in W. E. Butler (ed. & transl.), *Uzbekistan Legal Texts* (London and The Hague, Kuwer Law International/Simmonds & Hill, 1999).

Code in Uzbekistan, but international private law has been incorporated into the Civil Code.

The accompanying Decree on the procedure for introducing the Civil Code into force deserves careful attention. It should be noted that the entire Code entered into force simultaneously, from 1 March 1997, even though it was enacted in two parts over a period of nearly nine months. Article 48 of the Code was amended on 27 December 1996; on 30 August 1997, Article 775; and on 1 May 1998, Articles 53 and 784.

The translation is based on the official Russian-language text. This also has appeared in book form published by the Ministry of Justice of the Republic Uzbekistan.³

³ *Гражданский кодекс Республики Узбекистан*. (Ташкент, Адолат, 1996). 528 p. Also see *Ведомости Олий Мажлиса Республики Узбекистан* (1996), nos.11-12, Annex No. 2; (1997), no. 2, item 56; no. 9, item 241; (1998), no. 5-6, item 102.

Detailed Table of Contents
Civil Code of the Republic Uzbekistan

Part One

Section I. General Provisions

Subsection 1. Basic Provisions

Chapter 1. Civil Legislation

| | |
|---|---|
| Article 1. Basic Principles of Civil Legislation | 3 |
| Article 2. Relations Regulated by Civil Legislation | 3 |
| Article 3. Acts of Civil Legislation | 4 |
| Article 4. Operation of Civil Legislation in Time..... | 4 |
| Article 5. Application of Civil Legislation by Analogy | 5 |
| Article 6. Customs of Business Turnover. Local Customs and Traditions | 5 |
| Article 7. Civil Legislation and International Treaties and Agreements | 5 |

*Chapter 2. Origin of Civil Rights and Duties
Effectuation and Defence of Civil Rights*

| | |
|--|---|
| Article 8. Grounds for Civil Rights and Duties to Arise | 6 |
| Article 9. Effectuation of Civil Rights | 6 |
| Article 10. Judicial Defence of Civil Rights | 7 |
| Article 11. Means of Defence of Civil Rights | 7 |
| Article 12. Deeming Act of State Agency or Agency of Self-Government of Citizens to be Invalid | 8 |
| Article 13. Self-Defence of Civil Rights | 8 |
| Article 14. Compensation of Losses | 8 |
| Article 15. Compensation of Losses Caused by State Agencies and Agencies of Self-Government of Citizens | 9 |

Subsection 2. Persons

Chapter 3. Citizens (Natural Persons)

| | |
|---|----|
| Article 16. Concept of Citizen (Natural Person)..... | 9 |
| Article 17. Legal Capacity of Citizens | 9 |
| Article 18. Content of Legal Capacity of Citizens | 9 |
| Article 19. Name of Citizen | 10 |
| Article 20. Defence of Name..... | 10 |

| | |
|--|----|
| Article 21. Place of Residence of Citizen | 11 |
| Article 22. Dispositive Legal Capacity of Citizen | 11 |
| Article 23. Inadmissibility of Limitation of Legal Capacity and Dispositive Legal Capacity of Citizen | 11 |
| Article 24. Entrepreneurial Activity of Citizen | 12 |
| Article 25. Property Responsibility of Citizen | 12 |
| Article 26. Insolvency (or Bankruptcy) of Individual Entrepreneur | 12 |
| Article 27. Dispositive Legal Capacity of Minors from Fourteen to Eighteen Years of Age | 13 |
| Article 28. Emancipation | 14 |
| Article 29. Dispositive Legal Capacity of Minors Who Have Not Attained Fourteen Years of Age | 14 |
| Article 30. Deeming of Citizen to Lack Dispositive Legal Capacity | 14 |
| Article 31. Limitation of Dispositive Legal Capacity of Citizen | 15 |
| Article 32. Trusteeship and Guardianship | 15 |
| Article 33. Deeming of Citizen to be Missing | 16 |
| Article 34. Consequences of Deeming Citizen to be Missing | 16 |
| Article 35. Vacating Decision on Deeming Citizen to be Missing | 17 |
| Article 36. Declaration of Citizen to be Deceased | 17 |
| Article 37. Consequences of Appearance of Citizen Declared to be Deceased | 17 |
| Article 38. Registration of Acts of Civil Status | 18 |

Chapter 4. Juridical Persons

§ 1. General Provisions

| | |
|---|----|
| Article 39. Concept of Juridical Person | 19 |
| Article 40. Types of Juridical Persons | 19 |
| Article 41. Legal Capacity of Juridical Person | 20 |
| Article 42. Arising of Juridical Persons | 20 |
| Article 43. Constitutive Documents of Juridical Person | 20 |
| Article 44. State Registration of Juridical Persons | 21 |
| Article 45. Organs of Juridical Person | 22 |
| Article 46. Name and Location of Juridical Person | 22 |
| Article 47. Representations and Branches | 23 |
| Article 48. Responsibility of Juridical Person | 23 |
| Article 49. Reorganisation of Juridical Person | 24 |
| Article 50. Legal Succession In Event of Reorganisation of Juridical Persons | 25 |
| Article 51. Act of Transfer and Division Balance Sheet | 26 |
| Article 52. Guarantees of Rights of Creditors of Juridical Person in Event of its Reorganisation | 26 |
| Article 53. Liquidation of Juridical Person | 26 |

| | |
|---|----|
| Article 54. Duties of Person Which Adopted Decision Concerning Liquidation of Juridical Person | 27 |
| Article 55. Procedure for Liquidation of Juridical Person | 28 |
| Article 56. Satisfaction of Demands of Creditors | 29 |
| Article 57. Insolvency (or Bankruptcy) of Juridical Person | 29 |

§ 2. Commercial Organisations

| | |
|---|----|
| Article 58. Basic Provisions on Economic Partnerships and Societies | 30 |
| Article 59. Rights and Duties of Participants of Economic Partnership or Society | 31 |
| Article 60. Full Partnership | 31 |
| Article 61. Kommandit Partnership | 32 |
| Article 62. Limited Responsibility Society | 32 |
| Article 63. Additional Responsibility Society | 33 |
| Article 64. Joint-Stock Society | 33 |
| Article 65. Open Joint-Stock Society | 34 |
| Article 66. Closed Joint-Stock Society | 34 |
| Article 67. Subsidiary Economic Society | 35 |
| Article 68. Dependent Economic Society | 35 |
| Article 69. Production Cooperatives | 35 |
| Article 70. Unitary Enterprise | 36 |
| Article 71. Unitary Enterprise Based on Right of Economic Jurisdiction | 37 |
| Article 72. State Unitary Enterprise Based on Right of Operative Management | 37 |

§ 3. Noncommercial Organisations

| | |
|---|----|
| Article 73. Consumer Cooperative | 38 |
| Article 74. Social Associations | 39 |
| Article 75. Social Foundations | 39 |
| Article 76. Institutions | 40 |
| Article 77. Associations of Juridical Persons (Associations [ассоциация] and Unions) | 40 |
| Article 78. Agencies of Self-Government of Citizens | 41 |

Chapter 5. The State as Participant of Civil-Law Relations

| | |
|--|----|
| Article 79. Participation of the State in Civil-Law Relations | 41 |
| Article 80. Delimitation of Responsibility of State and Juridical Persons | 41 |

Subsection 3. Objects

Chapter 6. General Provisions

| | |
|--|----|
| Article 81. Types of Objects of Civil Rights | 42 |
| Article 82. Circulability of Objects of Civil Rights | 42 |

Chapter 7. Material Benefits

| | |
|--|----|
| Article 83. Types of Property | 42 |
| Article 84. State Registration of Immoveable | 43 |
| Article 85. Enterprise | 43 |
| Article 86. Classification of Things | 44 |
| Article 87. Individually-Determined Things and Things Determined by Generic Characteristics | 44 |
| Article 88. Divisible and Indivisible Things | 44 |
| Article 89. Things Consumable and Nonconsumable | 45 |
| Article 90. Principal Thing and Appurtenance | 45 |
| Article 91. Complex Things | 45 |
| Article 92. Right to Fruits and Revenues | 45 |
| Article 93. Fauna | 45 |
| Article 94. Money (Currency) | 46 |
| Article 95. Currency Valuables | 46 |
| Article 96. Securities | 46 |

Chapter 8. Nonmaterial Benefits and the Defence Thereof

| | |
|--|----|
| Article 97. Results of Intellectual Activity | 46 |
| Article 98. Employment and Commercial Secrecy | 47 |
| Article 99. Personal Property Rights and Other Nonmaterial Benefits | 47 |
| Article 100. Defence of Honour, Dignity, and Business Reputation | 47 |

Subsection 4. Transactions and Representation

Chapter 9. Transactions

§ 1. Concept, Types, and Form of Transaction

| | |
|--|----|
| Article 101. Concept of Transactions | 48 |
| Article 102. Types of Transactions | 49 |
| Article 103. Legal Regulation of Unilateral Transactions | 49 |
| Article 104. Transactions Concluded Under a Condition | 49 |
| Article 105. Form of Transactions | 50 |
| Article 106. Oral Form of Transaction | 50 |
| Article 107. Written Form of Transaction | 50 |

| | |
|---|----|
| Article 108. Simple Written Form of Transaction | 51 |
| Article 109. Consequences of Failure to Comply with Simple Written Form of Transaction | 51 |
| Article 110. Notarial Certification of Transaction | 52 |
| Article 111. State Registration of Transactions | 52 |
| Article 112. Consequences of Failure to Comply with Notarial Form of Transaction and Requirements for Registration Thereof | 52 |

§ 2. Invalidity of Transactions

| | |
|---|----|
| Article 113. Contested and Null Transactions | 53 |
| Article 114. General Provisions on Consequences of Invalidity of Transaction | 53 |
| Article 115. Failure to Comply with Form of Transaction Required by a Law | 53 |
| Article 116. Invalidity of Transaction Not Conforming to Requirements of Legislation | 54 |
| Article 117. Invalidity of Transaction Concluded by Person Who Has Not Attained Fourteen Years of Age | 54 |
| Article 118. Invalidity of Transaction Concluded by Minor from Fourteen to Eighteen Years of Age | 54 |
| Article 119. Invalidity of Transaction Concluded by Citizen Deemed to Lack Dispositive Legal Capacity | 55 |
| Article 120. Invalidity of Transaction Concluded by Citizen Limited in Dispositive Legal Capacity | 55 |
| Article 121. Invalidity of Transaction Concluded by Citizen Not Capable of Understanding the Significance of His Actions or Guiding Them | 55 |
| Article 122. Invalidity of Transaction Concluded Under Influence of Delusion | 56 |
| Article 123. Invalidity of Transaction Concluded Under Influence of Fraud, Coercion, Threat, or Ill-Intentioned Agreement of Representative of One Party with Other Party or Confluence of Grave Circumstances | 56 |
| Article 124. Invalidity of Fictitious and Sham Transactions | 57 |
| Article 125. Invalidity of Transaction Exceeding the Limits of Its Legal Capacity of Juridical Person | 57 |
| Article 126. Consequences of Limitation of Powers to Conclude Transaction | 57 |
| Article 127. Moment from Which Transaction is Considered to be Invalid | 58 |
| Article 128. Consequences of Invalidity of Part of Transaction | 58 |

Chapter 10. Representation and Power of Attorney

| | |
|---|----|
| Article 129. Representation | 58 |
| Article 130. Representation of Person With Dispositive Legal Capacity | 59 |
| Article 131. Representation of Person Who Lacks Dispositive Legal Capacity | 59 |
| Article 132. Representation Without Power | 59 |
| Article 133. Commercial Representation | 59 |
| Article 134. Power of Attorney | 60 |
| Article 135. Form of Power of Attorney | 60 |
| Article 136. Powers of Attorney Equated to Notarially Certified | 60 |
| Article 137. Other Forms of Power of Attorney | 61 |
| Article 138. Power of Attorney of Juridical Person | 61 |
| Article 139. Period of Power of Attorney | 61 |
| Article 140. Transfer of Powers Under Power of Attorney to Another Person (Transfer of Power of Attorney) | 62 |
| Article 141. Termination of Power of Attorney | 62 |
| Article 142. Notification of Persons Concerning Termination of Power of Attorney | 63 |
| Article 143. Actions Performed by Person To Whom Power of Attorney Was Issued After Termination of Power of Attorney | 63 |
| Article 144. Duty to Return Power of Attorney | 64 |

Subsection 5. Periods. Limitations

Chapter 11. Calculation of Periods

| | |
|--|----|
| Article 145. Determination of Period | 64 |
| Article 146. Commencement of Period Determined by Period of Time | 64 |
| Article 147. Ending of Period Determined by Period of Time | 64 |
| Article 148. Procedure for Performing Actions on Last Day of Period | 65 |

Chapter 12. Limitations

| | |
|--|----|
| Article 149. Concept of Limitations | 65 |
| Article 150. General Period of Limitations | 65 |
| Article 151. Special Periods of Limitations | 65 |
| Article 152. Invalidity of Agreement to Change Periods of Limitations | 66 |
| Article 153. Application of Limitations | 66 |
| Article 154. Commencement of Running of Period of Limitations | 66 |

| | |
|---|----|
| Article 155. Period of Limitations in Event of Change of Persons in Obligation | 67 |
| Article 156. Suspension of Running of Period of Limitations | 67 |
| Article 157. Interruption of Running of Period of Limitations | 67 |
| Article 158. Running of Period of Limitations in Event of Leaving Suit Without Consideration | 68 |
| Article 159. Restoration of Period of Limitations | 68 |
| Article 160. Suspension, Interruption and Restoration of Special Period of Limitations | 68 |
| Article 161. Performance of Duty Upon Expiry of Period of Limitations | 69 |
| Article 162. Application of Period of Limitations to Additional Demands | 69 |
| Article 163. Demands to Which Limitations Do Not Extend | 69 |

Section II. Right of Ownership and Other Rights to Thing

Chapter 13. General Provisions

| | |
|---|----|
| Article 164. Concept of Right of Ownership..... | 70 |
| Article 165. Content of Rights to Thing of Persons Who Are Not Owners | 70 |
| Article 166. Inviolability of Ownership..... | 70 |
| Article 167. Forms of Ownership | 71 |
| Article 168. Subjects of Right of Ownership | 71 |
| Article 169. Objects of Right of Ownership | 71 |
| Article 170. Right of Ownership and Other Rights to Thing to Land and Other Natural Resources | 71 |
| Article 171. Peculiarities of Effectuation of Right of Ownership and Other Rights to Thing in Dwelling Premise | 71 |
| Article 172. Conditions of Effectuation of Right of Ownership | 72 |
| Article 173. Right of Limited Use of Another's Land Plot (Servitude)..... | 72 |
| Article 174. Burden of Maintenance of Property | 73 |
| Article 175. Risk of Accidental Perishing or Spoilage of Property | 73 |

Chapter 14. Right of Economic Jurisdiction. Right of Operative Management

| | |
|---|----|
| Article 176. Right of Economic Jurisdiction | 73 |
| Article 177. Rights of Owner With Respect to Property in Economic Jurisdiction | 73 |
| Article 178. Right of Operative Management..... | 74 |
| Article 179. Disposition of Property of State Enterprise | 74 |
| Article 180. Disposition of Property of Institution | 74 |

| | |
|---|----|
| Article 181. Acquisition and Termination of Right of Economic Jurisdiction and Right of Operative Management | 75 |
|---|----|

*Chapter 15. Acquisition and Termination of Right of
Ownership*

| | |
|--|----|
| Article 182. Grounds for Acquisition of Right of Ownership | 75 |
| Article 183. Creation and Increment of Property | 75 |
| Article 184. Acquisition of Property Under Transaction | 76 |
| Article 185. Moment of Arising of Right of Ownership in Acquirer of Property Under Contract | 76 |
| Article 186. Transfer of Thing | 76 |
| Article 187. Acquisitive Prescription | 77 |
| Article 188. Right of Ownership to Land Plots | 77 |
| Article 189. Conversion into Ownership of Things Generally Accessible for Gathering | 77 |
| Article 190. Improvident Maintenance of Monuments of History and Culture | 78 |
| Article 191. Masterless Thing | 78 |
| Article 192. Find | 79 |
| Article 193. Acquisition of Right of Ownership in Find | 79 |
| Article 194. Compensation for Expenses Connected with Find and Remuneration to Finder of Thing | 79 |
| Article 195. Neglected Animals | 80 |
| Article 196. Treasure | 81 |
| Article 197. Grounds for Termination of Right of Ownership | 81 |
| Article 198. Liquidation and Writing Off of Property | 82 |
| Article 199. Seizure of Property from Owner | 82 |
| Article 200. Uncontested Recovery of Indebtedness | 82 |
| Article 201. Peculiarities of Acquisition and Termination of Right of Ownership to Precious Metals and Stones | 82 |
| Article 202. Nationalisation | 83 |
| Article 203. Requisition | 83 |
| Article 204. Confiscation | 83 |
| Article 205. Determination of Value of Property in Event of its Seizure and Right to Compensation of Losses | 83 |
| Article 206. Termination of Right of Ownership Not Aimed Directly at Withdrawal of Property from Owner | 84 |

Chapter 16. Private Ownership

| | |
|---|----|
| Article 207. Right of Private Ownership | 84 |
| Article 208. Subjects of Right of Private Ownership | 84 |
| Article 209. Objects of Right of Private Ownership | 85 |

| | |
|---|----|
| Article 210. Procedure for Arising of Right of Ownership in Dwelling House (or Apartment) | 85 |
| Article 211. Property of Owners of Apartments in Apartment House | 85 |
| Article 212. Arbitrary Structure and Its Consequences | 86 |

Chapter 17. Public Ownership

| | |
|--|----|
| Article 213. Concept of Public Ownership | 86 |
| Article 214. Republic Ownership | 87 |
| Article 215. Municipal Ownership | 87 |

Chapter 18. Common Ownership

| | |
|---|----|
| Article 216. Concept and Grounds of Origin of Common Ownership | 88 |
| Article 217. Determination of Participatory Share in Right of Participatory Share Ownership | 88 |
| Article 218. Disposition of Property in Participatory Share Ownership | 89 |
| Article 219. Possession and Use of Property in Participatory Share Ownership | 89 |
| Article 220. Fruits, Product, and Revenues from Use of Property in Participatory Share Ownership | 90 |
| Article 221. Distribution of Expenses for Maintenance of Property in Common Participatory Ownership | 90 |
| Article 222. Moment of Transfer of Participatory Share in Right of Common Ownership to Acquirer Under Contract | 90 |
| Article 223. Division of Property in Participatory Share Ownership and Partition of Participatory Share Therefrom | 90 |
| Article 224. Right of Preferential Purchase | 91 |
| Article 225. Possession, Use, and Disposition of Property in Joint Ownership | 92 |
| Article 226. Division of Property in Joint Ownership and Partition of Participatory Share Therefrom | 93 |
| Article 227. Levying Execution Against Participatory Share in Common Property | 93 |

Chapter 19. Defence of Right of Ownership and Other Rights to Thing

| | |
|--|----|
| Article 228. Demanding and Obtaining Property from Another's Illegal Possession (Vindicatio) | 94 |
| Article 229. Demanding and Obtaining Property from a Good-Faith Acquirer | 94 |
| Article 230. Compensation of Revenues and Expenses When Demanding and Obtaining Property from Another's Illegal Possession | 94 |

| | |
|--|----|
| Article 231. Defence of Rights of Owner Against Violations Not Connected with Deprivation of Possession (Nugatory Suit) | 95 |
| Article 232. Defence of Rights of Possessor Who is Not the Owner | 95 |
| Article 233. Consequences of Termination of Right of Ownership by Virtue of Law | 96 |

Section III. Law of Obligations

Subsection I. General Provisions on Obligations

Chapter 20. Concept of and Parties to Obligations

| | |
|--|----|
| Article 234. Concept of Obligation and Grounds of its Origin | 96 |
| Article 235. Parties to Obligation | 96 |

Chapter 21. Performance of Obligations

| | |
|---|-----|
| Article 236. General Provisions | 97 |
| Article 237. Inadmissibility of Unilateral Refusal to Perform Obligation | 97 |
| Article 238. Performance of Obligation by Agreed and Acceptable Means | 97 |
| Article 239. Performance of Obligation in Parts | 97 |
| Article 240. Performance of Obligation to Proper Person | 98 |
| Article 241. Placing Performance of Obligation on Third Person | 98 |
| Article 242. Period for Performance of Obligation | 98 |
| Article 243. Performance of Obligation Before Time | 98 |
| Article 244. Deferral or Instalment Performance of Obligation | 99 |
| Article 245. Currency of Monetary Obligations | 99 |
| Article 246. Place of Performance of Obligation | 99 |
| Article 247. Increase of Amounts Payable for Maintenance of Citizen | 100 |
| Article 248. Priority of Payment of Demands Relating to Monetary Obligation | 100 |
| Article 249. Performance of Obligation by Placing Debt on Deposit | 100 |
| Article 250. Performance of Alternative Obligation | 101 |
| Article 251. Performance of Obligation in Which Several Creditors or Several Debtors Participate | 101 |
| Article 252. Rights of Creditor in Event of Joint and Several Duty of Debtors | 101 |
| Article 253. Objections of Joint and Several Debtors to Demand of Creditor | 102 |
| Article 254. Performance of Joint and Several Duty by One of Debtors | 102 |
| Article 255. Joint and Several Demands | 102 |

| | |
|---|-----|
| Article 256. Counter Performance of Obligations | 103 |
| Article 257. Certification of Performance of Obligation | 103 |
| Article 258. Consequences of Failure to Perform Demand Concerning Certification of Performance of Obligation | 104 |

Chapter 22. Securing Performance of Obligations

| | |
|---------------------------------------|-----|
| Article 259. General Provisions | 104 |
|---------------------------------------|-----|

§ 1. Penalty

| | |
|---|-----|
| Article 260. Concept of Penalty | 104 |
| Article 261. Form of Penalty | 105 |
| Article 262. Form of Agreement on Penalty | 105 |
| Article 263. Legal Penalty | 105 |

§ 2. Pledge

| | |
|--|-----|
| Article 264. Concept and Grounds for Arising of Pledge | 105 |
| Article 265. Types of Pledge | 106 |
| Article 266. Pledgor | 106 |
| Article 267. Subject of Pledge | 106 |
| Article 268. Demand Secured by Pledge | 106 |
| Article 269. Pledge With and Without Transfer of Pledged Property to Pledgeholder | 107 |
| Article 270. Origin of Right of Pledge | 107 |
| Article 271. Contract on Pledge, Its Form and Registration | 107 |
| Article 272. Property to Which Rights of Pledgeholder Extend | 108 |
| Article 273. Subsequent Pledge | 109 |
| Article 274. Content and Preservation of Pledged Property | 109 |
| Article 275. Consequences of Loss of or Damage to Pledged Property ... | 110 |
| Article 276. Substitution and Restoration of Subject of Pledge | 111 |
| Article 277. Use and Disposition of Subject of Pledge | 111 |
| Article 278. Defence by Pledgeholder of His Rights to Subject of Pledge | 111 |
| Article 279. Grounds for Levying Execution Against Pledged Property | 112 |
| Article 280. Procedure for Levy of Execution Against Pledged Property | 112 |
| Article 281. Realisation of Pledged Property | 113 |
| Article 282. Performance of Obligation Before Time Secured by Pledge and Levy of Execution Against Pledged Property | 114 |
| Article 283. Termination of Pledge | 115 |
| Article 284. Preservation of Pledge in Event of Transfer of Right to Pledged Property to Another Person | 115 |

| | |
|---|-----|
| Article 285. Consequences of Compulsory Withdrawal of Pledged Property | 116 |
| Article 286. Assignment of Rights Regarding Contract on Pledge | 116 |
| Article 287. Transfer of Debt Regarding Obligation Secured by Pledge | 117 |
| Article 288. Pledge of Goods in Turnover | 117 |
| Article 289. Pledge of Things in Pawnshop | 117 |

§ 3. Withholding

| | |
|---|-----|
| Article 290. Grounds of Withholding | 118 |
| Article 291. Satisfaction of Demands at Expense of Withheld Property | 119 |

§ 4. Suretyship

| | |
|--|-----|
| Article 292. Contract of Suretyship | 119 |
| Article 293. Responsibility of Surety | 119 |
| Article 294. Rights and Duties of Surety in Event of Suit Brought Against Him | 120 |
| Article 295. Rights of Surety Who Has Performed Obligation | 120 |
| Article 296. Notification of Surety about Performance of Obligation by Debtor | 120 |
| Article 297. Payment for Services of Surety | 121 |
| Article 298. Termination of Suretyship | 121 |

§ 5. Guarantee

| | |
|--|-----|
| Article 299. Concept of Guarantee | 121 |
| Article 300. Securing Obligation of Principal by Guarantee | 122 |
| Article 301. Independence of Guarantee from Principal Obligation | 122 |
| Article 302. Irrevocability of Guarantee | 122 |
| Article 303. Nontransferability of Rights Under Guarantee | 122 |
| Article 304. Entry of Guarantee into Force | 122 |
| Article 305. Presentation of Demand under Guarantee | 122 |
| Article 306. Duties of Guarantor When Demand of Beneficiary is Considered | 123 |
| Article 307. Refusal of Guarantor to Satisfy Demand of Beneficiary | 123 |
| Article 308. Limits of Obligations of Guarantor | 123 |
| Article 309. Termination of Guarantee | 124 |
| Article 310. Regressive Demands of Guarantor Against Principal | 124 |

§ 6. Deposit

| | |
|---|-----|
| Article 311. Concept of Deposit. Form of Agreement on Deposit | 125 |
|---|-----|

| | |
|--|-----|
| Article 312. Consequences of Termination and Failure to Perform Obligation Secured by Deposit | 125 |
|--|-----|

Chapter 23. Change of Persons in Obligation

| | |
|--|-----|
| Article 313. Grounds and Procedure for Transfer of Rights of Creditor to Other Person | 125 |
| Article 314. Rights Which May Not Pass to Other Persons | 126 |
| Article 315. Amount of Rights of Creditor Passing to Other Person | 126 |
| Article 316. Evidence of Rights of New Creditor | 126 |
| Article 317. Objections of Debtor Against Demand of New Creditor | 127 |
| Article 318. Transfer of Rights of Creditor to Another Person on Basis of Law | 127 |
| Article 319. Conditions of Assignment of Demand | 127 |
| Article 320. Form of Assignment of Demand | 127 |
| Article 321. Responsibility of Creditor Who Has Assigned Demand | 128 |
| Article 322. Transfer of Debt | 128 |
| Article 323. Parallel Transfer of Debt and Transfer of Performance | 128 |

Chapter 24. Responsibility for Violation of Obligations

| | |
|--|-----|
| Article 324. Duty of Debtor to Compensate Losses | 129 |
| Article 325. Penalty and Losses | 129 |
| Article 326. Reduction of Penalty | 129 |
| Article 327. Responsibility for Failure to Perform Monetary Obligation | 130 |
| Article 328. Performance of Obligation at Expense of Debtor | 130 |
| Article 329. Subsidiary Responsibility | 130 |
| Article 330. Responsibility and Performance of Obligation in Kind | 131 |
| Article 331. Consequences of Failure to Perform Obligation to Transfer Individually-Specified Thing | 131 |
| Article 332. Limitation of Amount of Responsibility for Obligations | 132 |
| Article 333. Grounds of Responsibility for Violation of Obligations | 132 |
| Article 334. Responsibility of Debtor for Actions of Third Persons | 133 |
| Article 335. Fault of Creditor | 133 |
| Article 336. Consequences of Failure to Perform Bilateral Contract | 133 |
| Article 337. Delay of Performance by Debtor and Creditor | 134 |
| Article 338. Consequences of Delay of Creditor | 134 |
| Article 339. Relieving Creditor from Responsibility for Delay | 134 |

Chapter 25. Termination of Obligations

| | |
|---|-----|
| Article 340. Grounds for Termination of Obligations | 134 |
| Article 341. Termination of Obligation by Performance | 135 |
| Article 342. Release-Money | 135 |

| | |
|---|-----|
| Article 343. Termination of Obligation by Set-Off | 135 |
| Article 344. Inadmissibility of Set-Off | 135 |
| Article 345. Set-Off in Event of Assignment of Demand | 135 |
| Article 346. Termination of Obligation by Coincidence of Debtor and Creditor in One Person | 136 |
| Article 347. Termination of Obligation by Novation | 136 |
| Article 348. Forgiveness of Debt | 136 |
| Article 349. Termination of Obligation for Impossibility of Performance | 136 |
| Article 350. Termination of Obligation on Basis of Act of State Agency | 136 |
| Article 351. Termination of Obligation by Death of Citizen | 137 |
| Article 352. Termination of Obligation by Liquidation of Juridical Person | 137 |

Subsection 2. General Provisions on Contract

Chapter 26. Concept and Conditions of Contract

| | |
|--|-----|
| Article 353. Concept of Contract | 137 |
| Article 354. Freedom of Contract | 138 |
| Article 355. Contract For and Without Compensation | 139 |
| Article 356. Price | 139 |
| Article 357. Operation of Contract | 139 |
| Article 358. Public Contract | 140 |
| Article 359. Model Conditions of Contracts | 140 |
| Article 360. Contract of Adhesion | 141 |
| Article 361. Preliminary Contract | 141 |
| Article 362. Contract to Benefit of Third Person | 142 |
| Article 363. Interpretation of Contract | 142 |

Chapter 27. Conclusion of Contract

| | |
|---|-----|
| Article 364. Basic Provisions on Conclusion of Contract | 143 |
| Article 365. Moment of Conclusion of Contract | 143 |
| Article 366. Form of Contract | 144 |
| Article 367. Offer | 144 |
| Article 368. Irrevocability of Offer | 145 |
| Article 369. Invitation to Make Offers. Public Offer | 145 |
| Article 370. Acceptance | 145 |
| Article 371. Revocation of Acceptance | 145 |
| Article 372. Conclusion of Contract on Basis of Offer Determining Period for Acceptance | 146 |
| Article 373. Conclusion of Contract on Basis of Offer Not Containing Period for Acceptance | 146 |

| | |
|--|-----|
| Article 374. Acceptance Received Late | 146 |
| Article 375. Acceptance on Other Conditions | 146 |
| Article 376. Place of Conclusion of Contract | 147 |
| Article 377. Conclusion of Contract in Obligatory Procedure | 147 |
| Article 378. Precontractual Disputes | 148 |
| Article 379. Conclusion of Contract at Public Sale | 148 |
| Article 380. Organisation and Procedure for Holding Public Sale | 149 |
| Article 381. Consequences of Violation of Rules for Holding Public Sale | 150 |

Chapter 28. Change and Dissolution of Contract

| | |
|--|-----|
| Article 382. Grounds for Change and Dissolution of Contract | 150 |
| Article 383. Change and Dissolution of Contract in Connection with Material Change of Circumstances | 151 |
| Article 384. Procedure for Change of and Dissolution of Contract | 152 |
| Article 385. Consequences of Dissolution of and Change of Contract.... | 152 |

Part Two

Subsection 3. Individual Types of Obligations

Chapter 29. Purchase-Sale

§ 1. General Provisions on Purchase-Sale

| | |
|--|-----|
| Article 386. Contract of Purchase-Sale | 155 |
| Article 387. Condition of Contract on Good | 155 |
| Article 388. Duties of Seller Relating to Transfer of Good | 156 |
| Article 389. Period for Performance of Duty to Transfer Good | 156 |
| Article 390. Moment of Performance of Duty of Seller to Transfer Good | 156 |
| Article 391. Duty of Seller Relating to Preservation of Sold Property | 157 |
| Article 392. Transfer of Risk of Accidental Perishing or Accidental Damaging of Good | 157 |
| Article 393. Duty of Seller to Transfer Good Free of Rights of Third Persons | 158 |
| Article 394. Duties of Purchaser and Seller in Event of Filing of Suit Concerning Seizure of Good | 158 |
| Article 395. Responsibility of Seller in Event of Seizure of Good from Purchaser | 159 |
| Article 396. Consequences of Refusal of Seller to Transfer Good | 159 |
| Article 397. Consequences of Failure to Perform Duty to Transfer Appurtenances and Documents Relating to Good | 159 |

| | |
|---|-----|
| Article 398. Quantity of Good | 160 |
| Article 399. Consequences of Violation of Condition Concerning Quantity of Good | 160 |
| Article 400. Assortment of Goods | 160 |
| Article 401. Consequences of Violation of Condition of Contract on Assortment of Good | 161 |
| Article 402. Quality of Good | 162 |
| Article 403. Guarantee of Quality of Good | 162 |
| Article 404. Calculation of Guarantee Period of Good | 163 |
| Article 405. Period of Fitness of Good | 163 |
| Article 406. Calculation of Period of Fitness of Good | 164 |
| Article 407. Verification of Quality of Good | 164 |
| Article 408. Consequences of Transfer of Good of Improper Quality | 165 |
| Article 409. Defects of Good for Which Seller is Liable | 165 |
| Article 410. Periods for Discovery of Defects in Transferred Good | 165 |
| Article 411. Completeness of Good | 166 |
| Article 412. Complete Set of Goods | 167 |
| Article 413. Consequences of Transfer of Incomplete Good | 167 |
| Article 414. Packaging and Packing | 167 |
| Article 415. Consequences of Transfer of Good Without Packaging and/or Packing or in Improper Packaging and/or Packing | 168 |
| Article 416. Notification of Seller About Improper Performance of Contract of Purchase-Sale | 168 |
| Article 417. Duty of Purchaser to Accept Good | 169 |
| Article 418. Price of Good | 169 |
| Article 419. Payment for Good | 170 |
| Article 420. Preliminary Payment for Good | 170 |
| Article 421. Payment for Good Sold on Credit | 171 |
| Article 422. Payment for Good by Instalment | 172 |
| Article 423. Insurance of Good | 172 |
| Article 424. Preservation of Right of Ownership for Seller | 173 |

§ 2. Retail Purchase-Sale

| | |
|---|-----|
| Article 425. Contract of Retail Purchase-Sale | 173 |
| Article 426. Public Offer of Good | 173 |
| Article 427. Granting of Information Concerning Good to Purchaser ... | 174 |
| Article 428. Sale of Good with Condition Concerning Acceptance Thereof by Purchaser Within Determined Period | 175 |
| Article 429. Sale of Good by Sample | 175 |
| Article 430. Sale of Good With Use of Automatic Machine | 175 |
| Article 431. Sale of Good with Condition of Delivery Thereof to Purchaser | 176 |
| Article 432. Price and Payment for Good | 176 |
| Article 433. Exchange of Good of Proper Quality | 177 |

| | |
|---|-----|
| Article 434. Rights of Purchaser in Event of Sale to Him of Good of Improper Quality | 177 |
| Article 435. Compensation of Difference in Price in Event of Replacement of Good, Reduction of Purchase Price, and Return of Good of Improper Quality | 178 |
| Article 436. Responsibility of Seller and Performance of Obligation in Kind | 179 |

§ 3. Delivery

| | |
|--|-----|
| Article 437. Contract of Delivery | 179 |
| Article 438. Period of Operation of Contract of Delivery | 179 |
| Article 439. Settlement of Disagreements When Concluding Contract of Delivery | 180 |
| Article 440. Periods for Delivery | 180 |
| Article 441. Procedure for Delivery of Goods..... | 181 |
| Article 442. Delivery of Goods | 181 |
| Article 443. Augmentation of Short Deliveries of Goods..... | 182 |
| Article 444. Refusal to Accept Goods Whose Delivery is Delayed | 182 |
| Article 445. Assortment of Goods When Augmenting Short Delivery ... | 182 |
| Article 446. Acceptance of Goods by Purchaser | 183 |
| Article 447. Custody of Good Not Accepted by Purchaser..... | 183 |
| Article 448. Selection of Goods | 184 |
| Article 449. Settlement of Accounts for Goods to be Delivered | 184 |
| Article 450. Return of Packaging and Packing | 185 |
| Article 451. Consequences of Delivery of Goods of Improper Quality .. | 185 |
| Article 452. Consequences of Delivery of Incomplete Goods | 185 |
| Article 453. Rights of Purchaser in Event of Failure to Deliver Goods, Failure to Fulfil Requirements Concerning Elimination of Defects of Goods or Completing Sets of Goods | 186 |
| Article 454. Penalty for Short Delivery of Goods..... | 186 |
| Article 455. Unilateral Refusal of Performance of Contract of Delivery | 186 |
| Article 456. Calculation of Losses in Event of Dissolution of Contract | 187 |

§ 4. State Contract for Delivery of Goods

| | |
|---|-----|
| Article 457. Delivery of Goods for State Needs..... | 188 |
| Article 458. State Contract for Delivery of Goods for State Needs | 188 |
| Article 459. Grounds for Conclusion of State Contract | 189 |
| Article 460. Procedure for Conclusion of State Contract | 189 |
| Article 461. Performance of State Contract | 190 |
| Article 462. Conclusion of Contract of Delivery of Goods for State Needs | 191 |

| | |
|--|-----|
| Article 463. Refusal of Purchaser to Conclude Contract of Delivery of Goods for State Needs | 191 |
| Article 464. Compensation of Losses Caused in Connection with Fulfilment or Dissolution of State Contract | 192 |

§ 5. Agricultural Procurement Contract

| | |
|---|-----|
| Article 465. Contract of Agricultural Procurement | 192 |
| Article 466. Duties of Producer of Agricultural Product | 193 |
| Article 467. Duties of Procurer | 193 |

§ 6. Electric Power Supply

| | |
|---|-----|
| Article 468. Contract of Electric Power Supply | 194 |
| Article 469. Conclusion and Extension of Contract of Electric Power Supply | 194 |
| Article 470. Quantity of Electric Power | 195 |
| Article 471. Consequences of Violation of Condition of Contract of Electric Power Supply on Quantity of Electric Power | 195 |
| Article 472. Quality of Electric Power | 195 |
| Article 473. Duties of Subscriber for Maintenance and Operation of Networks, Instruments, and Equipment | 196 |
| Article 474. Payment for Electric Power | 196 |
| Article 475. Transfer by Subscriber of Electric Power to Another Person | 196 |
| Article 476. Change and Dissolution of Contract of Electric Power Supply | 197 |
| Article 477. Responsibility Under Contract of Electric Power Supply | 198 |
| Article 478. Application of Rules of Contract of Electric Power Supply to Other Relations Relating to Supply Through Connecting Network | 198 |

§ 7. Sale of Immoveable

| | |
|--|-----|
| Article 479. Contract of Sale of Immoveable | 198 |
| Article 480. Form of Contract of Sale of Immoveable | 199 |
| Article 481. State Registration of Transfer of Right of Ownership to Immoveable | 199 |
| Article 482. Rights to Land Plot in Event of Sale of Building, Installation, or Other Immoveable Situated Thereon | 199 |
| Article 483. Right to Immoveable in Event of Sale of Land Plot | 200 |
| Article 484. Determination of Subject in Contract of Sale of Immoveable | 200 |
| Article 485. Price in Contract of Sale of Immoveable | 201 |

| | |
|--|-----|
| Article 486. Transfer of Immoveable | 201 |
| Article 487. Consequences of Transfer of Immoveable of Improper Quality | 202 |
| Article 488. Peculiarities of Sale of Dwelling Premises | 202 |

§ 8. Sale of Enterprise

| | |
|--|-----|
| Article 489. Contract of Sale of Enterprise | 202 |
| Article 490. Form and State Registration of Contract of Sale of Enterprise | 203 |
| Article 491. Establishment of Composition and Valuation of Value of Enterprise Subject to Sale | 203 |
| Article 492. Rights of Creditors in Event of Sale of Enterprise | 204 |
| Article 493. Transfer of Enterprise | 204 |
| Article 494. Transfer of Right of Ownership to Enterprise | 205 |
| Article 495. Consequences of Transfer and Acceptance of Enterprise with Defects | 205 |
| Article 496. Application to Contract of Sale of Enterprise of Rules Concerning Consequences of Invalidity of Transactions and Concerning Change or Dissolution of Contract | 206 |

Chapter 30. Barter

| | |
|---|-----|
| Article 497. Contract of Barter | 207 |
| Article 498. Prices and Expenses Under Contract of Barter | 207 |
| Article 499. Counter Performance of Obligation to Transfer Good Under Contract of Barter | 207 |
| Article 500. Transfer of Right of Ownership to Goods Being Exchanged | 208 |
| Article 501. Responsibility for Seizure of Good Acquired Under Contract of Barter | 208 |

Chapter 31. Gift

| | |
|---|-----|
| Article 502. Contract of Gift | 208 |
| Article 503. Refusal of Donee to Accept Gift | 209 |
| Article 504. Form of Contract of Gift | 209 |
| Article 505. Limitations of Gift | 210 |
| Article 506. Refusal of Performance of Contract of Gift | 210 |
| Article 507. Revocation of Gift | 211 |
| Article 508. Instances in Which Refusal of Performance of Contract of Gift and Revocation of Gift are Impossible | 211 |
| Article 509. Consequences of Gift of Property with Defects | 211 |
| Article 510. Legal Succession in Event of Promise of Gift | 212 |
| Article 511. Donations | 212 |

Chapter 32. Rent

§ 1. General Provisions

| | |
|---|-----|
| Article 512. Contract of Rent | 213 |
| Article 513. Form of Contract of Rent | 213 |
| Article 514. Alienation of Property Under Payment of Rent | 213 |
| Article 515. Encumberment of Immoveable Property by Rent..... | 214 |
| Article 516. Securing Payment of Rent | 214 |
| Article 517. Responsibility for Delay of Payment of Rent | 215 |

§ 2. Permanent Rent

| | |
|---|-----|
| Article 518. Recipient of Permanent Rent | 215 |
| Article 519. Form and Amount of Permanent Rent | 215 |
| Article 520. Periods for Payment of Permanent Rent | 216 |
| Article 521. Right of Payer to Purchase Permanent Rent | 216 |
| Article 522. Purchase of Permanent Rent at Demand of Recipient of Rent | 216 |
| Article 523. Purchase Price of Permanent Rent | 217 |
| Article 524. Risk of Accidental Perishing or Accidental Damaging of Property Transferred as Payment of Permanent Rent..... | 217 |

§ 3. Rent for Life

| | |
|--|-----|
| Article 525. Recipient of Rent for Life | 217 |
| Article 526. Amount of Rent for Life | 218 |
| Article 527. Period for Payment of Rent for Life | 218 |
| Article 528. Dissolution of Contract of Rent for Life at Demand of Recipient of Rent | 218 |
| Article 529. Risk of Accidental Perishing or Accidental Damaging of Property Transferred as Payment of Rent for Life..... | 219 |

*Chapter 33. Alienation of Dwelling House (or Apartment)
with Condition of Maintenance for Life*

| | |
|--|-----|
| Article 530. Contract of Alienation of Dwelling House (or Apartment) with Condition of Maintenance for Life..... | 219 |
| Article 531. Form and Conditions of Contract of Alienation of Dwelling House (or Apartment) with Condition of Maintenance for Life | 219 |
| Article 532. Rights and Duties of Parties | 220 |
| Article 533. Change or Dissolution of Contract of Alienation of Dwelling House (or Apartment) with Condition of Maintenance for Life | 220 |

| | |
|---|-----|
| Article 534. Transfer of Duties Under Contract of Alienation of Dwelling House (or Apartment) with Condition of Maintenance for Life to Heirs | 221 |
|---|-----|

Chapter 34. Property Rental (Lease)

§ 1. General Provisions

| | |
|--|-----|
| Article 535. Contract of Property Rental | 221 |
| Article 536. Right of Ownership of Rentee to Products, Fruits, and Revenues from Rented Property | 221 |
| Article 537. Objects of Property Rental | 221 |
| Article 538. Renter | 222 |
| Article 539. Form of Contract of Property Rental | 222 |
| Article 540. Period of Contract of Property Rental | 222 |
| Article 541. Granting Property to Rentee | 223 |
| Article 542. Responsibility of Renter for Defects of Property Rented Out | 223 |
| Article 543. Rights of Third Persons to Property Rented Out | 224 |
| Article 544. Payment for Use of Property | 224 |
| Article 545. Use of Rented Property | 226 |
| Article 546. Disposition of Rented Property | 226 |
| Article 547. Duties of Renter With Regard to Maintenance of Rented Property | 226 |
| Article 548. Duties of Rentee With Regard to Maintenance of Rented Property | 227 |
| Article 549. Preservation of Contract of Property Rental in Force in Event of Change of Parties | 227 |
| Article 550. Termination of Contract of Subrent in Event of Termination of Contract of Property Rental Before Time | 228 |
| Article 551. Dissolution of Contract of Property Rental Before Time at Demand of Renter | 228 |
| Article 552. Dissolution of Contract of Property Rental Before Time Upon Demand of Rentee | 229 |
| Article 553. Preferential Right of Rentee to Conclude Contract of Property Rental for New Period | 229 |
| Article 554. Return of Property to Renter | 230 |
| Article 555. Improvement of Rented Property | 230 |
| Article 556. Purchase of Rented Property | 231 |
| Article 557. Peculiarities of Individual Types of Property Rental and Rental of Individual Types of Property | 231 |

§ 2. Rental

| | |
|---------------------------------------|-----|
| Article 558. Contract of Rental | 231 |
|---------------------------------------|-----|

| | |
|--|-----|
| Article 559. Period of Contract of Rental | 232 |
| Article 560. Granting of Property to Rentee | 232 |
| Article 561. Elimination of Defects of Property Rented | 232 |
| Article 562. Payment for Use of Property Under Contract of Rental..... | 232 |
| Article 563. Use of Rented Property | 233 |

§ 3. Lease of Means of Transport

| | |
|--|-----|
| Article 564. Contract of Lease of Means of Transport | 233 |
| Article 565. Form of Contract of Lease of Means of Transport | 233 |
| Article 566. Duties of Lessor in Event of Lease of Means of Transport With Granting of Services Relating to Maintenance, Management, and Technical Operation | 234 |
| Article 567. Duty of Lessee Relating to Payment of Expenses Connected with Commercial Operation of Means of Transport | 234 |
| Article 568. Duties of Lessee in Event of Lease of Means of Transport Without Granting of Services for Maintenance, Management, and Technical Operation | 235 |
| Article 569. Contracts With Third Persons Concerning Use of Means of Transport | 235 |
| Article 570. Responsibility for Harm Caused to Means of Transport ... | 235 |
| Article 571. Responsibility for Harm Caused by Means of Transport ... | 236 |
| Article 572. Peculiarities of Lease of Individual Types of Means of Transport | 236 |

§ 4. Lease of Buildings and Installations

| | |
|---|-----|
| Article 573. Contract of Lease of Building or Installation | 236 |
| Article 574. Form and State Registration of Contract of Lease of Building or Installation | 237 |
| Article 575. Rights to Land Plot in Event of Lease of Building or Installation Situated Thereon | 237 |
| Article 576. Preservation by Lessee of Building or Installation of Right to Use Land Plot in Event of Sale Thereof | 238 |
| Article 577. Amount of Lease Payment | 238 |
| Article 578. Transfer of Building or Installation | 238 |

§ 5. Lease of Enterprise

| | |
|---|-----|
| Article 579. Contract of Lease of Enterprise | 239 |
| Article 580. Form of Contract of Lease of Enterprise | 240 |
| Article 581. Transfer of Leased Enterprise | 240 |
| Article 582. Duties of Lessee with Regard to Maintenance of Enterprise and Payment of Expenses for Operation Thereof | 240 |

| | |
|--|-----|
| Article 583. Use of Property of Leased Enterprise | 241 |
| Article 584. Making of Improvements by Lessee in Leased Enterprise | 241 |
| Article 585. Application to Contract of Lease of Enterprise of Rules Concerning Consequences of Invalidity of Transactions and Changes and Dissolution of Contract | 241 |
| Article 586. Return of Leased Enterprise | 242 |

§ 6. Finance Lease (Finance Leasing)

| | |
|---|-----|
| Article 587. Contract of Finance Lease | 242 |
| Article 588. Object of Finance Lease | 242 |
| Article 589. Subject of Finance Lease | 242 |
| Article 590. Finance Lease Payment | 243 |
| Article 591. Notification of Seller Concerning Finance Lease of Property | 243 |
| Article 592. Transfer to Finance Lessee of Subject of Contract of Finance Lease | 243 |
| Article 593. Transfer to Finance Lessee of Risk of Accidental Perishing or Accidental Damaging of Property | 243 |
| Article 594. Duties and Responsibility of Finance Lessor | 244 |
| Article 595. Rights of Finance Lessee | 244 |
| Article 596. Sub-Finance Lease | 244 |
| Article 597. Duties and Responsibility of Finance Lessee | 244 |
| Article 598. Responsibility of Seller | 245 |
| Article 599. Preservation of Force of Contract of Finance Lease in Event of Transfer of Object of Finance Lease to Another Owner ... | 246 |

Chapter 35. Rental of Dwelling Premise

| | |
|---|-----|
| Article 600. Contract of Rental of Dwelling Premise | 246 |
| Article 601. Contract of Rental of Dwelling Premise in Municipal Housing Fund of Special-Purpose Designation | 246 |
| Article 602. Object of Contract of Rental of Dwelling Premise | 247 |
| Article 603. Form of Contract of Rental of Dwelling Premise | 247 |
| Article 604. Preservation of Contract of Rental of Dwelling Premise in Event of Transfer of Right of Ownership to Dwelling Premise ... | 247 |
| Article 605. Duties of Landlord of Dwelling Premise | 247 |
| Article 606. Tenant and Citizens Permanently Residing Together With Him | 248 |
| Article 607. Duties of Tenant of Dwelling Premise | 248 |
| Article 608. Inclusion of New Members of Family of Tenant in Contract of Rental of Dwelling Premise | 248 |
| Article 609. Temporary Inhabitants | 249 |
| Article 610. Repair of Rented Dwelling Premise | 249 |

| | |
|---|-----|
| Article 611. Payment for Dwelling Premise | 249 |
| Article 612. Period in Contract of Rental of Dwelling Premise | 250 |
| Article 613. Sub-Rental of Dwelling Premise | 250 |
| Article 614. Replacement of Tenant in Contract of Rental of Dwelling Premise | 251 |
| Article 615. Dissolution of Contract of Rental..... | 251 |
| Article 616. Consequences of Dissolution of Contract of Rental of Dwelling Premise | 252 |

Chapter 36. Uncompensated Use

| | |
|--|-----|
| Article 617. Concept of Contract of Uncompensated Use | 252 |
| Article 618. Lender | 253 |
| Article 619. Granting Thing for Uncompensated Use | 253 |
| Article 620. Consequences of Failure to Grant Thing for Uncompensated Use | 253 |
| Article 621. Responsibility for Defects of Thing Transferred for Uncompensated Use | 254 |
| Article 622. Rights of Third Persons to Thing Being Transferred for Uncompensated Use | 254 |
| Article 623. Duties of Loan Recipient With Regard to Maintenance of Thing..... | 254 |
| Article 624. Risk of Accidental Perishing or Accidental Damaging of Thing..... | 255 |
| Article 625. Responsibility for Harm Caused to Third Person as Result of Use of Thing..... | 255 |
| Article 626. Transfer of Thing Received for Uncompensated Use to Third Person | 255 |
| Article 627. Dissolution Before Time of Contract of Uncompensated Use | 255 |
| Article 628. Renunciation of Contract of Uncompensated Use..... | 256 |
| Article 629. Change of Parties in Contract of Uncompensated Use | 256 |
| Article 630. Termination of Contract of Uncompensated Use | 257 |

Chapter 37. Independent Work

§ 1. General Provisions on Independent Work

| | |
|--|-----|
| Article 631. Contract of Independent-Work | 257 |
| Article 632. Work to be Fulfilled Under Contract of Independent- Work | 258 |
| Article 633. Risk of Accidental Perishing or Accidental Damaging of Materials | 258 |
| Article 634. General Independent-Work Contractor and Subindependent-Work Contractor | 258 |

| | |
|--|-----|
| Article 635. Periods for Fulfilment of Work | 259 |
| Article 636. Price of Work | 260 |
| Article 637. Economies of Independent-Work Contractor | 261 |
| Article 638. Procedure for Payment of Work | 261 |
| Article 639. Right of Independent-Work Contractor to Withholding | 261 |
| Article 640. Fulfilment of Work with Use of Material of Customer | 262 |
| Article 641. Responsibility of Independent-Work Contractor for Non Preservation of Property Granted by Customer | 262 |
| Article 642. Rights of Customer During Fulfilment of Work by Independent Work Contractor | 262 |
| Article 643. Circumstances of Which Independent-Work Contractor is Obligated to Warn Customer | 263 |
| Article 644. Failure of Customer to Perform Counter Duties Under Contract of Independent-Work | 264 |
| Article 645. Assistance of Customer | 265 |
| Article 646. Acceptance by Customer of Work Fulfilled | 265 |
| Article 647. Quality of Work | 266 |
| Article 648. Guarantee of Quality of Work | 267 |
| Article 649. Procedure for Calculating Guarantee Period | 267 |
| Article 650. Responsibility of Independent-Work Contractor for Improper Quality of Work | 268 |
| Article 651. Periods of Discovery of Improper Quality of Result of Work | 269 |
| Article 652. Limitation With Regard to Suits Concerning Improper Quality of Work | 270 |
| Article 653. Duty of Independent-Work Contractor to Transfer Information to Customer | 270 |
| Article 654. Confidentiality of Information Received by Parties | 270 |
| Article 655. Return to Customer of Materials and Equipment | 271 |

§ 2. Domestic Independent-Work

| | |
|---|-----|
| Article 656. Contract of Domestic Independent-Work | 271 |
| Article 657. Guarantees of Rights of Customer | 271 |
| Article 658. Granting Information to Customer About Proposed Work | 272 |
| Article 659. Warning of Customer About Conditions of Use of Work Fulfilled | 272 |
| Article 660. Fulfilment of Work from Material of Independent-Work Contractor | 273 |
| Article 661. Fulfilment of Work from Material of Customer | 273 |
| Article 662. Price and Payment for Work | 273 |
| Article 663. Consequences of Discovery of Defects in Work Fulfilled .. | 274 |
| Article 664. Consequences of Failure of Customer to Appear for Receipt of Result of Work | 274 |

| | |
|---|-----|
| Article 665. Rights of Customer in Event of Improper Fulfilment or Failure to Fulfil Work Under Contract of Domestic Independent Work | 275 |
|---|-----|

§ 3. Construction Independent-Work

| | |
|---|-----|
| Article 666. Contract of Construction Independent-Work | 275 |
| Article 667. Risk of Accidental Perishing or Accidental Damaging of Object of Independent-Work | 276 |
| Article 668. Responsibility for Safety of Work Conducted | 276 |
| Article 669. Insurance of Object of Construction | 276 |
| Article 670. Project-Estimate Documentation | 276 |
| Article 671. Making Changes in Design-Estimate Documentation | 277 |
| Article 672. Provision of Construction with Materials and Equipment | 278 |
| Article 673. Payment for Work | 278 |
| Article 674. Granting of Land Plot for Construction | 279 |
| Article 675. Additional Duties of Customer in Contract of Construction Independent-Work | 279 |
| Article 676. Control and Supervision Over Fulfilment of Work under Contract of Construction Independent-Work | 279 |
| Article 677. Cooperation of Parties in Contract of Construction Independent-Work | 280 |
| Article 678. Duties of Independent-Work Contractor Relating to Protection of Environment and Safety of Conducting Construction Work | 280 |
| Article 679. Duties of Customer in Event of Shutting Down of Construction | 281 |
| Article 680. Handing Over and Acceptance of Work | 281 |
| Article 681. Responsibility of Independent-Work Contractor for Quality of Work | 282 |
| Article 682. Guarantees of Quality in Contract of Construction Independent-Work | 282 |
| Article 683. Elimination of Defects at Expense of Customer | 283 |
| Article 684. Mortgage of Land Plot | 283 |
| Article 685. Legal Regulation of Construction Independent-Work | 284 |

§ 4. Independent-Work Contract for Design and Survey Work

| | |
|--|-----|
| Article 686. Contract of Independent-Work for Design and Survey Work | 284 |
| Article 687. Base Data for Fulfilment of Design and Survey Work | 284 |
| Article 688. Duties of Customer | 285 |
| Article 689. Duties of Independent-Work Contractor | 285 |
| Article 690. Guarantees of Independent-Work Contractor | 286 |

| | |
|--|-----|
| Article 691. Responsibility of Independent-Work Contractor for Defects of Documentation and Work | 286 |
| Article 692. Legal Regulation of Independent-Work for Design and Survey Work | 286 |

§ 5. Independent-Work for Scientific-Research, Experimental-Construction Design, and Technological Work

| | |
|---|-----|
| Article 693. Contracts of Independent-Work for Scientific-Research Work and Experimental-Construction Design and Technological Work | 287 |
| Article 694. Fulfilment of Work | 287 |
| Article 695. Confidentiality of Information Concerning the Contract .. | 287 |
| Article 696. Rights of Parties to Results of Work | 288 |
| Article 697. Duties of Customer | 288 |
| Article 698. Duties of Independent-Work Contractor | 288 |
| Article 699. Consequences of Impossibility of Achieving Result in Contract for Scientific Research Work | 289 |
| Article 700. Consequences of Impossibility of Achieving Result in Contract for Experimental-Construction Design and Technological Work | 289 |
| Article 701. Responsibility of Independent-Work Contractor for Violation of Contract | 290 |
| Article 702. Legal Regulation of Contracts of Independent-Work for Scientific-Research Work, Experimental-Construction Design, and Technological Work | 290 |

Chapter 38. Compensated Rendering of Services

| | |
|--|-----|
| Article 703. Contract of Compensated Rendering of Services | 290 |
| Article 704. Performance of Contract of Compensated Rendering of Services | 291 |
| Article 705. Payment for Services | 291 |
| Article 706. Responsibility of Executor for Violation of Contract of Compensated Rendering of Services | 291 |
| Article 707. Dissolution of Contract of Compensated Rendering of Services | 291 |
| Article 708. Legal Regulation of Contract of Compensated Rendering of Services | 292 |

Chapter 39. Carriage

| | |
|--|-----|
| Article 709. General Provisions on Carriage | 293 |
| Article 710. Contract of Carriage of Passenger | 292 |
| Article 711. Contract of Carriage of Goods | 293 |

| | |
|---|-----|
| Article 712. Contract of Charter | 293 |
| Article 713. Direct Mixed Transport | 293 |
| Article 714. Carriage by Transport of Common Use | 294 |
| Article 715. Fare | 294 |
| Article 716. Supply of Means of Transport, Loading (or Unloading) of Goods | 294 |
| Article 717. Periods of Delivery of Passenger, Baggage, and Goods | 295 |
| Article 718. Responsibility for Violation of Obligations Arising from Carriage | 295 |
| Article 719. Responsibility of Carrier for Failure to Supply Means of Transport and of Consignor for Failure to Use Means of Transport Supplied | 295 |
| Article 720. Responsibility of Carrier for Delay of Departure of Passenger | 296 |
| Article 721. Responsibility of Carrier for Loss, Shortage, and Damage (or Spoilage) of Goods or Baggage | 296 |
| Article 722. Contracts on Organization of Carriages | 297 |
| Article 723. Contracts Between Transport Organizations | 297 |
| Article 724. Claims and Suits With Regard to Carriages of Goods | 298 |
| Article 725. Responsibility of Carrier for Causing Harm to Life or Health of Passenger | 298 |

Chapter 40. Transport Expediting

| | |
|--|-----|
| Article 726. Contract of Transport Expediting | 298 |
| Article 727. Form of Contract | 299 |
| Article 728. Responsibility of Expeditor Under Contract of Transport Expediting | 299 |
| Article 729. Documents and Other Information Granted to Expeditor | 300 |
| Article 730. Performance of Duties of Expeditor by Third Person | 300 |
| Article 731. Repudiation of Contract of Transport Expediting | 300 |

Chapter 41. Loan and Credit

§ 1. Loan

| | |
|---|-----|
| Article 732. Contract of Loan | 301 |
| Article 733. Form of Contract of Loan | 301 |
| Article 734. Interest Under Contract of Loan | 301 |
| Article 735. Duty of Borrower to Return Amount of Loan | 302 |
| Article 736. Consequences of Violation by Borrower of Contract of Loan | 302 |
| Article 737. Contesting Contract of Loan | 303 |
| Article 738. Securing Performance of Obligations of Borrower | 303 |

| | |
|---|-----|
| Article 739. Special-Purpose Loan | 303 |
| Article 740. Bill of Exchange | 304 |
| Article 741. Bond | 304 |
| Article 742. Novation of Debt and Loan Obligation | 304 |
| Article 743. Contract of State Loan | 305 |

§ 2. Credit

| | |
|--|-----|
| Article 744. Credit Contract | 305 |
| Article 745. Form of Credit Contract | 306 |
| Article 746. Refusal to Grant or Receive Credit | 306 |
| Article 747. Contract on Granting Things on Credit | 306 |
| Article 748. Commercial Credit | 306 |

Chapter 42. Financing Under Assignment of Monetary Demand

| | |
|--|-----|
| Article 749. Contract of Financing Under Assignment of Monetary Demand | 307 |
| Article 750. Financial Agent | 307 |
| Article 751. Monetary Demand Assigned for Purposes of Receiving Financing | 308 |
| Article 752. Responsibility of Client to Financial Agent | 308 |
| Article 753. Invalidity of Prohibition of Assignment of Monetary Demand | 309 |
| Article 754. Subsequent Assignment of Monetary Demand | 309 |
| Article 755. Performance of Monetary Demand by Debtor to Financial Agent | 309 |
| Article 756. Rights of Financial Agent to Amounts Received from Debtor | 310 |
| Article 757. Counter Demands of Debtor | 310 |
| Article 758. Return to Debtor of Amounts Received by Financial Agent | 311 |

Chapter 43. Bank Deposit

| | |
|--|-----|
| Article 759. Contract of Bank Deposit | 311 |
| Article 760. Right to Attract Monetary Means as Deposits | 312 |
| Article 761. Form of Contract of Bank Deposit | 312 |
| Article 762. Types of Deposits | 313 |
| Article 763. Interest on Deposit | 313 |
| Article 764. Procedure for Calculating and Payment of Interest on Deposit | 314 |
| Article 765. Ensuring Return of Deposit | 314 |
| Article 766. Responsibility for Failure to Fulfil Demand Concerning Return of Deposit | 315 |

| | |
|--|-----|
| Article 767. Deposit of Monetary Means by Third Persons to Account of Depositor | 315 |
| Article 768. Deposit to Benefit of Third Person | 315 |
| Article 769. Savings Book | 316 |
| Article 770. Savings (or Deposit) Certificate | 316 |

Chapter 44. Bank Account

| | |
|---|-----|
| Article 771. Contract of Bank Account | 317 |
| Article 772. Use by Bank of Monetary Means of Client | 317 |
| Article 773. Disposition by Client of Monetary Means | 317 |
| Article 774. Form of Contract of Bank Account | 318 |
| Article 775. Conclusion of Contract of Bank Account | 318 |
| Article 776. Certification of Right of Disposition of Monetary Means in Account | 318 |
| Article 777. Operations With Regard to Account to be Fulfilled by Bank | 319 |
| Article 778. Periods for Operations With Regard to Account | 319 |
| Article 779. Overdrawing of Account | 319 |
| Article 780. Payment of Expenses of Bank for Performance of Operations With Regard to Account | 320 |
| Article 781. Interest for Use by Bank of Monetary Means in Account | 320 |
| Article 782. Set-off of Counter Demands of Bank and Client | 320 |
| Article 783. Grounds for Withdrawal of Monetary Means from Account | 321 |
| Article 784. Priority of Withdrawal of Monetary Means from Account | 321 |
| Article 785. Responsibility of Bank for Untimely Effectuation of Operations With Regard to Account and Unsubstantiated Withdrawal of Monetary Means | 322 |
| Article 786. Bank Secret | 322 |
| Article 787. Limitation of Disposition of Account | 323 |
| Article 788. Dissolution of Contract of Bank Account | 323 |
| Article 789. Accounts of Banks | 323 |

Chapter 45. Settlement of Accounts

§ 1. General Provisions on Settlement of Accounts

| | |
|--|-----|
| Article 790. Cash and Noncash Settlement Accounts | 324 |
| Article 791. Forms of Noncash Settlement of Accounts | 324 |

§ 2. Settlements of Accounts by Payment Orders

| | |
|--|-----|
| Article 792. General Provisions on Settlements of Accounts by Payment Orders | 325 |
| Article 793. Conditions of Acceptance by Bank of Payment Order | 325 |
| Article 794. Performance of Order | 325 |
| Article 795. Responsibility for Failure to Perform or Improper Performance of Order | 326 |

§ 3. Settlement of Accounts by Letter of Credit

| | |
|---|-----|
| Article 796. General Provisions on Settlements of Accounts by Letter of Credit | 326 |
| Article 797. Period of Operation and Procedure for Settlement of Accounts Under Letter of Credit | 326 |
| Article 798. Revocable Letter of Credit | 327 |
| Article 799. Irrevocable Letter of Credit | 327 |
| Article 800. Performance of Letter of Credit | 328 |
| Article 801. Refusal to Accept Documents | 328 |
| Article 802. Responsibility of Bank for Violation of Conditions of Letter of Credit | 328 |
| Article 803. Closure of Letter of Credit | 329 |

§ 4. Settlements of Accounts by Encashment

| | |
|---|-----|
| Article 804. General Provisions on Settlements of Accounts by Encashment | 329 |
| Article 805. Performance of Encashment Commission | 330 |
| Article 806. Notice of Refusal of Payment | 331 |

§ 5. Settlements of Accounts by Cheques

| | |
|--|-----|
| Article 807. General Provisions on Settlements of Accounts by Cheques | 331 |
| Article 808. Requisites of Cheque | 331 |
| Article 809. Payment of Cheque | 332 |
| Article 810. Transfer of Rights Under Cheque | 332 |
| Article 811. Guarantee of Payment (Aval) | 332 |
| Article 812. Encashment of Cheque | 333 |
| Article 813. Duties of Payer | 333 |
| Article 814. Certification of Refusal to Pay Cheque | 333 |
| Article 815. Notice of Nonpayment of Cheque | 334 |
| Article 816. Consequences of Failure to Pay Cheque | 334 |

Chapter 46. Commission

| | |
|---|-----|
| Article 817. Contract of Commission | 335 |
| Article 818. Remuneration in Contract of Commission | 335 |
| Article 819. Performance of Commission in Accordance with Instructions of Principal..... | 336 |
| Article 820. Duties of Attorney | 336 |
| Article 821. Duties of Principal | 337 |
| Article 822. Transfer of Performance of Commission | 337 |
| Article 823. Termination of Contract of Commission | 338 |
| Article 824. Consequences of Termination of Contract of Commission | 338 |
| Article 825. Legal Succession in Contract of Commission | 338 |

Chapter 47. Actions in Another's Interest Without Commission

| | |
|---|-----|
| Article 826. Conditions of Actions in Another's Interest | 339 |
| Article 827. Duties of Person Acting in Another's Interest Without Commission | 339 |
| Article 828. Conclusion of Transactions in Another's Interest | 340 |
| Article 829. Duties of Person in Whose Interests Actions Were Effectuated Without Commission | 340 |
| Article 830. Compensation of Harm Caused by Actions in Another's Interest | 341 |
| Article 831. Report of Person Who Acted in Another's Interest..... | 341 |

Chapter 48. Commission Agency

| | |
|--|-----|
| Article 832. Contract of Commission Agency | 342 |
| Article 833. Commission Agency Remuneration | 342 |
| Article 834. Performance of Commission Agency Commission | 343 |
| Article 835. Sub-Commission Agency | 344 |
| Article 836. Price of Property Being Sold by Commission Agent | 344 |
| Article 837. Deviation from Instructions of Committent | 344 |
| Article 838. Right to Thing Which Is Subject of Commission Agency | 345 |
| Article 839. Satisfaction of Demands of Commission Agent from Amounts Due to Committent | 345 |
| Article 840. Responsibility of Commission Agent for Loss, Shortage, or Damage to Property of Committent | 346 |
| Article 841. Acceptance by Committent of That Performed Under the Contract of Commission Agency | 346 |
| Article 842. Compensation of Expenses for Performance of Commission Agency Commission | 346 |

| | |
|--|-----|
| Article 843. Revocation of Commission Agency Commission by Committent | 347 |
| Article 844. Refusal of Commission Agent to Perform Contract of Commission Agency | 347 |
| Article 845. Termination of Contract of Commission Agency | 348 |
| Article 846. Refusal of Committent of Performance of Contract of Commission Agency Concluded Without Indication of Period | 348 |
| Article 847. Refusal of Commission Agent of Performance of Contract of Commission Agency | 349 |
| Article 848. Consequences of Death of Citor Liquidation of Juridical Person | 349 |

Chapter 49. Trust Management of Property

| | |
|--|-----|
| Article 849. Contract of Trust Management of Property | 350 |
| Article 850. Grounds for Arising (or Founding) of Trust Management of Property | 351 |
| Article 851. Object of Trust Management of Property | 351 |
| Article 852. Subjects of Trust Management of Property | 351 |
| Article 853. Material Conditions of Contract of Trust Management of Property | 352 |
| Article 854. Form of Contract of Trust Management of Property | 353 |
| Article 855. Solitary Property in Trust Management | 353 |
| Article 856. Trust Management of Property Encumbered by Rights of Third Persons | 353 |
| Article 857. Rights and Duties of Trustee Manager | 354 |
| Article 858. Transfer of Trust Management of Property | 354 |
| Article 859. Responsibility of Trustee Manager | 355 |
| Article 860. Remuneration of Trustee Manager | 356 |
| Article 861. Termination of Contract of Trust Management of Property | 356 |

Chapter 50. Complex Entrepreneurial License (Franchising)

| | |
|---|-----|
| Article 862. Contract of Complex Entrepreneurial License | 357 |
| Article 863. Form of Contract of Complex Entrepreneurial License and Requirements for Registration Thereof | 357 |
| Article 864. Complex Entrepreneurial Sublicense | 358 |
| Article 865. Form of Remuneration Under Contract of Complex Entrepreneurial License | 358 |
| Article 866. Duties of Licensor | 358 |
| Article 867. Duties of Licensee | 359 |
| Article 868. Limiting Conditions of Contract of Complex Entrepreneurial License | 359 |

| | |
|--|-----|
| Article 869. Responsibility of Licensor Relating to Demands Presented to Licensee | 360 |
| Article 870. Change of Contract of Complex Entrepreneurial License | 360 |
| Article 871. Termination of Contract of Complex Entrepreneurial License | 361 |
| Article 872. Preservation of Contract of Complex Entrepreneurial License in Force in Event of Change of Parties | 361 |
| Article 873. Preservation of Contract of Complex Entrepreneurial License in Force in Event of Change of Firm Name | 362 |
| Article 874. Consequences of Termination of Exclusive Right Within Licensed Complex | 362 |

Chapter 51. Keeping

§ 1. General Provisions on Keeping

| | |
|--|-----|
| Article 875. Contract of Keeping | 362 |
| Article 876. Performance of Duty to Accept Thing for Keeping | 363 |
| Article 877. Form of Contract of Keeping | 363 |
| Article 878. Period of Keeping | 364 |
| Article 879. Keeping of Things with Pooling | 364 |
| Article 880. Duty of Keeper to Ensure Preservation of Thing | 364 |
| Article 881. Use of Thing Transferred for Keeping | 365 |
| Article 882. Change of Conditions of Keeping | 365 |
| Article 883. Keeping of Things with Dangerous Properties | 365 |
| Article 884. Transfer of Thing for Keeping to Third Person | 366 |
| Article 885. Remuneration for Keeping | 366 |
| Article 886. Compensation of Expenses for Keeping | 367 |
| Article 887. Extraordinary Expenses for Keeping | 367 |
| Article 888. Receipt of Thing Back by Transferor | 368 |
| Article 889. Responsibility of Keeper for Loss, Shortage, or Damage of Thing | 368 |
| Article 890. Amount of Responsibility of Keeper | 369 |
| Article 891. Compensation of Losses Caused to Keeper | 369 |
| Article 892. Termination of Obligation of Keeping Upon Demand of Transferor | 369 |
| Article 893. Application of General Provisions on Keeping to Individual Types Thereof | 370 |

§ 2. Individual Types of Keeping

| | |
|--|-----|
| Article 894. Keeping in Pawnshop | 370 |
| Article 895. Things Not Demanded from Pawnshop | 370 |

| | |
|--|-----|
| Article 896. Keeping of Valuables in Bank | 371 |
| Article 897. Keeping in Left Luggage Rooms of Transport Organisations | 371 |
| Article 898. Keeping in Check Rooms of Organisations | 372 |
| Article 899. Keeping in Hotel | 373 |
| Article 900. Keeping of Things in Dispute (Sequestration) | 373 |

§ 3. Keeping in Goods Warehouse

| | |
|--|-----|
| Article 901. Goods Warehouse | 374 |
| Article 902. Goods Warehouse of Common Use | 374 |
| Article 903. Contract of Warehouse Keeping | 374 |
| Article 904. Keeping of Things With Right of Disposition Thereof | 375 |
| Article 905. Duties of Goods Warehouse | 375 |
| Article 906. Verification of Quantity and State of Good in Event of Return Thereof to Goods-Possessor | 375 |
| Article 907. Repudiation by Goods Warehouse of Contract of Warehouse Keeping | 376 |
| Article 908. Warehouse Documents | 376 |
| Article 909. Dual Warehouse Certificate | 376 |
| Article 910. Rights of Holder of Warehouse and Pledge Certificates for Good | 377 |
| Article 911. Transfer of Warehouse and Pledge Certificates | 377 |
| Article 912. Simple Warehouse Certificate | 378 |
| Article 913. Issuance of Good Under Dual Warehouse Certificate | 378 |

Chapter 52. Insurance

| | |
|--|-----|
| Article 914. Voluntary and Obligatory Insurance | 378 |
| Article 915. Contract of Property Insurance | 379 |
| Article 916. Interests, the Insurance of Which Is Not Permitted | 379 |
| Article 917. Insurance of Property | 380 |
| Article 918. Insurance of Responsibility for Causing of Harm | 380 |
| Article 919. Insurance of Responsibility under Contract | 381 |
| Article 920. Insurance of Entrepreneurial Risk | 381 |
| Article 921. Contract of Personal Insurance | 381 |
| Article 922. Obligatory Insurance | 382 |
| Article 923. Effectuation of Obligatory Insurance | 383 |
| Article 924. Consequences of Violation of Rules on Obligatory Insurance | 383 |
| Article 925. Insurer | 383 |
| Article 926. Fulfilment of Duties Under Contract of Insurance by Insurant and Beneficiary | 384 |
| Article 927. Form of Contract of Insurance | 384 |
| Article 928. Insurance Under General Policy | 385 |

| | |
|--|-----|
| Article 929. Material Conditions of Contract of Insurance | 385 |
| Article 930. Determination of Conditions of Contract of Insurance in Rules of Insurance | 386 |
| Article 931. Information Granted by Insurant When Concluding Contract of Insurance | 386 |
| Article 932. Right of Insurer to Valuation of Insured Risk | 387 |
| Article 933. Secrecy of Insurance | 387 |
| Article 934. Insured Amount..... | 388 |
| Article 935. Insured Value of Property | 388 |
| Article 936. Partial Property Insurance | 388 |
| Article 937. Additional Property Insurance | 389 |
| Article 938. Consequences of Insurance in Excess of Insured Value | 389 |
| Article 939. Double Insurance | 389 |
| Article 940. Property Insurance Against Various Insured Risks..... | 390 |
| Article 941. Co-Insurance | 390 |
| Article 942. Insurance Premium and Insurance Contributions | 391 |
| Article 943. Invalidity of Contract of Insurance | 391 |
| Article 944. Replacement of Insured Person | 392 |
| Article 945. Replacement of Beneficiary | 392 |
| Article 946. Replacement of Insurant | 392 |
| Article 947. Commencement of Operation of Contract of Insurance | 393 |
| Article 948. Termination Before Time of Contract of Insurance | 393 |
| Article 949. Consequences of Increase of Insured Risk in Period of Operation of Contract | 394 |
| Article 950. Transfer of Rights to Insured Property to Other Person .. | 395 |
| Article 951. Informing Insurer about Ensuing of Insured Event | 395 |
| Article 952. Reduction of Losses from Insured Event | 396 |
| Article 953. Consequences of Ensuing of Insured Event Through Fault of Insurant, Beneficiary, or Insured Person | 396 |
| Article 954. Grounds for Relief of Insurer from Payment of Insurance Compensation and Insured Amount..... | 397 |
| Article 955. Refusal to Pay Insurance Compensation or Insured Amount | 397 |
| Article 956. Payment of Insured Amount Under Contract of Personal Insurance | 398 |
| Article 957. Transfer to Insurer of Rights of Insurant to Compensation of Damage (Subrogation)..... | 399 |
| Article 958. Transfer to Insurer of Rights to Insured Property | 399 |
| Article 959. Reinsurance | 399 |
| Article 960. Mutual Insurance | 400 |
| Article 961. Obligatory State Insurance..... | 401 |

Chapter 53. Simple Partnership

| | |
|--|-----|
| Article 962. Contract of Simple Partnership..... | 401 |
|--|-----|

| | |
|---|-----|
| Article 963. Contributions of Partners | 402 |
| Article 964. Common Property of Partners | 402 |
| Article 965. Conducting Common Affairs of Partners..... | 402 |
| Article 966. Right of Partner to Information | 403 |
| Article 967. Common Expenses, Losses, and Responsibility of Partners..... | 404 |
| Article 968. Distribution of Profit | 404 |
| Article 969. Partition of Participatory Share of Partner at Demand of His Creditors..... | 404 |
| Article 970. Grounds for Termination of Contract of Simple Partnership | 405 |
| Article 971. Consequences of Termination of Contract of Simple Partnership | 405 |
| Article 972. Repudiation of Contract of Simple Partnership Without Period | 406 |
| Article 973. Dissolution of Contract of Simple Partnership at Demand of Party | 406 |
| Article 974. Responsibility of Partner Who Has Renounced Participation in Contract or Required Dissolution Thereof | 406 |
| Article 975. Nontransparent Partnership..... | 407 |

Chapter 54. Public Competition

| | |
|--|-----|
| Article 976. Organization of Public Competition | 407 |
| Article 977. Change of Conditions and Cancellation of Public Competition | 408 |
| Article 978. Decision Concerning Payment of Reward | 409 |
| Article 979. Use of Works of Science, Literature, and Art of Persons Who Won Public Competition | 409 |
| Article 980. Return to Participants of Public Competition of Works Submitted | 409 |

Chapter 55. Public Promise of Reward

| | |
|---|-----|
| Article 981. Duty to Pay Reward..... | 409 |
| Article 982. Revocation of Public Promise of Reward | 410 |

Chapter 56. Conducting Games and Betting

| | |
|--|-----|
| Article 983. Demands Connected with the Organization of Games and Betting and Participation Therein | 411 |
| Article 984. Peculiarities of Conducting Lotteries, Totalizers, and Other Games by the State | 411 |

Chapter 57. Obligations as Consequence of Causing Harm

§ 1. General Provisions

| | |
|--|-----|
| Article 985. General Grounds of Responsibility for Causing of Harm | 412 |
| Article 986. Warning of Causing of Harm | 413 |
| Article 987. Causing Harm in State of Necessary Defence | 413 |
| Article 988. Causing Harm in State of Extreme Necessity | 413 |
| Article 989. Responsibility of Juridical Person or Citizen for Harm Caused by Worker Thereof | 414 |
| Article 990. Responsibility for Harm Caused by State Agencies, Agencies of Self-Government of Citizens, and Also the Officials Thereof | 414 |
| Article 991. Responsibility for Harm Caused by Illegal Actions of Agencies of Inquiry or Preliminary Investigation, Procuracy, and Court | 414 |
| Article 992. Compensation of Harm by Person Who Has Insured His Responsibility | 415 |
| Article 993. Responsibility for Harm Caused by Minors Up to Fourteen Years of Age | 415 |
| Article 994. Responsibility for Harm Caused by Minors in Age from Fourteen to Eighteen Years | 416 |
| Article 995. Responsibility of Parents Deprived of Parental Rights for Harm Caused by Minors | 416 |
| Article 996. Responsibility for Harm Caused by Citizen Deemed to Lack Dispositive Legal Capacity | 417 |
| Article 997. Responsibility for Harm Caused by Citizen Deemed to Have Limited Dispositive Legal Capacity | 417 |
| Article 998. Responsibility for Harm Caused by Citizen Not Capable of Understanding Significance of His Actions | 417 |
| Article 999. Responsibility for Harm Caused by Activity Creating Increased Danger for Surrounding Persons | 418 |
| Article 1000. Responsibility for Jointly Caused Harm | 419 |
| Article 1001. Right of Regression Against Person Who Caused Harm | 419 |
| Article 1002. Responsibility for Harm Caused by Domestic Animals | 420 |
| Article 1003. Means of Compensation of Harm | 420 |
| Article 1004. Taking Account of Fault of Victim and Property Status of Person Who Caused Harm | 420 |

§ 2. Compensation of Harm Caused to Life and Health of Citizen

Article 1005. Compensation of Harm Caused to Life or Health of
Citizen When Performing Contractual or Other Obligations 421

Article 1006. Amount and Character of Compensation of Harm
Which Caused Impairment of Health 421

Article 1007. Determination of Earnings (or Revenue) Lost as
Result of Impairment of Health 422

Article 1008. Compensation of Harm in Event of Impairment of
Health of Person Who Has Not Attained Majority 423

Article 1009. Compensation of Harm to Persons Who Have
Incurred Damage as Result of Death of Breadwinner 424

Article 1010. Amount of Compensation of Harm Incurred in Event
of Death of Breadwinner 425

Article 1011. Compensation of Harm by Heirs of Person Who
Caused Harm 425

Article 1012. Change of Amount of Compensation of Harm 426

Article 1013. Increase of Amount of Compensation of Harm in
Connection with Increased Cost of Living and Increase of
Minimum Amount of Earnings Established by Legislation 426

Article 1014. Payments for Compensation of Harm 426

Article 1015. Compensation of Harm in Event of Termination of
Juridical Person 427

Article 1016. Compensation of Expenses for Burial 427

§ 3. Compensation of Harm Caused as Consequence of Defects
of Goods, Work, or Services

Article 1017. Grounds for Compensation of Harm Caused as
Consequence of Defects of Good, Work, or Services 428

Article 1018. Persons Responsible for Harm Caused as Consequence
of Defects of Good, Work, or Service 428

Article 1019. Periods for Compensation of Harm Caused as Result
of Defects of Good, Work, or Service 428

Article 1020. Grounds for Relief from Responsibility for Harm
Caused as Consequence of Defects of Good, Work, or Service 429

§ 4. Contributory Compensation of Moral Harm

Article 1021. General Provisions 429

Article 1022. Means and Amount of Contributory Compensation of
Moral Harm 430

Chapter 58. Obligations as Consequence of Unfounded Enrichment

| | |
|--|-----|
| Article 1023. Duty to Return Unfounded Enrichment | 430 |
| Article 1024. Correlation of Demands Concerning Return of Unfounded Enrichment with Other Demands in Defence of Civil Rights | 431 |
| Article 1025. Return of Unfounded Enrichment in Kind | 431 |
| Article 1026. Compensation of Value of Unfounded Enrichment | 431 |
| Article 1027. Consequences of Unfounded Transfer of Right to Another Person | 432 |
| Article 1028. Compensation to Victim of Revenues Not Received | 432 |
| Article 1029. Compensation of Expenditures on Property Subject to Return | 432 |
| Article 1030. Unfounded Enrichment Not Subject to Return | 432 |

Section IV. Intellectual Property

Chapter 59. General Provisions

| | |
|---|-----|
| Article 1031. Objects of Intellectual Property | 433 |
| Article 1032. Legal Protection of Objects of Intellectual Property | 434 |
| Article 1033. Personal Nonproperty and Property Rights to Objects of Intellectual Property | 434 |
| Article 1034. Exclusive Rights to Objects of Intellectual Property | 434 |
| Article 1035. Transfer of Exclusive Rights to Another Person | 435 |
| Article 1036. License Contract | 436 |
| Article 1037. Contract on Creation and Use of Results of Intellectual Activity | 436 |
| Article 1038. Exclusive Right and Right of Ownership | 437 |
| Article 1039. Period of Operation of Exclusive Right to Objects of Intellectual Property | 437 |
| Article 1040. Means of Defence of Exclusive Rights to Objects of Intellectual Property | 437 |

Chapter 60. Author's Right

| | |
|--|-----|
| Article 1041. Works Protected by Author's Right (Objects of Author's Right) | 438 |
| Article 1042. Types of Objects of Author's Right | 438 |
| Article 1043. Parts of Work and Derivative Works..... | 439 |
| Article 1044. Works and Results of Activity Similar Thereto Which Are Not Objects of Author's Right | 439 |
| Article 1045. Rights to Draft Official Documents, Symbols, and Marks | 440 |

| | |
|--|-----|
| Article 1046. Author of Work. Presumption of Authorship | 440 |
| Article 1047. Coauthorship | 441 |
| Article 1048. Authors of Derivative Works | 441 |
| Article 1049. Rights of Persons Organising Creation of Works | 441 |
| Article 1050. Marks of Protection of Author's Right | 442 |
| Article 1051. Personal Nonproperty Rights of Author | 443 |
| Article 1052. Right of Authorship | 443 |
| Article 1053. Right to Author's Name | 443 |
| Article 1054. Right to Inviolability of Work | 443 |
| Article 1055. Right to Publication of Work | 444 |
| Article 1056. Right of Author to Use of Work | 444 |
| Article 1057. Disposition of Right to Use of Work | 445 |
| Article 1058. Limitations of Author's Rights | 445 |
| Article 1059. Reproduction of Other's Work for Personal Purposes | 446 |
| Article 1060. Free Public Performance of Works | 446 |
| Article 1061. Free Reproduction of Works for Judicial Purposes | 446 |
| Article 1062. Right to Employment Work | 447 |
| Article 1063. Operation of Author's Right on Territory of Republic Uzbekistan | 447 |
| Article 1064. Commencement of Operation of Author's Right | 448 |
| Article 1065. Period of Operation of Author's Right | 448 |
| Article 1066. Transfer of Work to Public Weal | 449 |
| Article 1067. Author's Contract | 449 |
| Article 1068. Conditions of Author's Contract | 449 |
| Article 1069. Form of Author's Contract | 450 |
| Article 1070. Responsibility Under Author's Contract | 450 |
| Article 1071. Period of Operation of Author's License Contract | 450 |
| Article 1072. Responsibility for Unlawful Use of Work Without Contract | 451 |
| Article 1073. Legal Regulation of Authors' Relations | 451 |

Chapter 61. Neighbouring Rights

| | |
|---|-----|
| Article 1074. Object of Neighbouring Rights | 451 |
| Article 1075. Subjects of Neighbouring Rights | 451 |
| Article 1076. Marks of Protection of Neighbouring Rights | 452 |
| Article 1077. Rights of Performer | 452 |
| Article 1078. Rights of Person Who Created Recording of Performance | 453 |
| Article 1079. Rights of Broadcasting Organisation | 453 |
| Article 1080. Rights of Cable Broadcasting Organisation | 454 |
| Article 1081. Responsibility for Failure to Perform or Improper Performance of Contract on Use of Neighbouring Rights and for Unlawful Use of Work Without Contract | 454 |

*Chapter 62. Right to Industrial Property (Right to Invention,
Utility Model, Industrial Design)*

| | |
|--|-----|
| Article 1082. Legal Protection of Invention, Utility Model, and Industrial Design | 454 |
| Article 1083. Right of Use of Invention, Utility Model, and Industrial Design | 454 |
| Article 1084. Disposition of Right to Patent | 455 |
| Article 1085. Right of Authorship | 455 |
| Article 1086. Coauthors of Invention, Utility Model, and Industrial Design | 456 |
| Article 1087. Employment Inventions, Utility Models, or Industrial Designs | 456 |
| Article 1088. Form of Contract on Transfer of Right to Patent | 456 |
| Article 1089. Form of Authorisation (or License) for Use of Invention, Utility Model, and Industrial Design | 457 |
| Article 1090. Responsibility for Violation of Patent | 457 |

Chapter 63. Rights to New Varieties of Flora and New Strains of Fauna

| | |
|--|-----|
| Article 1091. Protection of Rights to New Varieties of Flora and New Strains of Fauna | 457 |
| Article 1092. Rights of Author of Selection Achievement to Remuneration | 457 |
| Article 1093. Rights of Patent Possessor | 458 |
| Article 1094. Duties of Patent Possessor | 458 |

Chapter 64. Defence of Undivulged Information Against Illegal Use

| | |
|---|-----|
| Article 1095. Right to Defence of Undivulged Information | 458 |
| Article 1096. Responsibility for Illegal Use of Undivulged Information | 458 |
| Article 1097. Transfer of Right to Defend Undivulged Information Against Illegal Use | 459 |

*Chapter 65. Means of Individualisation of Participants of Civil
Turnover, Goods, Work, and Services*

§ 1. Firm Name

| | |
|---|-----|
| Article 1098. Right to Firm Name | 459 |
| Article 1099. Use of Firm Name of Juridical Person in Trademark | 460 |
| Article 1100. Operation of Right to Firm Name | 460 |
| Article 1101. Alienation of Right to Firm Name | 460 |

§ 2. Trademark (or Service Mark)

| | |
|--|-----|
| Article 1102. Legal Protection of Trademark | 461 |
| Article 1103. Right of Use of Trademark | 461 |
| Article 1104. Consequences of Failure to Use Trademark | 461 |
| Article 1105. Transfer of Right to Trademark | 461 |
| Article 1106. Form of Contract on Transfer of Right to Trademark | 462 |
| Article 1107. Responsibility for Violation of Right to Trademark | 462 |

§ 3. Name of Place of Origin of Good

| | |
|--|-----|
| Article 1108. Legal Protection of Name of Place of Origin of Good | 462 |
| Article 1109. Right of Use of Name of Place of Origin of Good | 463 |
| Article 1110. Sphere of Operation of Legal Protection of Name of Place of Origin of Good..... | 464 |
| Article 1111. Responsibility for Unlawful Use of Name of Place of Origin of Good..... | 464 |

Section V. Inheritance Law

Chapter 66. General Provisions on Inheriting

| | |
|--|-----|
| Article 1112. Grounds of Inheriting..... | 464 |
| Article 1113. Composition of Inheritance..... | 465 |
| Article 1114. Inheriting of Property Which is Common Joint Ownership | 465 |
| Article 1115. Inheriting of Right of Possession of Land Plot by Dekhan Economy..... | 466 |
| Article 1116. Opening of Inheritance | 466 |
| Article 1117. Place of Opening of Inheritance | 466 |
| Article 1118. Heirs | 466 |
| Article 1119. Elimination of Unworthy Heirs from Inheritance | 467 |

Chapter 67. Inheriting by Will

| | |
|---|-----|
| Article 1120. General Provisions..... | 467 |
| Article 1121. Will with Condition | 468 |
| Article 1122. Subdesignation of Heirs | 468 |
| Article 1123. Inheriting Part of Property Remaining Unbequeathed | 469 |
| Article 1124. General Rules on Form of Will | 469 |
| Article 1125. Notarially Certified Will | 469 |
| Article 1126. Will Equated to Notarially Certified..... | 470 |
| Article 1127. Revocation and Change of Will..... | 471 |
| Article 1128. Secrecy of Will | 471 |
| Article 1129. Interpretation of Will | 471 |

| | |
|--|-----|
| Article 1130. Invalidation of Will | 472 |
| Article 1131. Performance of Will | 472 |
| Article 1132. Testamentary Legacy | 473 |
| Article 1133. Placement of Duties..... | 474 |

Chapter 68. Inheriting by Operation of Law

| | |
|---|-----|
| Article 1134. General Provisions | 475 |
| Article 1135. First Priority of Heirs by Operation of Law | 475 |
| Article 1136. Second Priority of Heirs by Operation of Law | 475 |
| Article 1137. Third Priority of Heirs by Operation of Law | 476 |
| Article 1138. Fourth Priority of Heirs by Operation of Law | 476 |
| Article 1139. Fifth Priority of Heirs by Operation of Law | 476 |
| Article 1140. Inheriting by Right of Representation | 476 |
| Article 1141. Dependents Lacking Labour Capacity of Decedent | 477 |
| Article 1142. Right to Obligatory Participatory Share in Inheritance .. | 477 |
| Article 1143. Rights of Spouse in Event of Inheriting | 478 |
| Article 1144. Protection of Inheritance in Management Thereof in Event of Inheriting by Operation of Law | 478 |

Chapter 69. Acquisition of Inheritance

| | |
|--|-----|
| Article 1145. General Provisions | 479 |
| Article 1146. Issuance of Certificate Concerning Right to Inheritance | 479 |
| Article 1147. Right to Refuse Inheritance | 479 |
| Article 1148. Limitations of Right to Refuse Inheritance | 480 |
| Article 1149. Right to Refuse Receipt of Testamentary Legacy | 480 |
| Article 1150. Separation of Inheritance | 481 |
| Article 1151. Rights of Absent Heirs | 481 |
| Article 1152. Inheriting of Enterprise | 482 |
| Article 1153. Preferential Right of Individual Heirs to Property Within Inheritance | 482 |
| Article 1154. Augmentation of Inheritance Participatory Shares | 482 |
| Article 1155. Expenses Subject to Payment at Expense of Inheritance | 483 |
| Article 1156. Recovery of Debts of Testator by Creditors | 483 |
| Article 1157. Escheat | 484 |

Section VI. Application of Norms of Private International Law to Civil Law Relations

Chapter 70. General Provisions

| | |
|---|-----|
| Article 1158. Determination of Law Subject to Application to Civil Law Relations Complicated by Foreign Element | 484 |
| Article 1159. Legal Qualification | 485 |
| Article 1160. Establishment of Content of Norms of Foreign Law | 485 |
| Article 1161. Reverse Renvoi and Renvoi to Law of Third Country | 486 |
| Article 1162. Consequences of Circumvention of Law | 486 |
| Article 1163. Reciprocity | 486 |
| Article 1164. Reservation Concerning Public Policy | 486 |
| Article 1165. Application of Imperative Norms | 487 |
| Article 1166. Application of Law of Country with Multiplicity of Legal Systems | 487 |
| Article 1167. Retorsion | 487 |

Chapter 71. Conflicts Norms

§ 1. Persons

| | |
|---|-----|
| Article 1168. Personal Law of Natural Person | 487 |
| Article 1169. Legal Capacity and Dispositive Legal Capacity of Natural Person | 488 |
| Article 1170. Deeming Natural Person to be Missing and Declaring Him to be Deceased | 488 |
| Article 1171. Name of Natural Person | 488 |
| Article 1172. Registration of Acts of Civil Status of Citizens of the Republic Uzbekistan Outside Limits of Republic Uzbekistan | 489 |
| Article 1173. Recognition of Documents Issued by Agencies of Foreign State in Certification of Acts of Civil Status | 489 |
| Article 1174. Trusteeship and Guardianship | 489 |
| Article 1175. Law of Juridical Person | 490 |
| Article 1176. Legal Capacity of Juridical Person | 490 |
| Article 1177. National Regime of Activity of Foreign Juridical Persons in Republic Uzbekistan | 490 |
| Article 1178. Participation of State in Civil-Law Relations with Foreign Element | 490 |

§ 2. Personal Nonproperty Rights. Intellectual Property

| | |
|--|-----|
| Article 1179. Defence of Personal Nonproperty Rights | 490 |
| Article 1180. Rights to Intellectual Property | 491 |

§ 3. Transactions. Representation. Periods of Limitation

| | |
|--|-----|
| Article 1181. Form of Transaction | 491 |
| Article 1182. Power of Attorney | 491 |
| Article 1183. Period of Limitation | 491 |

§ 4. Rights to Thing

| | |
|--|-----|
| Article 1184. General Provisions on Law Applicable to Rights to Thing | 492 |
| Article 1185. Origin and Termination of Rights to Thing | 492 |
| Article 1186. Rights to Thing to Means of Transport and Other Property Subject to Entry in State Register | 493 |
| Article 1187. Rights to Thing to Moveable Property En Route | 493 |
| Article 1188. Defence of Rights to Thing | 493 |

§ 5. Contractual Obligations

| | |
|--|-----|
| Article 1189. Choice of Law by Agreement of Parties of Contract | 493 |
| Article 1190. Law Applicable to Contract in Absence of Agreement of Parties | 494 |
| Article 1191. Law Applicable to Contract on Creation of Juridical Person with Foreign Participation | 495 |
| Article 1192. Sphere of Operation of Applicable Law | 495 |

§ 6. Extracontractual Obligations

| | |
|--|-----|
| Article 1193. Obligations from Unilateral Actions | 495 |
| Article 1194. Obligations as Consequence of Causing Harm | 496 |
| Article 1195. Responsibility for Damage Caused to Consumer | 496 |
| Article 1196. Unfounded Enrichment | 496 |

§ 7. Inheritance Law

| | |
|--|-----|
| Article 1197. Relations Relating to Inheriting | 497 |
| Article 1198. Legal Capacity of Persons to Draw Up and Revoke Will, Form of Will, and Act of Revocation Thereof | 497 |
| Article 1199. Inheriting of Immoveable Property and Property Subject to Inclusion in State Register | 497 |