



SURGUT STATE UNIVERSITY FOREIGN LANGUAGE DEPARTMENT

Limitation periods

Student Mikhail Bashmur

Group 102-91

Scientific Supervisor

Associate Professor Ph.D

Anastasia Yurievna Sitnikova

2021

CONTENT

- Introduction
- The purpose of the work
- Key terms
- Limitation periods in civil law
- Functions of the statute of limitations
- Types of limitation periods
- Conclusion
- Literature

Introduction

The current legislation is constantly evolving and does not stand still. Many norms and statute of limitations have been developed and specified since the adoption of the Civil Code of the Russian Federation. The relevance lies in the weighty practical significance of resolving disputes between participants in civil legal relations. After all, the protection of violated rights contributes to the purpose for which the parties entered into this relationship.

Compliance with deadlines, including the limitation period, is due to the fact that over time it is not always possible to establish the reliability of certain events, and this contributes to the early application for the protection of violated rights

The purpose of the work:

- study of theoretical issues related to the characteristics of the limitation period;
- determination of the procedure for calculating the limitation period;
- consequences and procedure for suspension, interruption and restoration of the limitation period.

Key terms:

The Civil Code is a systematized unified legislative act that defines the legal status of participants in civil turnover, the grounds for the emergence and the procedure for the exercise of property rights and other property rights

Limitation period is the period during which a person can enforce his claims against another person through the court.

Claim is a statement in which one person asks the court to oblige another to fulfill some requirement.

Civil law is a branch of law that unites legal norms regulating property, as well as related and unrelated personal non-property relations

limitation periods in civil law.

The Civil Code of the Russian Federation specifies two limitation periods, these are the acquisition and the limitation period.

The acquisition limitation period is the period after which, subject to certain conditions, the ownership of the property passes to the owner of the specified property

The limitation period is the period during which a person can enforce his claims against another person through the court



Functions of the statute of limitations

- Facilitates the work of the courts, thereby helping to make objective decisions. This is due to the fact that over time, the resolution of some civil cases would be very difficult, since over time evidence could be lost, witness testimony would be distorted, or they would not be able to be attached to the case at all;
- Stabilization of civil turnover-cases are considered faster, therefore, dispute resolution is accelerated;
- The statute of limitations eliminates instability and uncertainty between the subjects of civil legal relations;
- Strengthening contractual discipline;
- Increasing the activity of subjects of civil legal relations in the exercise of their rights and obligations;
- Mutual control over the fulfillment by the participants of the legal relations of their duties.

Types of limitation periods

The limitation period is divided into a general one, which does not exceed three years, regardless of the subjects of the dispute, and applies to all claims except those for which special ones are provided.

Special limitation periods are established for individual claims, which may be more or less long in comparison with the total period.

The general limitation period is an opportunity to file a claim with the court, if the rule of law does not contain a mention of the limitation period, then the general period is applied, the duration of which is three years from the moment when the person learned or should have learned about the violation of their rights.

Conclusion

After conducting a study, we figured out the statute of limitations, their types and functions. It must be remembered that the statute of limitations does not depend on the will of a person, which will be confirmed by judicial practice..



Literature

1. The Civil Code of the Russian Federation (Part one)" dated 30.11.1994 N 51-FZ (as amended on 03.08.2018) (with amendments and additions, intro. effective from 01.06.2019) // Collection of Legislation of the Russian Federation, 05.12.1994, N 32, art. 3301
2. "Criminal Code of the Russian Federation" dated 13.06.1996 N 63-FZ (ed. dated 29.05.2019) // Rossiyskaya Gazeta, N 113, 18.06.1996, N 114, 19.06.1996, N 115, 20.06.1996, N 118, 25.06.1996.
3. Federal Law "On Countering Terrorism" dated 06.03.2006 N 35-FZ (latest edition) // Collection of Legislation of the Russian Federation, 13.03.2006, N 11, Article 1146.
4. Resolution of the Plenum of the Supreme Arbitration Court of the Russian Federation of 22.12.1992 No. 21 (ed. of 01.07.1993) // Bulletin of the Supreme Arbitration Court of the Russian Federation, 1993, No. 2 P. 53
5. Resolution of the Plenum of the Supreme Court of the Russian Federation, the Plenum of the Supreme Court of the Russian Federation of 28.02.1995 No. 2/1 "On some issues related to the entry into force of Part One of the Civil Code of the Russian Federation" // Bulletin of the Supreme Court of the Russian Federation, No. 5, 1995