

FEDERAL STATE-FUNDED EDUCATIONAL INSTITUTION
OF HIGHER EDUCATION
RUSSIAN PRESIDENTIAL ACADEMY
OF NATIONAL ECONOMY AND PUBLIC ADMINISTRATION

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**LEGAL STATUS OF THE SELF-REGULATORY ORGANIZATION
IN THE FIELD OF CONSTRUCTION
AS A SUBJECT OF PRIVATE LAW RELATIONS**

Specialty 5.1.3 – private law (civil) jurisprudence

ABSTRACT OF THE THESIS
for the Degree of Candidate of Juridical Science

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Moscow – 2023

Urgency of the thesis research. The development of self-regulation as a form of decentralized regulation of economic relations is an objective process conditioned, on the one hand, by complication of interaction between the public and private interests satisfied through economic activities, and, on the other hand, by political and legal factors determining the partnership nature of relations between modern social state and business entities in the process of solving socially significant tasks of development of material basis for society existence. Integration of self-regulation in the system of legal regulation through the recognition of the legal effect of the rules of conduct developed by business communities, including, accompanied by ensuring their implementation by means specific to classical law, allows us to build a balanced legal regulation of the relevant fields, reflecting the balanced interaction of various private and public interests.

The social institutionalization of self-regulation involves normative regulation of its intermediating forms, which provide, among other things, organizational and legal structuring of those social relations through which business communities create and implement the rules of conduct forming self-regulation. The trend set by political and legal factors to reduce administrative interference of the state in economic activity led to the choice of a private legal form to solve this issue - a legal entity; the social essence of self-regulation disclosed through the functions has determined the choice of its (legal entity's) specific type - a nonprofit corporation in the business legal structure of association. Existing in an obvious causal link with the formation of a legal system of self-regulation of entrepreneurial activity in the field of construction, the refusal of the state from such form of its management as licensing created the impression of delegating relevant public law powers to private law entities, which was perceived by the scientific community as a challenge to justify the permissibility of integration of public law elements in the private law status. Such a formulation of the question, in our opinion, takes the discussion in the wrong direction, because the answer to this question should be sought in the field of the potential of private law forms of self-regulation, rather than in the justification of integration into these forms such public law elements, which will lead to its (self-

regulation) qualitative transformation, which is inevitably reflected in the level of legal protection of economic entities. Now this can be seen by the example of a number of law-restrictive measures by their nature (such as an exclusion of a member of a self-regulatory organization, suspension of the right to perform certain activities), which a self-regulatory organization in the field of construction can apply to its members "behind the mask" of corporate measures. In our view, it is indicative the fact that the legal regulation of self-regulation in the construction field is currently concentrated in the Town-Planning Code of the Russian Federation, that is a normative act of predominantly public law content.

Since self-regulation is a system of private legal relations, the structure of a self-regulatory organization is a known set of private legal forms, through which the harmonization of private and public interests in the field of construction can be implemented. The status of a self-regulatory organization supplements the organizational and legal form of the association with such elements that manifest themselves primarily in the plane of self-regulatory potential, but these changes inevitably manifest themselves in the influence on all its components that mediate the participation of such an entity in both internal (corporate) and external relations. We would like to emphasize, that these elements, remaining private-law in nature, are called for to systematically solve a more complex range of issues than coordination and realization of the common interest of association members that are typical for the "ordinary" association; self-regulation in the field of construction should also provide the public interest; the latter should not suppress the private interests of members of self-regulatory organization, otherwise it will lead to the elimination of the corporate nature of self-regulation and turn such organizations into an ineffective (as a self-regulation tool) "appendage" of the system of state management in this field.

To date, the system of legal regulation of construction activity with the use of corporate legal forms of self-government has been formed and functions long enough to provide empirical material to assess its effectiveness and scientific substantiation of areas for its improvement. As of December 2022, there are 225

self-regulating organizations in the field of construction in the Russian Federation, which unite 97,715 subjects as members of the construction activity¹. Taking into account the fact that the share of construction in the total GDP of Russia is more than 13%², it is obvious that even minor miscalculations in the legal regulation in this field can cause a significant negative social and economic effect.

The above confirms the relevance of the study of self-regulatory organization legal status in the field of construction in terms of the specific implementation of the functions of self-regulation by private law means.

The extent of scientific development of the thesis research topic. Due to their urgency, the problems this work is devoted to could not be avoided in the books of domestic scholars investigating self-regulation of entrepreneurial and other professional activities within the legal mechanism regulating social relations (S.V. Vasilieva, M.A. Yegorova, I.V. Yershova, S.A. Zinchenko, V.V. Kvanina, Yu.G. Leskova, E.I. Spector, E.V. Talapina and others). In a number of scientific papers certain aspects of the legal, including the corporate, status of the self-regulatory organizations are considered (AA Baytenova, O.V. Belaya, O.A. Serova, O.A. Vasiuchkova, O.A. T.V. Dautia, V.V. Dolinskaya, and others).

The legal status as such of the self-regulatory organizations is considered in the existing comprehensive researches in terms of administrative law approaches (A.F. Algazina, Z.M. Baymuratova, and others) or the studies are performed in respect of other legal positions and issues (A.V. Basova, A.A. Gerasimov, D.O. Grachev, I.G. Zhurina, D.A. Petrov, Yu.A. Romanov and others).

The above and many other researchers (O.A. Tarasenko, O. N. Maksimovich, A.A. Mokhov, O.V. Sushkova and others) have made an enormous contribution to the doctrine development of the legal self-regulatory mechanism both as a phenomenon in general and at the level of its individual components; however, the need for a comprehensive study of the legal status of the self-regulatory organization

¹ Official website of the National Association of Builders (NOSTROY). - URL: <https://nostroy.ru/> (Accessed on Dec. 01, 2022).

² Official website of Rosstat (Russia Federal Service of State Statistics). – URL: <https://rosstat.gov.ru/storage/mediabank/osn-06-2022.pdf> (Accessed on Dec. 01, 2022).

in the field of construction as applied to contemporary legal situation can be unlikely recognized as exhausted; the development of legislation and law enforcement practices highlights new challenges, which require urgent scholarly comprehension and resolution.

Purpose and Objectives of the Research. The purpose of the thesis research is to scientifically substantiate the legal status of the self-regulatory organization in the field of construction as a total of private law forms, which ensure on a systematic basis a possibility of its participation in the private law relations with a view of implementing the self-regulatory functions.

The purpose of the study is achieved through solving the following problems:

- To assess the current state of regulatory regulation of the legal status of the self-regulatory organization in the field of construction in terms of its consistency and completeness;
- To research the essence of the legal status of the self-regulatory organizations in the field of construction from the point of view of the legal nature of their legal forms, providing the potential of participation in the private law relations in order to implement the self-regulatory functions;
- To research the legal arrangement of emergence and termination of the legal status of the self-regulatory organization in the field of construction;
- To research the properties of the corporate acts as a private law form through which the self-regulatory functions are implemented in the field of construction;
- To identify the features of the structural bodies of the self-regulatory organization in the field of construction, which are stipulated by differentiation of the corporate governance and self-regulatory functions;
- To research the features of the legal regime of property of the self-regulatory organization in the field of construction, stipulated by the objectives of its participation in the private law relations;
- To research the responsibility of the self-regulatory organization in the field of construction for its obligations as an element of its legal status stipulated by the purposes of its participation in the private law relations;

- To research the responsibility of the self-regulatory organization in the field of construction for obligations of its members as an element of its legal status, which ensures implementation of the self-regulatory function.

The object of the thesis research is represented by the system of social relations arising in connection with participation of the self-regulatory organization in the field of construction in the private law relations through implementation of the private law forms, creating its legal status and mediating self-regulatory functions.

The subject of the thesis research includes the legal provisions regulating social relations resulting from participation of the self-regulatory organization in the field of construction in the private law relations through implementation of the private law forms creating its legal status and mediating the self-regulatory functions, the law enforcement practice, doctrinal sources devoted to the legal status problems of the self-regulatory organizations.

The theoretical basis of the thesis research included scientific papers by the representatives of the civil and business law sciences, such as M.M. Agarkov, S.S. Alekseev, V.A. Belov, N.S. Bondar, M.I. Braginsky, S.N. Bratus, S.V. Vasilieva, O.A. Vasyuchkova, Ja.R. Vebers, A.V. Venediktov, V.V. Vitriansky, A.V. Gabov, V.P. Gribanov, T.V. Dautia, V.V. Dolinskaya, M.A. Yegorova, I.V. Yershova, A.V. Zabelin, O.S. Ioffe, T.V. Kashanina, V.V. Kvanina, N.V. Kozlova, O.A. Krasavchikov, V.A. Laptev, Yu.G. Leskova, S.D. Mogilevsky, V.A. Musin, I.B. Novitsky, L.A. Novoselova, V.A. Oigenzikht, D.A. Petrov, V.A. Potapov, Yu.A. Romanov, O.A. Serova, A.F. Surov, E.A. Sukhanov, O.A. Tarasenko, Yu.K. Tolstoy, R.O. Khalfina, B.B. Cherepakhin, I.S. Shitkina, and others. The present research was influenced by the works of the following international scholars: W. Breuer, G.B. Ferri, O.V. Gierke, L.E. Talbot, R. Tommasini, E. Godeme, L.-J. Morandier, R. Savatier, and others.

The methodological basis of the thesis research is conditioned by the object and subject of the research; the methodology of the research is based on the dialectical method of obtaining knowledge; the following methods were also used:

formal logical methods (abstraction, analysis, analogy, deduction and induction, synthesis, generalization); special legal research methods (specific sociological/case study method, methods of grammatical, logical, and overall interpretation). Statistical methods were also used in order to assess the efficiency of a legal phenomenon of any kind and nature in the terms of quantity (numbers).

The information base of the study is represented primarily by the regulatory documents, including federal laws, Resolutions of the Government of the Russian Federation, the orders of the Russian Federal Service for Ecological, Technological and Nuclear Supervision (Rostekhnadzor of Russia), the articles of association and other corporate acts not only of the self-regulatory organizations based on the membership of persons engaged in construction, but of a National association of the above organizations.

The empirical basis of the thesis research involved the judgments of the Constitutional Court of the Russian Federation, the resolutions of the Plenums of the Supreme Court of the Russian Federation, the Supreme Arbitration Court of the Russian Federation, containing the interpretation of the provisions, materials of judicial arbitration practice, including the rulings of the Chamber for Economic Disputes of the Supreme Court of the Russian Federation on specific cases, judicial acts of the district arbitration courts, the courts of appeal and the trial courts of general jurisdiction, statistical data. The entire process of collecting, processing and analyzing information was performed based on the observation of the requirements for representativity as applied to social research.

The scientific novelty of the work consists in scientific rationale of the legal status of the self-regulating organization in the field of construction and of its constituent elements as the private law forms ensuring implementation of the self-regulatory functions as a legal form of decentralized regulation, based on which the approaches to improved conditions of emergence and termination of such status, to its organizational and proprietary constituents, to responsibility of the self-regulatory organization, and to the legal control of the implemented compensational function, were determined. The scientific novelty of the work is determined both by

formulation of the problem itself and by the approach to research thereof with due consideration of its inadequate elaboration as of today.

The defender of thesis has formulated new scientific and practical approaches to solving the problems of the thesis research, set forth in the **provisions of the thesis to be defended:**

1. Since self-regulation represents a form of decentralized legal regulation of social relations, where the will of private legal entities is its essential basis, since the entities can be restricted in their rights through self-regulation only insofar as their free will are declared. With regard to self-regulatory organizations in the field of construction, which are based on mandatory membership, the scope of autonomy of will for construction entities is narrowed, and hence the limits are narrowed in the framework of including restrictive entitlements in the legal status of the self-regulatory organization with regard to its members, which could be considered as permissible if their free will is declared. Including measures of public legal influence measures hidden by a "mask" of the corporate law form in the legal status of self-regulatory organization, if their legal result is manifested in the decreased legal capacity of a member of the self-regulatory organization, shall be unacceptable. It is justified that with regard to such measures, the self-regulatory organization in the field of construction is only entitled to initiate their application by an authorized state body.

2. The prohibition on the subsidiaries and representative offices in the structure of the self-regulatory organization in the field of construction would be excessive, from the perspective of implementing the legal arrangement of the regional organization principle of self-regulation in this field and would result in the limited capabilities of the latter in the course of performing its statutory activities. It is proposed to expand the boundaries of the regional organization and functioning principle of the self-regulatory organization in the field of construction, by excluding the prohibition on establishment of the above mentioned structural subdivisions by this organization.

3. It is justified that the information, which is included in the register of self-regulatory organizations in the field of construction, is characterized as reliable public information; therefore, neither person, who relied in good faith in the course of exercising its rights and performing its duties on the entry in the above register related to legal status of the self-regulatory organization, shall experience negative legal consequences in case this entry is subsequently recognized as invalid.

4. While the excluding an association from the register of self-regulatory organizations in the field of construction involves termination of its opportunity to execute the activities aimed at achieving its statutory objectives, it means that construction of the substantive grounds of the latter is required according to the model of the basis for involuntary liquidation of a legal entity. The nature of this sanction forecloses its formal application permissibility: this measure shall be applied as exceptional in the situations, when ceasing the illegal acts is only possible through termination of the appropriate legal status of the entity. With regard to excluding an association from the register of self-regulatory organizations in the field of construction, implementation of this approach requires, at first, that material law violation criterion shall be included in the substantive grounds, and secondly, the judicial procedure for application of this sanction shall be imposed in any case.

5. It is justified that the legal regimes of property constituting a compensation fund for the damages and a compensation fund for contractual obligations of the self-regulatory organization in the field of construction have no essential differences: their individual purposes are determined by the single function of compensation, implementation of which is not dependent on the type of the third party's secured right (either in tort or under the contract). The approach to the liability of the self-regulatory organization in the field of construction as to an independent liability to a third party, the nature of which is independent from the type of protective liability with passive participation of a self-regulatory organization's member, shall eliminate the differences in the legal regimes of property between both compensation funds. This implies that two compensation funds in the form of relatively isolated property portfolios are not required for the

self-regulatory organization in the field of construction, since they are identical with regard to every element of their legal regimes.

6. Limitation of the range of legal remedies, which eliminate negative consequences of misusing compensation funds, by the invalidity of transactions related to their disposal and by the corporate responsibility of the persons in charge of the association is reducing the level of legal protection of the members of the self-regulatory organization in the field of construction, and ignoring the interests of other entities, who are the victims in tort obligations and the creditors in the obligations under contract involving the members of the self-regulatory organization, who (both victims and creditors under contract), with due consideration of the appointed compensation funds, are the basic interested parties in maintaining their declared amounts. It is proposed to grant the right to the members of self-regulatory organizations in the field of construction and/or to the victims in tort obligations and the creditors in the obligations under contract involving the members of the self-regulatory organization in the field of construction, to demand the bank, where special account is opened, on behalf of the self-regulatory organization, if the bank limitations arising from the legal regime thereof are violated with regard to money transfers of compensation funds, to compensate for the loss within the amount required to replenish the compensation funds up to the minimum established by law.

7. Ensuring the interests of the creditors of the self-regulatory organization in the field of construction for its own liabilities shall be associated with the minimum property available at the self-regulatory organization in the field of construction. The implemented warranty function of this property, which is similar to the charter capital in business entities, does not mean that this legal structure is required for the self-regulatory organization due to the equal scope of its members' corporate rights, therefore this problem can be solved by means of the minimum net assets of the self-regulatory organization. The implemented requirement for the minimum net assets shall be ensured by involuntary liquidation of the self-regulatory organization through legal proceedings, which shall be preceded by the provided opportunity to

replenish the insufficient amount of property funded by membership fees or other sources.

8. The legal arrangement of implementing the compensatory function of the self-regulatory organization in the field of construction is justified based on the independent monetary obligation between the self-regulatory organization and the victim/creditor of a member of the self-regulatory organization, which is entitled to demand the self-regulatory organization for such liability or its member within the framework of the existing in tort or contractual obligation with the latter. The replenishment of the compensation fund, at the expense of which the obligation of the self-regulatory organization in the field of construction was fulfilled, with due consideration of the required implementation of the self-regulatory organization's compensatory function, on the one hand, and of the civil liability functions, on the other hand, shall comprise two methods: a corporate method, based on the additional contributions paid by every members of the self-regulating organization (prompt replenishment of the compensatory fund), and subrogation, resulting in the self-regulating organization's acquisition of the rights of claim to a member, whose unlawful acts represented the grounds for the appropriate payments (exercising the civil liability functions).

Based on the research results and on the basis of the provisions to be defended, the following amendments and additions to the current legislation were suggested.

1. Article 55.2, Part 6 of the Town-Planning Code of the Russian Federation shall be amended as follows:

“6. The information regarding the self-regulatory organization shall be excluded from the state register of self-regulatory organizations pursuant to the court decision following the request by the National Association of Self-Regulatory Organizations, in which the self-regulatory organization was a member, by the authority supervising the self-regulatory organizations, and by other entitled entities as defined by the law. The right to demand the exclusion of the self-regulatory organization from the state register of self-regulatory organizations on the grounds

of violated clause 4¹ of the Article 55.4, Part 3 of this Code, shall be also granted to the creditors of the self-regulatory organization having claims to the self-regulatory organization, which are subject to satisfying at the expense of the assets not included in compensation funds, since these claims failed to be satisfied due to insufficient assets in the self-regulatory organization.”

2. Clause 2 shall be excluded from Article 55.4, Part 3 of the Town-Planning Code of the Russian Federation; clauses 3 and 4 of this Part shall be considered as clauses 2 and 3, respectively.

3. Article 55.4, Part 3 of the Town-Planning Code of the Russian Federation shall be supplemented by clause 4 (with due consideration of the previous phrase) as follows:

«4) net assets available in the non-profit organization in the amount of at least three hundred thousand rubles.»

4. Article 55.13, Part 10 of the Town-Planning Code of the Russian Federation shall be amended as follows:

“10. The self-regulatory organization shall be entitled to apply to the court in order to protect the rights and legitimate interests of the members thereof in the cases of civil legal relations arising in connection with the engineering survey activities performed by a member of the self-regulatory organization, preparing the project documentation, construction, reconstruction, major repairs, demolition of capital construction facilities, as well as with an administrative claim (application) in cases of administrative and other public legal relations with the participation of a member of a self-regulating organization as a subject of activity for the performance of engineering surveys, preparation of project documentation, construction, reconstruction, overhaul, and demolition of the capital construction facilities.”

5. Article 55.15, Part 1 of the Town-Planning Code of the Russian Federation shall be supplemented by with the second phrase as follows: «Suspending the right of a member of the self-regulatory organization to perform engineering surveys, to

¹ Meaning clause 4, the amendment of which is suggested in clause 3 hereof.

prepare the project documentation, to carry out construction, reconstruction, overhaul and demolition of the capital construction facilities, and to exclude an entity from the members of the self-regulating organization shall be performed through legal proceedings based on the lawsuit of the self-regulatory organization.»

6. The words «including at the expense of its demand for the self-regulatory organization» shall be excluded from the first phrase of Article 55.16, Part 3 of the Town-Planning Code of the Russian Federation. The specified Part shall be supplemented by the third sentence as follows: “It is allowed to make a contribution to the compensation fund by way of an offset of claims of the self-regulatory organization's member, which shall be subject to satisfaction at the expense of the appropriate compensation fund, provided that at the time of the offset the compensation fund would be sufficient to satisfy all the claims declared by the creditors and subject to satisfaction from this fund, including the claim terminated as a result of the set-off.”

7. The words «as well as payment of the fee (fees) by the third parties-non-members of this self-regulatory organization, except for the cases stipulated by Part 16 of this Article and Article 55.7, Part 10 of this Code» shall be excluded from the second phrase of Article 55.16, Part 3 of the Town-Planning Code of the Russian Federation.

8. Article 55.16 of the Town-Planning Code of the Russian Federation shall be supplemented by Part 5.1 as follows:

“5.1. In case a credit institution transfers funds from a special account in a violation of Parts 4, 5 of this Article, the self-regulatory organization, and a member of the self-regulatory organization, are entitled to demand from the credit organization the reimbursement for the damages in favor of the self-regulatory organization. The entities shall be entitled to file the lawsuit if their demand is subject to satisfaction from the compensation fund and was unsatisfied due to the transfer of funds performed by a credit institution from a special account in violation of Parts 4, 5 hereof.”

9. Article 55.19, Part 12 of the Town-Planning Code of the Russian Federation shall be amended as follows:

“12. Upon the conclusion from the National Association of Self-regulatory Organizations is received by the authority involved in supervising of the self-regulatory organizations regarding a possibility to exclude the information about the self-regulatory organization from the state register of the self-regulatory organizations or about the absence of grounds for excluding information regarding the self-regulatory organization from the state register of the self-regulatory organizations; and in case the decision to exclude the self-regulatory organization from the state register of the self-regulatory organizations was not taken within the terms established by Part 12 of this Article, if there are circumstances indicating the existence of the grounds established by this Code for the exclusion of the self-regulatory organization from the state register of the self-regulatory organizations, the supervising authority for the self-regulatory organizations shall be obliged to file the lawsuit requesting that the information about the self-regulatory organization would be excluded from the state register of the self-regulatory organizations. The National Association of the Self-Regulatory Organizations shall be also entitled to file the lawsuit with the specified request.”

Article 55.19, Part 13 of the Town-Planning Code of the Russian Federation shall be excluded.

Validity and reliability of scientific statements formulated based on the thesis research results and presented to be defended are justified by the compliance with the existing requirements for the theoretical and legal research methodology, generalized experience of the law enforcement activities, careful selection of empirical material.

Theoretical and practical importance of the work is determined by the comprehensive study of issues of the legal status of self-regulatory organization in the field of construction as a system of private law forms that mediate its participation in private law relations, which has allowed to formulate conclusions and provisions that can be used in further study of self-regulation issues. Practical

importance of the study lies in the development of quite specific recommendations that can be used to improve the civil legislation on self-regulatory organizations in the field of construction and law enforcement practice; the results of the study, along with the use in research and practical activities, can find its application in educational institutions of legal profile in the process of teaching courses of civil law, business law and specialist

Evaluation of the results of the research. The thesis work has been executed, discussed and approved at the Department of Business, Labor and Corporate Law of the M. M. Speransky Faculty of Law of the Institute of Law and National Security of the Russian Presidential Academy of National Economy and Public Administration.

Certain issues reflected in the thesis work are defined in the reports at the eight research and practical conferences including V International Research and Practical Conference “Topical Issues of Business and Corporate Law in Russia and Abroad” (Moscow, RANEPa, 2018); XV International Research and Practical Conference (Kutafin Readings) (Moscow, Moscow State Law Academy, 2019); IX International Research and Practical Conference “Law and Business: Legal Space for Business Development in Russia” (Moscow, RANEPa, Moscow State University, Moscow State Law Academy, 2020). Scientific reports made by the defender of thesis at the conferences were published in the collections of materials of the participants, and are listed below in the list of works of the applicant.

In 2018 – 2019, N. A. Seraya was the executor of grant No. 18-011-00974 “Self-Regulatory Organization as a Legal Model for the Implementation and Development of Social Entrepreneurship in the Field of Construction” which was supported by the Russian Foundation for Basic Research.

A number of arguments of the thesis work have been published in the author's articles published in scientific printed publications, including peer-reviewed scientific publications included in the list of the Higher Attestation Commission (hereinafter - HAC) under the Ministry of Education and Science of the Russian Federation, with an overall volume of 3.1 printed sheets.

The structure of the thesis research is conditioned by its purpose and objectives. The thesis work includes introduction, three chapters, combining eight paragraphs, conclusion, bibliography, appendices.

The introduction substantiates the timeliness of the theme of the thesis research, identifies the extent of its scientific development, defines the purpose and objectives, object, subject matter, theoretical and methodological basis of research, information base, identifies the scientific novelty, theoretical and practical importance of the thesis work, forms the main arguments to be defended.

The first chapter *“General characteristic of the legal status of self-regulatory organization in the field of construction as a private legal form”* shows a general characteristic of the legal status of SRO in the field of construction. It is reviewed and concluded that the sectoral legal regulation of self-regulatory organizations in the field of construction is formed by two separate blocks of normative acts. The first block is formed by laws and other legal acts that define the civil and legal status of the self-regulatory organization as a legal entity in the organizational and legal form of association; the second block includes the normative acts that regulate the relations arising from the participation of SRO in private legal relations in connection with the implementation of self-regulation.

The second chapter *“Corporate legal forms of realization of the status of self-regulatory organization in the field of construction in private legal relations”* reveals the possibilities of corporate legal forms of realization of the SRO status in the field of construction, methods and mechanisms of realization of the SRO status in the field of construction in private legal relations.

The third chapter *“Property and responsibility of self-regulatory organization in the field of construction in private law relations”* defines the legal regime of the SRO property in the field of construction, investigates and shows a civil liability of self-regulatory organization in the field of construction for its obligations and for obligations of its members.

The conclusion of the thesis work includes the main conclusions for the research topic, as well as the main arguments and suggestions for improving the current legislation.

List of author's publications. Publications of the author's thesis work covering some of the issues analyzed in the course of the thesis research:

I. Scientific articles published in the editions included in in the HAC list of the Ministry of Education and Science of the Russian Federation

1. Seraya, N. A. Concerning the Protection of Rights and Legitimate Interests of its Members by Self-Regulatory Organization in the Field of Construction: Doctrine and Current Arbitration Practice / N. A. Seraya // Authority of Law. 2022. No. 4. P. 187 - 198 (0.6 printed sheet)

2. Seraya, N. A. On the Legal Regime of the Compensation Fund for Securing the Contractual Obligations of the Self-Regulatory Organization in the Field of Construction / N. A. Seraya // Civil Law. 2019. No. 4. P. 24 - 27. (0.5 printed sheet).

3. Seraya, N. A. On the Possibility and Limits of Application of Chapter 24 of the Arbitration Procedure Code of the Russian Federation in Disputes Involving Self-Regulatory Organizations / N. A. Seraya // Authority of Law. 2019. No. 2(38). P. 174 - 182. (0.5 printed sheet).

4. Seraya, N. A. On the Competitiveness of Members of Self-Regulatory Organizations (SRO) at the Conclusion of Construction Contracts Using Competitive Methods of Contracting / N. A. Seraya // Civil Law. 2018. No. 3. P. 40 - 42. (0.5 printed sheet).

5. Seraya, N. A. Concerning the Types of Civil Liability of Self-Regulatory Organizations in the Field of Construction: Issues of Theory and Practice / N. A. Seraya // Juridical Journal of Samara University. 2018. Vol. 4. No. 3. P. 127 - 134 (1 printed sheet).

II. Scientific articles published in scientific publications included in the international abstract database Scopus

1. Seraya, N. A. Self-Regulation in the Field of Environmental Safety During Construction: Assessment of Environmental Sustainability and Safety of the Regions of the North–West of the Russian Federation N. A. Seraya, D. D. Filyakina, O. S. Struzhinskaya // Digital Future Economic Growth, Social Adaptation, and Technological Perspectives. 2020. Vol. 111. P. 841-853 (1.1 printed sheets / 0.3 printed sheet).

III. Papers published in collections and multi-authored monographs following the results of International Research and Practical Conferences

1. Seraya, N. A. On the Civil Liability of Self-Regulatory Organizations in the Field of Construction / N. A. Seraya // Topical Issues of Modern Private Law. Collection of Research and Practical Articles of the All-Russian Research and Practical Student Conference / Krasnodar, 2016. P. 165 -167 (0.4 printed sheet).

2. Seraya, N. A. Concerning the Ways of Safe-keeping the Compensation Fund of the Self-Regulatory Organizations in the Field of Urban Planning / N. A. Seraya // Civil Legislation of the Russian Federation: Current State, Trends and Prospects of Development / Collection of Research and Practical Articles of the All-Russian Research and Practical Conference / Krasnodar, 2016. P. 99 - 102 (0,5 printed sheet).

3. Seraya N. A. Construction Contract in the Urban Planning Field in the System of Civil Law Contracts / N. A. Seraya // Civil Legislation of the Russian Federation: Current State, Trends and Prospects of Development: Collection of Research and Practical Articles of the II International Research and Practical Conference / Krasnodar, 2017. P. 158 - 161 (0.3 printed sheet).

4. Seraya, N. A. Concerning the Social Functions of Self-Regulatory Organizations in the Construction Field / N. A. Seraya // Topical Issues of Civil and

Business Law: History and Contemporaneity: Collection of Research and Practical Articles of the III International Research and Practical Conference (Symposium) of Young Scientists / Krasnodar, 2018. P. 263 - 266 (0.5 printed sheet).

5. Seraya, N. A. On the Civil Liability of SRO in the Field of Construction Regarding the Obligations of its Members / N. A. Seraya // Topical Issues of Business and Corporate Law in Russia and Abroad: Collection of Articles of the V International Research and Practical Conference / ed. by S. D. Mogilevsky, O. A. Zolotova, M., 2018. P. 848-853 (0.8 printed sheet).

6. Seraya, N. A. Current Issues of Regulating the Civil Legal Status of Self-Regulatory Organizations in the Construction Field Based on the Analysis of Judicial Practice (2015 - 2018) / N. A. Seraya // The Constitution of the Russian Federation and Modern Law and Order: Papers of the XV International Research and Practical Conference (Kutafin Readings) / ed. by Grib. V. V. M., 2019. P. 73 - 77 (0.5 printed sheet).

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