

Subjects of law

Subjects of law

- Individuals (citizens of the RF, persons without citizenship, refugees)
 - Legal entities
 - The state and the state bodies
 - Municipalities and municipal bodies
- Subjects of law have two legal qualities:**
- **Passive capacity**
 - **Active capacity**

Individuals

(Chapter 3 of the Civil Code of the RF)

All the individuals have

- **Passive capacity**
- **Active capacity**

(Art. 17 – 30 of the Civil Code of the RF)

Passive capacity (Art. 17-18)

- It means the capability
to possess civil rights and
to bear civil duties

Contents of the Individual's Passive capacity

The individuals may (under Art. 18 of the Civil Code):

- Posses the property under the right of ownership
- Inherit and bequeath the property
- Engage in business and in any other activities
- Set up legal entities
- Select the place of residence
- Others

- The passive legal capacity of a citizen arises *at the moment of his birth* and ceases *with his death*.

- All the citizens have
equal passive legal capacity

What is the active capacity?

- Art. 21 of the Civil Code:
- **It is the capability of the citizen to acquire and exercise by his actions the civil rights, to create for himself the civil duties and to discharge them.**

- **The active capacity is an ability to behave reasonably and independently**
- **So:**
- **The civil active capacity** arises in full volume with the citizen's coming of age, i.e., upon his reaching **the age of 18 years**.

The Active Capacity of the Minors

- But the minors are able to behave reasonably and independently in some situations. So they can execute some rights.
- What are these rights?

- **Article 28. The Active Capacity of the Young Minors**
- **Article 26. The Active Capacity of the Minors in age from 14-18 years**

Who is responsible for the minors?

1. The property responsibility by the young minor's deals (**before 14**), including by the deals he has effected independently, shall be borne by his parents or adopters.
2. The minors of **from 14 to 18 years of age** bear the property responsibility for their deals themselves.

Their parents or adopters bear the additional responsibility for their children if the minors do not have sufficient property to execute their duties.