

Identifying conceptual gaps in the concept of natural personhood in the banking and credit system of Tajikistan

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Abstract: The question around the subject of bank credit has always been in the view of legal jurisprudence and doctrine. One of these issues is that the legal personality of a natural person in banking-credit relations is devoid of comprehensive scientific and legal study. This emphasizes the necessity of further research into the issue. This article is devoted to the participation of natural persons in the banking-credit obligations of the Republic of Tajikistan. It also provides an overview of the reality of the existence of natural persons as a subject of civil law obligations. It also investigates the relationship between the concepts of «natural person» and «citizen». It analyzes the essence of a natural person as a participant in banking-credit obligations, and combines the analysis results in order to define the characteristics of the subject. This article considers a natural person as a participant in all civil law relations, then as a participant in banking-credit obligations. Within the study framework, the use of the term «natural person» is suggested instead of the incorrect term «citizen». This article is also the first to investigate the constituent elements of the legal personality of a natural person in banking-credit obligations. It discusses the issue of the legal personality of natural persons as a participant in banking-credit obligations, clarifies the concept of legal capacity, and qualifies certain categories of the active legal capacity of natural persons. Moreover, it also describes the types of bank credit with the participation of natural persons in two main groups. Keywords: law, credit, subject, bank, natural person, legal personality, agreement.

1 Introduction

There are constituent elements in the banking-credit obligations regulated by the civil legislation of the Republic of Tajikistan, without which these obligations themselves cannot arise. One of these elements are the subjects i.e., persons through their will these obligations arise, including banking-credit obligations. Natural persons are the most active participant in banking-credit and civil law obligations. Voloshina (2017) emphasizes that the importance of researching such a category as natural persons is that they are the most numerous subjects of law. Various terms denoting a given participant in legal relationships

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are «person», «human», «personality», «citizen», «natural person», «subject», «participant», «individual», «people», etc., but we will stick to judicious use of one of them, without making distinction.

It is necessary to emphasize that the term «natural person» which we prefer is not a generally accepted term denoting the real existence of this subject of civil law obligations. Shershenevich (as cited by Komzolova, 2014, pp. 68-69) mentions that the subject of every law is only our idea of it; these subjects, whether they are natural or juridical persons do not exist in reality. Further, Greshikov (Ibid.) also mentions that individual human beings are represented in law as natural persons to denote their participation in legal relationships. Moreover, Piatkov (2018) adheres to this view, and emphasizes that the subjects of legal relationships can be ideal persons, imaginary, and deprived of corporeality which cannot be seen or touched. According to Christopher H. (2019) a natural person, as a subject of law, possessing all civil rights, is a creation of law and a legally recognized status.

These points of view justify the fact that a natural person exists only in the imagination of people, being «persona ficta» i.e., fictitious or imaginary person who does not exist in reality.

In addition, Ivanov (2017) states that the subjects of law are only individual people and their associations, since legal regulation can only be carried out by influencing consciousness and volition, and nothing on Earth except human beings possesses them. Other subjects of law (i.e., juridical person, state) act as associations of natural persons.

Thus, a separate subject participating in a bank credit should have a separate designation. In addition, the definition of this subject is not enough to fully cover its participation in a banking-credit obligation. Here the question arises about legal personality, which allows the subject to take part in this obligation, and defines the types of bank credit that can be provided.

The implementation of banking-credit relationships is carried out through the conclusion of a credit agreement regulated by the Civil Code of the Republic of Tajikistan (CCRT). However, the CCRT uses the terms «citizen» and «natural person» synonymously. There are different points of view regarding this issue. For example, Kostina (2015), Zakupen' (2013), and Petrova (2019a) agree that «citizen» and «natural person» have the same meaning. Repinkova (2016) considers this issue by correlating it with the citizenship of a natural person, which in turn determines the limits of a person's legal rights based his national legislation. This article gives another view of the issue, which will be discussed later.

Leading sources in jurisprudence mostly agree on the same points about the legal capacity and active legal capacity of natural persons. According to Novikova, Popova, and Trapezova (2017) the existence of legal capacity alone is enough for a person to be considered the subject of legal relationships, and both legislation and jurists consider the concept of active legal capacity an opportunity for persons to independently exercise their rights and responsibilities as subjects of civil law relationships. The next part of the article presents a table which accurately defines the categories of active legal capacity of natural persons, and the features of their participation in banking-credit relationships.

Different authors talk about additional conditions for the participation of natural persons in banking-credit relationships. Zakupen' (2013) enumerates five conditions: established age, employment status, property ownership, income, and citizenship. Alekseev (2008) connects the moment of a natural person's participation in credit-legal relationships from birth, and the right of independent participation with the acquisition of active legal capacity. Gonarchenko (2012) adheres to the view that only a citizen with full active legal capacity can enter into a credit agreement, however a natural person can participate in banking-credit obligations even without acquiring full active legal capacity. Some authors also talk about the classification of the types of bank credit with the participation of natural persons.

Demchenko (2012) speaks about consumer credit as the main type of crediting to natural persons. Telezhnikov (2006) divides bank credits for natural persons into two types, mortgage credit and consumer credit. Goncharenko (2012) classifies the types of consumer credit by purpose, by type of borrower, and by duration. Pristankov (2006) divides credit into three types: bank credit, commodity credit, and commercial credit. Lastly, Kulikov, Vdovina, and Kulikova (2016) classifies bank credit into consumer and production credit.

2 Materials and methods

The issue under study is multifaceted in content. In order to avoid a superficial review and ensure a through study of the issue, it is necessary to generalize its main ideas. Primarily, it should be emphasized that the widespread opinion about the definition of «citizen» and «natural person» are largely inconsistent with existing legal reality. In addition, the legal personality of natural persons in banking-credit obligations at present is devoid of deep study. Research on this issue is mostly devoted to general civic legal status, and only a few researchers have investigated the specific aspect of the legal personality of natural persons in banking-credit obligations. However, this is not sufficient for a through coverage of the issue. In addition, a variety of approaches for determining the types of credit provided to natural persons needs an updated review. Thus, the main provisions of this review are divided as follows:

- determination of the designation of the participant in banking-credit obligation;
- establishing the legal personality of a natural person in banking-credit obligations;
- a modern overview of the types of bank credits provided to natural persons.

3 Discussing

Banking-credit obligations with the participation of a natural person arise from the conclusion of a credit agreement and are regulated by the civil legislation of the Republic of Tajikistan. The term «natural person» in the CCRT is used as a synonym for the term «citizen». This can be justified by the content of Article 17 of the CCRT: «Citizens (natural persons) are understood as citizens of the Republic of Tajikistan, citizens of other states, as well as persons without citizenship « They can also include persons with dual citizenship (bipatrie). Kostina (2015) also speaks about the identical meaning of the terms «citizen» and «natural person», according to whom the concept of «citizen» is used in civil legislation as identical to the term «natural person». Zakupen' (2013) also speaks about the identity of the concepts of «citizen» and «natural person».

In this case, the term citizen means a natural person and, as it were, is his synonym in civil-law relationships. As Petrova (2019a) notes, the concept of «natural person» in private branches of law is equated to the concept of «citizen».

In general legal understanding, the term citizen has a completely different meaning - it is a political and legal relationship between a person and the state and has a common root with the word citizenship. According to a fair assessment by Repnikova (2016): «Citizenship determines the possible limits of legal ownership of a natural person (the limits of his legal capacity) in accordance with his national legislation».

In our opinion, even if the term «citizen» is appropriately applied to citizens of the Republic of Tajikistan and citizens of other states, this term cannot be applied to stateless persons (apatride), since the latter does not have a political and legal connection with a certain state, and they are not a citizen no state. In addition, in the science of international law, it is known about the division of the legal regimes of foreign citizens and stateless persons into separate categories: national; special; most-favored-nation. The national

regime assumes that the legal status of foreign citizens is correlated with the status of the state's own citizens (Egovkina, 2017). Taking into account the content of the norms of the civil legislation of the Republic of Tajikistan, it can be confidently asserted that in civil law relationships the status of citizens of other states and stateless persons is equated to citizens of the Republic of Tajikistan, that is, a national legal regime operates in this country.

The above facts create difficulties in the correct understanding, comparison and equivalent terms of a citizen and a natural person and will lead to doubts about the use of the term «citizen» in the text of the CCRT and the consideration of these terms as identical.

Proceeding from the fact that the factor of citizenship does not matter in civil-law relationships and, in particular, in banking-credit obligations, it is best to use the term «natural person» as a more universal and multifaceted concept. Consequently, a natural person is any person who participates in civil-law obligations (bearer of rights and obligations), who possesses social and natural characteristics and properties, and has legal capacity and active legal capacity.

In order to participate in banking-credit relationships and other civil law relationships, a natural person must have legal personality, which in turn consists of legal capacity and active legal capacity (Car'kova and Konshin (2018) states that it is known that delictual capacity is the third element that determines the legal personality of natural persons. In connection with this, Bezugol'nikov (2019) considers delictual capacity as a component of active legal capacity). These two basic elements determine the legal status of a person, because a natural person as a biological being is not itself a subject of legal relationships. The history of social and legal relations shows many examples of this, from the legal status of a slave to a serf peasant. As noted by Natalia M. O. and Roman P. L. (2020) the combination of biological and social qualities of a person, including the presence of a body, sensory organs, physical strength, mind, will, the gift of thinking, is capable of producing tools and consciously using them, etc. ensures legal existence of the subject, the ability to be a subject of law and carrier of rights and obligations. That said, these concepts will be discussed separately.

According to Article 18 of the CCRT, civil legal capacity is the ability to have civil rights and bear obligations is recognized equally for natural persons, arising from the moment of birth and terminating in death (It should also be noted that there are certain exceptions regarding the moment of emergence and termination of legal capacity. For example, in inheritance and criminal liability for illegal abortion cases, the legal capacity of a natural person exists prior to birth. Unborn persons are still considered subjects of law. For copyright protection, the author has legal capacity up to fifty years after his death. This means his copyright is protected up to fifty years after his death. Also, criminal proceedings can be resumed on favorable behalf of a deceased convicted person to rehabilitate his image, restore his honor, dignity, and good name. Komzolova (2014) considers this position in relation to the terms “natural person” and “human” and notes: “It turns out that a natural person can exist even after the death of a human”. Thus, in special cases, the unborn fetus, as well as the deceased person, has legal capacity). In theory, there is a distinction between general legal capacity, which is the same for everyone, and special legal capacity in which special statutory rights and obligations are required (i.e., pensioner, civil servant, judge, and soldier). Legal science also discusses the issue of the relationship between legal capacity and subjective civil rights. In this regard, Novikova, Popova, and Trapezova (2017) note legal capacity is a sufficient criterion for establishing the legal existence of the subject of a legal relationship; legal capacity is what the law bestows on the individual, and that the peculiarity of this gift is that it is impossible to refuse it. Compared to active legal capacity, legal capacity is an independent category that can exist regardless of active legal capacity. The main component of legal capacity therefore, should be the ability of the subject of legal relations to have rights and bear obligations.

By virtue of Article 22 of the CCRT, the ability of a citizen by his actions to acquire and exercise civil rights, create civil obligations for himself, and fulfill them is called civil active legal capacity. This comes in full from reaching the age of eighteen, which is the age of majority except for the established exceptions associated with the implementation of labor or business activity or marriage. Repnikova (2016) mentions that the importance of active legal capacity lies in the fact that the subjective right is executed by its bearer personally and independently, and that active legal capacity is a derivative of legal capacity, and does not exist outside it. Repnikova (Ibid.) also expresses the opinion that active legal capacity is not, along with legal capacity, a necessary element of the legal personality of a natural person. Petrova (2019b) underscores this point by stating that to be a citizen with active legal capacity is to be able to make transactions (have the ability to execute civil transactions), and be able to bear responsibility of unlawful actions (delictual capacity).

Active legal capacity results from mental maturity (coming of age and mental maturity) of a natural person. Having active legal capacity implies that a natural person has the ability to understand, correctly assess, and manage actions that have legal significance. The possession of these qualities and the acquisition of active legal capacity enables a natural person to personally take part in civil law relationships and bear independent property responsibility. The categories of legal capacity will be discussed will be discussed in the following table.

Table 1. The categories of legal capacity.

№	Categories of active legal capacity	Age	Scope of rights	Property liability
1.	No active legal capacity	From birth to 6 years (young children)	Not entitled to independently make any transactions. All actions in their favor are performed by parents, adoptive parents or guardians.	Parents, adoptive parents or guardians bear property liability if they do not prove that the harm was caused through no fault of theirs.
2.	Partial active legal capacity	6 to 14 ears old (juvenile)	Small common transactions; transactions for free receipt of benefits (without notarization or state registration); transactions for the disposal of funds provided by a legal representative.	Parents, adoptive parents or guardians are property liable unless they can prove that the obligation was violated through no fault of theirs.
3.	Incomplete active legal capacity	14 to 18 years old (minors)	Dispose of income (earnings, scholarships, etc.); to exercise intellectual property rights (works of science, literature, art, etc.); make deposits in credit institutions and dispose of them; make small common transactions; other transactions with the written (preliminary or subsequent) consent	They bear independent property responsibility for the transactions they have done.

			of legal representatives.	
4.	full active legal capacity	From 18 years of age (of full legal age) and above or on an exceptional basis until reaching this age due to emancipation	For persons with full active legal capacity, civil law does not establish a list of transactions that they can carry out, since persons with full active legal capacity can carry out all transactions established in civil law and (or) even transactions that are not established by civil law and do not contradict its norms.	They bear independent property responsibility for all transactions done by them.
5.	Restricted active legal capacity	Regardless of age. However, the term «restricted active legal capacity» means that a person previously had full active legal capacity and that he is 18 years old or more	Has the right to independently make small common transactions. Other transactions, as well as receive earnings, pensions and other income and dispose of them, can only be done with the consent of the custodian.	Bears independent property responsibility for the transactions done by him and for the harm caused to him.
6.	Deprived of active legal capacity	Regardless of age. However, the term «deprived of active legal capacity» means that a person previously had full active legal capacity and that he is 18 years old or more	On behalf of a citizen recognized as deprived of active legal capacity, transactions are done by his guardian.	Property liability for harm caused to persons deprived of active legal capacity shall be borne by his guardian or an organization obliged to supervise him, if they do not prove that the harm has arisen through no fault of theirs.

It should also be noted that in the issue of property liability for the actions of young children under the age of six years, the same rule applies as in relation to juveniles aged six to fourteen years. The peculiarity of the property liability of parents, adoptive parents or guardian for the actions of young children under six years old is that parents, adoptive parents or guardians are responsible only for harm caused by actions of young children under six years old, and not for transactions as in cases with juveniles under the age from six to fourteen years old. This is because young children under six years old have no active legal capacity, which is why they are not entitled to carry out any transactions.

In the science of civil law, there is an opinion about the specific replenishment of the active legal capacity of a young child by the active legal capacity of his legal representatives. According to Voloshin (2017) one legal capacity for a young child who has no active legal capacity is enough for him to be recognized as a participant in civil law relationships. In this case, the replenishment of young child's active legal capacity is realized by that of his legal representatives (i.e., parents or guardians). It should also be added that the issue of active legal capacity is a purely subjective category, and someone

having no active legal capacity cannot be compensated by the active legal capacity of another person. Therefore, in order to protect the interests of young children in all civil law relationships, their legal representatives must participate on their own behalf in the interests of young children, and not the other way around.

However, Petrova (2019a) states that the opposite opinion, in which legal representatives carry out all transactions on behalf of young children is unreasonable, because carrying out transactions on behalf of a person who has no active legal capacity is farcical. It should also be emphasized that for the actions if a person without active legal capacity, his legal representative bears property responsibility, which emphasizes the spread of legal consequences from these actions not to the person without active legal capacity, but to his representative. The legal structure of the institution of representation, which is expressed in the fact that transactions are made by a legal representative directly create, change, and terminate the civil rights and obligations of the represented (in our case, a young child) should be considered.

The performance of an action on behalf of the person represented may take place in the agreement of the delegation, since the person represented has active legal capacity, and the legal consequences of these actions apply to him. In this case, the legal representative of natural persons with incomplete active legal capacity must make transactions on behalf of the latter. In addition, the term «participant in civil law relationships» implies taking part in civil law relationships due to the fact that since young children have no active legal capacity, they cannot be considered a participant in civil law relationships. Juveniles aged six to fourteen and minors aged fourteen to eighteen respectively have partial active legal capacity, and incomplete active legal capacity. This is because the active legal capacity of these persons is incomplete, they can also be considered relatively without active legal capacity.

Active legal capacity may also be restricted by a court when a natural person abuses alcohol, drugs, or other potent intoxicating substances, places himself or his family in a difficult financial situation, or is deprived of active legal capacity as a result of illness or dementia and cannot understand or control his actions. Thus, legal capacity and active legal capacity together form legal personality (legal capacity + active legal capacity = legal personality). Therefore, legal personality (the right to be recognized by law, appear in court, and to be considered subject to civil law obligations) is the social and legal ability of a person to be a participant in civil law obligations.

After identifying the concept and legal status of natural persons, it is now necessary to define their participation in banking-credit obligations. In 2019, President of Tajikistan Jemomali Rahomon stressed that due to the relative imperfection of civil legislation regulating bank credits with the participation of natural persons, four banks in Tajikistan went bankrupt. Also, Haselmann and Wachtel (2010) adds that quality of the legal environment and system has a significant impact on the effective regulation of bank credits. These issues necessitate a more detailed consideration of the issue of legal regulation of credit obligations with the participation of natural persons.

The participation of natural persons in banking obligations has been studied by many authors. The issue of legal personality of natural persons in credit obligations is viewed by legal scientists in different ways. A natural person with legal personality as a participant in civil obligations can be a legal personality in credit obligations, subject to a number of additional conditions. Zakupen' (2013) focuses his view on five conditions: age of legal responsibility, labor status, property ownership, income, and citizenship. It should be noted that the above additional conditions for the legal personality of natural persons complicate the rapid implementation of the lending process, and to some extent, restrict the right of natural persons as borrowers. However, these are justified by the position of credit institutions that bear the risk of non-repayment. The National Bank of Tajikistan (2011)

with the civil legislation of Tajikistan states that citizenship is not a requirement for obtaining credit. As a result, individual banks may establish their own requirements for their customers, as in the case with some Russian banks.

Based on the civil legislation of Tajikistan, the conditions of the legal personality of natural persons in credit obligations can be more specifically interpreted, and this interpretation can be harmonized with the law.

Of the aforementioned conditions of legal personality of natural persons in credit obligations, only reaching the age of majority (full active legal capacity upon reaching eighteen years old) is mandated by law. Further, the need for other requirements is decided by individual credit institutions by virtue of their own policies. High competition in the banking industry makes it imperative for these institutions to simplify the lending process, which precludes the establishment of a large number of conditions. With regard to «reaching age of majority» it is not necessary to speak of age itself, but of acquiring full active legal capacity. This is because a healthy state of mind is also necessary, since a person in the age of majority but has a mental disorder cannot have legal personality in credit obligations. Alekseev (2008) emphasizes that a natural person has the right to act as a borrower in credit legal relationships from birth, and the right to independently participate in these relations with the acquisition of civil active legal capacity. Goncharenko (2012) adheres to the view that the possibility of concluding a credit agreement for natural persons is limited only by the rules on their general legal capacity and active legal capacity. There is no doubt about the legal personality of natural persons with full active legal capacity as a borrower in credit obligations. Further, according to Part 1 of Article 27 and Part 1 of Article 31 of the CCRT, natural persons with restricted active legal capacity can do transactions (except for transactions which they make on their own) with the written consent of their legal representatives. It should be noted that the CCRT does not provide for the participation of minors aged fourteen to eighteen years, and natural persons with restricted active legal capacity with consent of legal representatives in credit obligations. However, the content of these aforementioned provisions where it is stated that «they make transactions, other transactions» implies any transaction, including entering into a credit agreement for minors aged fourteen to eighteen years, and natural persons with restricted active legal capacity with the written consent of legal representatives. These persons bear independent property responsibility.

Alekseev (2008) speaks of the right of a natural person to act as a borrower in credit-legal relationships although not independently, but from the moment of birth, requires deep legal scientific understanding. To understand this point of view, it is necessary to clarify the subjective provisions of having no active legal capacity (young children from birth to six years old), partial active legal capacity (juveniles from six to fourteen years old), and natural persons deprived of active legal capacity in credit obligations.

By virtue of Part 1 of Article 29 and Part 2 of Article 30 of the CCRT, transactions (including entering into a bank credit agreement) are made by their parents, adoptive parents or guardians on behalf of the following persons:

- Natural persons with no active legal capacity from birth to six years (young children);
- Natural persons partial active legal capacity six to fourteen years old (juvenile);
- Natural persons deprived of active legal capacity.

This article stresses the fact that the legal representatives of natural persons with incomplete active legal capacity need to make transactions on their own behalf, as the legal consequences and property liability for these transactions, including those from bank credit agreements, also apply to them.

Thus, in a credit obligation, a natural person can act as a borrower in the following cases:

- Has full active legal capacity (of full legal age from 18 years old or, in exceptional cases, acquired full active legal capacity before reaching 18 years of age).
- Has incomplete active legal capacity (minors aged 14 to 18 years) and or has restricted active legal capacity - with the written consent of their legal representatives.

However, a natural person cannot act as a borrower in the following case:

- Has no active legal capacity (young children) from the moment of birth to 6 years old or deprived of active legal capacity and partial active legal capacity (juvenile) from 6 to 14 years old.

Kulikov, Vdovina, and Kulikova (2016) classify the types of credits with the participation of natural persons, and stress that a credit provided to natural persons is identified with consumer credit. However, this article contends that a bank credit to a natural person is a broader concept, one form of which is consumer credit. Demchenko (2012) also states that at present, bank consumer lending is the main means of providing a natural person with borrowed funds.

It should also be noted that although consumer credit is provided exclusively for natural persons, their participation in this obligation cannot be restricted to this type of bank credit.

Kulikov, Vdovina, and Kulikova (2016) note that there are no uniform standards for the classification of bank credit; they also distinguish between the «form» and «type» of credit. There are various classifications of bank credits. According to Telezhinkov (2006), bank credits for natural persons can be divided into two types: mortgage credits and consumer credits (i.e., car credit, education credits, childbirth credit, commodity credit etc.). Further, Bonner (2008) classifies bank credits by types of borrowers (natural persons, judicial persons etc.), or by the number of creditors (single creditor or multiple creditors – syndicated). Moreover, Goncharenko (2012) classifies the types of consumer credits by purpose (for investment needs, education, car credits etc.), by type of borrower (all segments of the population, students, young families etc.), and by duration (long, medium, or short term). In addition, Pristankov (2006) on the basis of civil legislation on credit combines three concepts: bank credit (cash), commodity credit (things determined by generic characteristics), and commercial credit (sums of money and things defined by generic characteristics). In connection with this, Kulikov, Vdovina, and Kulikova (2016) classify bank credits consumer and production, which have a significant place in the classification of bank credits with the participation of natural persons. Taking into account the specific position of bank credits with the participation of natural persons, this article classifies them into two main groups: consumer credit and entrepreneurial credit. Both these groups can be divided into two separate types.

Table 2. consumer credit and entrepreneurial credit divided into two separate types.

<p>1. Consumer credit:</p> <p>a) by collateral:</p> <ul style="list-style-type: none"> - collateralized; - not collateralized. <p>b) by duration:</p> <ul style="list-style-type: none"> - on demand; - urgent; - short-term; - medium-term; - long-term. <p>c) by purpose:</p> <ul style="list-style-type: none"> - for education; - for celebrations; - buying things (car, furniture, etc.). 	<p>2. Entrepreneurial credit:</p> <p>a) by purpose:</p> <ul style="list-style-type: none"> - non-production (for trade); - production. <p>b) by size:</p> <ul style="list-style-type: none"> - large; - medium; - small; - microcredits. <p>c) by form:</p> <ul style="list-style-type: none"> - cash; - commodity; - mixed.
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It is important to emphasize that some of the types of consumer credit as classified in this article can be considered as types of entrepreneurial credits, for example, types of consumer credits depending on the duration and vice versa. It is also worth noting that this classification is not exhaustive, and in fact there are a large number of bank credit types that include the participation of natural persons.

4 Conclusions

The above facts give reason to conclude that the participation of natural persons in bank-credit obligations has its own specific features. Primarily, it is necessary to use the term «natural person» instead of the term «citizen» to denote a person's participation in banking-credit obligations. Also, this study determined the legal personality of a natural person in banking-credit obligations.

This implies the direct or with the written consent of legal representatives to enable participation in these obligations, or having no legal personality at all to participate in all banking-credit obligations. We also differentiated the classification of bank credit with the participation of natural persons into two main groups, wherein consumer credit is the most basic type of lending to natural persons.

Modern trends in the development of bank credit will create new legal issues for the participation of natural persons, and the study of these problems will continue to be relevant. The modern legal framework, which has been made through modern legal research, will contribute to the formation of an effective mechanism for the legal regulation of bank credits with the participation of natural persons, thereby promoting sustainable economic development.

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