

PART VIII.

CAPACITY OF FOREIGNERS AND STATELESS PERSONS TO HAVE RIGHTS AND OBLIGATIONS. APPLICATION OF THE CIVIL LAWS OF FOREIGN STATES AND OF INTERNATIONAL TREATIES AND AGREEMENTS

Article 562. Capacity of foreign citizens to have civil rights and obligations

Foreign citizens have the capacity to have civil rights and obligations in the RSFSR to the same extent as do Soviet citizens. Individual exceptions may be established by laws of the USSR.

The Council of Ministers of the USSR (Article 122 of the Principles of Civil Legislation of the USSR and the Union Republics) may impose retaliatory restrictions upon citizens of those states in which special restrictions exist on the capacity of Soviet citizens to have civil rights and obligations.

Article 563. Capacity of stateless persons to have civil rights and obligations

Stateless persons living in the USSR have the capacity to have civil rights and obligations in the RSFSR to the same extent as do Soviet citizens. Individual exceptions may be established by laws of the USSR.

Article 564. Legal acts of foreign organizations in connection with foreign trade

Foreign enterprises and organizations may, without special permission, conclude legal acts in the RSFSR in connection with foreign trade and related payment, insurance and other operations with Soviet foreign-trade associations and with other Soviet organizations which have been given the right to conclude such legal acts.

Article 565. The law applicable to the form of a legal act

The form of a legal act concluded abroad is subject to the law of the place in which it is concluded. However, a legal act may not be deemed invalid as a result of a failure to observe such form if there has been compliance with the requirements of legislation of the USSR and of this Code.

The form of legal acts concluded by Soviet organizations in connection with foreign trade and the procedure for signing such acts are governed by legislation of the USSR, regardless of the place in which they are concluded.

The form of legal acts related to buildings located in the RSFSR is subject to legislation of the USSR and to the rules of this Code.

Article 566. The law applicable to obligations arising from legal acts in connection with foreign trade

The rights and obligations of the parties to a legal act in connection with foreign trade are governed by the law of the place in which the act was concluded, unless otherwise established by agreement of the parties.

The place of conclusion of a legal act is determined according to Soviet law.

Article 567. The law applicable to inheritance

Relationships arising from inheritance are determined by the law of that country in which the decedent had his last permanent place of residence.

The capacity of a person to draw up and to revoke a will, as well as the form of a will or of a document revoking it, is governed by the law of the country in which the testator had his permanent place of residence at the time of execution of the document. However, a will or its revocation may not be deemed invalid because of a failure to observe form requirements if the form used satisfies the requirements of the law of the place of execution of the document or the requirements of Soviet law.

The inheritance of buildings located in the USSR is in all cases governed by Soviet law. The same law governs the capacity of a person to draw up or to revoke a will, as well as the form thereof, if the will disposes of a building located in the USSR.

Article 568. Limitations on the application of foreign law

Foreign law is not applied if its application would contradict the basic principles of the Soviet system.

Article 569. International treaties and agreements

If the rules established by a treaty or international agreement in which the USSR participates differ from those contained in Soviet civil legislation, the rules of the treaty or international agreement are applied.

The same principle applies in the territory of the RSFSR if a treaty or international agreement in which the RSFSR participates has established rules which differ from those provided in civil legislation of the RSFSR.