

The concept of international payment law. The totality of international legal norms regulating technology, the procedure for settlements and payments in relations between MP subjects is called international payment law. The proposed name of this international legal institution is conditional. The subject of international payment law also includes relations between states regarding their domestic legal regimes, within which settlements and payments of an international nature are carried out at the private law level of relations, primarily in foreign trade. Obviously, international payment law is practically intertwined with international monetary law, but, apparently, it also has its own specifics. All types of international settlements can be divided into two groups: a) trade (the vast majority of settlements); b) non-commercial. Trading calculations include: settlements on foreign trade operations; settlements on international loans; calculations for international transportation on all modes of transport. The group of non-commercial settlements includes: settlements for the maintenance of diplomatic missions; calculations for expenses related to the stay of individual citizens, groups of specialists and delegations in another country; settlements on transfers abroad of funds of individuals and organizations. Trade settlements are carried out according to the amounts agreed upon by the participants in international trade, and in foreign currency. A distinctive feature of non-trade settlements is that they are carried out at domestic retail prices for goods/services and in the national currency. The share of non-trade settlements (payments) in the international financial system is growing faster than trade. The legal regime and means of legal regulation differ depending on the area of settlements. The general principles of mutual payment and settlement relations between states in relation to international trade and other foreign economic relations are established in bilateral trade, payment agreements, economic cooperation agreements, etc. There are two main approaches that are used by states to organize the settlement process:

- the first approach is based on settlements in freely convertible currency in accordance with the national currency regulation rules of each country and the use of exchange rate ratios established by the market;
- The second approach is based on settlements between states through the clearing system. In this case, counter cash claims and obligations are offset by non-cash postings on clearing accounts opened by authorized banks of the two countries to each other. The clearing form of settlements allows states to conduct mutual trade without a freely convertible currency. Usually, states strive to maintain the cost equality of commodity deliveries in both directions. If imports exceed the value of exports according to the results of the year, then the resulting debt is repaid in the next year either in freely convertible currency or in the next year's commodity deliveries. Payment agreements (payment agreements) of the "clearing type" were widely used in the world during the years of the world economic crisis of 1929-1933, when currency restrictions were introduced in most industrialized countries, the free convertibility of currencies and the freedom of foreign exchange transactions have been abolished. This practice expanded after World War II. By the mid 50s. In the 20th century, about 60% of all international settlements of European countries were carried out with the help of clearing (under the conditions of currency restrictions and the "dollar hunger"). In Europe, within the framework of the payment union, states switched from bilateral to multilateral clearing. There have been abuses of the clearing system: governments knowingly and deliberately allowed clearing debts. Such debt, in fact, was a preferential form of credit. As a protection against this practice, payment agreements began to include a clause that the balance formed at the end of a certain period would be converted into hard currency. By the mid 80s. of the 20th century, the number of clearing payment agreements was reduced by almost half; they were preserved mainly in relations between developed and developing states. Today, the clearing method is used in relations between developing countries; there are multilateral clearing unions: Caribbean Community Multilateral Clearing (7 countries); West African

Clearing House (13 countries), etc. Clearing was also used by the Soviet Union in trade with the states of Central and Eastern Europe and some other countries. At the same time, there was an artificial underestimation of the cost of goods supplied by the Soviet Union, and often an overestimation of the prices of goods supplied by clearing to the Soviet Union. Through price disparity, the Soviet Union subsidized the economies of the socialist countries by tens of billions of dollars annually. Interestingly, at the end of the Second World War, the project of creating the "International Clearing Union" (ISS), developed by J. M. Keynes, was actively discussed. The ISS was supposed to become the world's central bank, the center of settlements between member countries. It was envisaged to create an international monetary unit ^ bankor"), which was equated to a certain amount of gold. It was supposed to serve as a basis for establishing the parities of foreign currencies of the member countries and be used only for settlements at the interstate level. At the Bretton Woods Conference, this plan to create an "International Clearing Union" under US pressure was officially rejected. However, many of its elements were used in the IMF mechanism. With the development and strengthening of the economy, its market fundamentals, the expansion of foreign trade, the increase in foreign exchange reserves, with the transition to the convertibility of the national currency, clearing settlement systems, as a rule, are replaced by settlements in a freely convertible currency. For this purpose, appropriate payment agreements are concluded, and in their execution - interbank correspondent agreements.

Question about units of account and payment unions. As a rule, what currency to use in settlements between states is not a question; the decision is predetermined - world currencies are used. But very often this problem becomes relevant. The parties cannot choose any existing national currency as a unit of account and artificially create a common - collective - unit of account. In 1958-1978.

European countries used a common unit of account to express important summary indicators through it: common prices for agricultural products, national quotas in the capital of the EIB, etc. The so-called "European Unit of Account" was used as such a standard. This unit had a fixed exchange rate with each of the national currencies, but itself was only a unit of account, not a currency. She prepared the appearance of a currency unit - the ecu. The use of international artificial currency, accounting units is a fairly common practice. Each such unit is a conditional scale, which is conceived and used, among other things, to compare one currency with another, to determine the exchange rates of currencies. At a certain stage of European integration, the counting unit of the European Monetary System, the ecu, was used; it was synthesized according to the "basket" method from the currencies of the EEC member countries, taking into account the share of the country in the GDP of the EEC. The Ecu served as the basis for expressing currency parities; a unit of account that existed in the form of entries in the accounts of central banks; currency unit, which aimed to reduce the exchange rate fluctuations of national currencies. The IMF uses a unit called "special drawing rights" ("Special Drawing Rights - SDR, or SDR"). This is a reserve and payment unit issued by the International Monetary Fund and used for settlements with the IMF. Initially, the unit of the SDR was equated to gold, making it equal to 1 US dollar. Since 1974, the SDR rate has been determined on the basis of the weighted average rate of 16 currencies of large Western countries, taking into account their share in international trade. Subsequently, the composition of the currency "basket" changed. Currently, the "basket" includes: dollar, euro, pound sterling and yen. The SDR exists in the form of credit entries in special accounts with the IMF in proportion to member countries' quotas. As a component of international liquidity, it is used only at the government level through central banks and international organizations. There have been and still are other examples of the use of artificial international accounting and currency units in the economic interaction of states. So, for mutual settlements and payments between the CMEA countries in 1964, an international collective unit was introduced - the transferable ruble. Thus, the transition from a bilateral clearing system of

settlements to multilateral settlements was carried out. The legal basis for this was the Agreement on Multilateral Settlements in Transferable Rubles and the Organization of the International Bank for Economic Cooperation (IMEC), signed in October 1963. The transferable ruble existed only in a non-cash form, on bank accounts, and ensured the payment turnover only between the countries-participants of the Agreement. Each participating country in the MINFEC opened a single account in transferable rubles for settlements with other participants: funds could be credited to a single account from some countries, and used for payments to other countries. If a country had a debt, then it was considered a debt not to individual countries, but to the MFER and was subject to repayment in the course of subsequent operations. In principle, each country had to ensure a balance of receipts and payments in settlements with other countries as a whole. MINFER established the exchange rate ratio of the transferable ruble to foreign currencies on the basis of a currency basket. Uniform units of account are used within the international regional financial systems. The Islamic Development Bank uses the Islamic dinar as the unit of account, equivalent to 1 SDR. Practically on all continents, as one of the steps in the development of integration, at some stage the question arises of introducing a single accounting and currency unit. Within the framework of integration associations, payment unions are created as the next stage of integration. They establish collective rules for making settlements and/or introduce single payment and settlement units. In 1950-1958. the European Payments Union (EPU), created by the member states of the OECD (at that time still the OEEC) for the production of payments on a multilateral basis, functioned. The Agreement on the Payments Union was signed between the EurAsEC countries. They establish collective rules for making settlements and/or introduce single payment and settlement units. In 1950-1958. the European Payments Union (EPU), created by the member states of the OECD (at that time still the OEEC) for the production of payments on a multilateral basis, functioned. The Agreement on the Payments Union was signed between the EurAsEC countries. They establish collective rules for making settlements and/or introduce single payment and settlement units. In 1950-1958. the European Payments Union (EPU), created by the member states of the OECD (at that time still the OEEC) for the production of payments on a multilateral basis, functioned. The Agreement on the Payments Union was signed between the EurAsEC countries.

Currently, bilateral and regional regulation of payment and settlement relations is actually used in combination with multilateral regulation through the IMF system.

Payment and settlement relations of an international nature between banks. International legal norms relating to international settlements work in conjunction with the norms of domestic law. The gaps in this regulation are filled by the customs of business turnover, the norms of transnational law - the norms that are developed by the banks themselves (*lex financiaria*). To make international settlement transactions is a function of banks. It is they who transfer the necessary amounts from customer accounts to accounts in other (foreign) banks, including, if necessary, with the conversion of money into a foreign (freely convertible) currency on the basis of monetary claims and payment orders. Calculations can be made in different forms. Settlement transactions between banks are governed by codes of practice and practices codified by the International Chamber of Commerce, for example:

- Uniform rules and customs for documentary letters of credit;
- Unified rules for the collection of commodity documents and others.

Not the states, but banks join the specified Unified Rules. These are examples of sources of transnational law in the international financial system. The methods of international settlements in foreign economic activity are: collection, letter of credit, advance payment, payment on an open account. Means of payment are a check, a bill of exchange, a bank draft, a transfer, a credit card. According to the collection transaction, the bank, on behalf of the client-exporter or creditor, receives payments through the correspondent bank from the importer (payer) after the shipment of goods and the provision of services. With a letter of credit

form of settlement in foreign trade, the bank undertakes to make payments to the exporter on behalf of the importer (to accept the draft issued by the exporter) within a certain amount and within a certain period and against shipping documents - a bill of lading, an invoice, an insurance policy. A check is a monetary document of the established form, containing an order to the bank to pay the bearer of the check the amount specified in it from the funds of the drawer. A bill of exchange (draft) is an order from a lender to a borrower to pay a certain amount to a third party within a specified period. The international banking community is building the necessary infrastructure in its transnational space. For example, In 1973, in Brussels, representatives of 240 banks from 15 countries established the Society for International Inter-Bank Financial Telecommunications - SWIFT - for automated accelerated payments through a network of computers. SWIFT is a cooperative community registered in accordance with Belgian law and funded by member banks. Russian banks participate in this system. In 2002, the world's leading banks created a global clearing center called "Bank CLS" ("Continuous Linked Settlements" - "continuously linked settlements") to serve interbank needs in New York, the main goal of which is to speed up interbank settlements and reduce risks. in the settlement of foreign exchange transactions. Bank CLS is directly connected with the central banks of the leading countries, the European Central Bank. For settlements using checks and bills of exchange in the international financial system, the international legal method of regulation is again involved. There are several international treaties relating to these types of financial instruments, in particular the well-known Geneva Conventions of 1930 and 1931, which establish uniform laws on bills and checks, as well as rules for resolving conflicts of national laws on bills and checks. The UN Convention on International Bills of Exchange and Promissory Notes of 1988, in contrast to the Geneva Conventions of Promissory Notes, is aimed at creating a single international bill exclusively as an instrument of international settlements. The set of financial instruments has multiplied many times, many of them were involved in international payment and settlement relations, and a huge international securities market was formed. At the same time, international law practically did not "respond" in any way to the qualitative and quantitative evolution of financial instruments. The issues of organizing the settlement process, which banks of different countries coordinate with each other on a bilateral basis, include: • the type and currency of accounts that banks open to each other; • procedure for calculating interest; • the possibility of transferring funds on accounts into another currency; • a list of receipts that can be made on the accounts; • the possibility of obtaining credit and forms of credit; • credit limits and repayment procedure; • protective clause to the balance of accounts; • a list of institutions and branches of a foreign bank, which are granted the right to perform operations on accounts (with an indication of the exact address and necessary data). Correspondent banks remain the owners of funds on the accounts they open with a partner bank. They independently control the use of funds on their accounts with a correspondent bank in real time. Correspondent banks exchange samples of signatures of employees who are authorized to sign (vise) documents and correspondence, as well as telex keys (codes). On the basis of an interbank agreement, banks adopt their internal - local - acts on the procedure for settlements with a foreign correspondent bank. Banks use various types of bank accounts: current, deposit, credit, investment, etc. The modes of such bank accounts are determined by internal legislation and local regulation of banks. Current accounts (current account) are opened to service personal expenses and income of a resident or non-resident, and not to store money. Often, the bank sets a minimum amount that is required to open an account. Interest on the account amount, as a rule, is not accrued (or is accrued in a very small amount). Deposit account (fixed deposit account) is designed to store money savings. The account holder undertakes to keep money in such an account for a certain fixed time. At the end of this period, interest is charged. A credit or debit card account (card account) is opened to store money that the owner of the plastic card account pays for purchases or that can be withdrawn from the account through ATMs. Interest

on the amounts that are on the account, minimal or non-existent. For each operation on such an account, a bank commission is charged. With a credit card account, the account holder is given the opportunity to pay for a purchase or receive money within a certain amount, even when the amount on the account has been depleted. This option is not available for a debit card account. A private investment account (private banking account) is opened for the purchase of shares and other securities. The amounts that lie on such an account reach very significant sizes. Large Western banks require that the balance of deposit accounts does not fall below a certain amount - often 25 thousand dollars (in Switzerland - 100 thousand dollars). Interest on deposits is very low (about 2%). To open an account with a foreign bank, as a rule, a passport or identity card is required, often a recommendation from bankers from the client's country; for a legal entity - constituent documents. Western banks often also offer to fill out a special questionnaire and / or ask for additional documents that guarantee the reliability of the client. The scheme of interaction between correspondent banks looks something like this: a bank client in Moscow (an enterprise) instructs its Moscow bank to withdraw an amount in euros from its account to pay for goods / services and transfer it to a payee in Germany. The Moscow Bank sends the relevant payment order to the German correspondent bank. The German bank transfers the amount to the payee. The correspondent account of a Moscow bank in a German bank is reduced by this amount. Although international settlements are a function of banks, however, the activity of banks in the field of international settlements is gradually becoming the object of an increasingly active and comprehensive state and interstate regulation. Attention should be paid to the role of specialized organizations that are created specifically for the implementation of settlements - settlement centers, clearing chambers. In a number of countries, the function of clearing centers is performed by central banks or their subdivisions. Settlement (clearing) chambers appeared in London in the 18th century as a logical consequence of bill fairs: bankers who had accumulated bills in their hands had the opportunity to "pay off" these bills by offsetting. Clearing houses - a network of special interbank centers that make cashless payments by offsetting mutual claims.

The role of domestic law. The legal regimes for settlements of an international nature are determined by the internal law of the respective states. The organization of the payment and settlement process involves the norms of both private and public law (in the face of its branches such as administrative, financial law, etc.). Thus, the domestic law (laws, by-laws) of many countries regulates, in particular, the following issues: • the status and competence of banks in terms of conducting international settlement transactions, as well as the status and competence of settlement centers; • legal regime of money (paper and metal), including foreign money; • the procedure for opening, using and maintaining various types of bank accounts, including accounts in foreign currency; • requirements for conditions and forms of international payments; • procedure for international interbank settlement transactions; • sanctions for violation of the established procedure for international settlements; • legal regime of operations with bills of exchange, checks, their status; • legal regime of various types of cash transactions, in non-cash form; • issues of offsetting mutual claims, settlement loans, etc.; • specifics of payment and settlement relations of the country with individual foreign states and groups of states (international organizations); • special payment modes; • reflection of settlement transactions in accounting documents, etc. 84. About some ways and means of calculations. One of the most common financial instruments that have long been used in international payment and settlement transactions, is a bill. A bill of exchange is a document drawn up in the form prescribed by law and containing an unconditional abstract monetary obligation. The prototype of bills appeared in Italy in the 11th-13th centuries. Subsequently, a certain scheme for the use of promissory notes in international transactions developed. Conventionally, the turnover of bills can be depicted as follows: foreign buyers of goods

of state "A" issue bills (obligations) to the sellers-exporters of state "B" to pay the corresponding amounts in the currency of the importing country. Foreign bills are accumulated in the hands of sellers, who then sell/transfer the bills to interested parties (merchants), usually those who purchased goods abroad in the currency of the bill. According to this scheme, the same bill can repay how many monetary obligations. In this scheme, of course, bankers, banking houses, banks, which became intermediaries between the parties to transactions, "built in". Thanks to the bill turnover, at a certain stage there was an exchange rate relationship between the national currency and the currency indicated in the bill. Currency exchanges later emerged from the bill trade. Initially, the relationship between the participants in the bill of exchange transactions was confidential, but over time acquired the character of a legal obligation. In the 18th and 18th centuries, the first laws on bills appeared in Europe. The form of a bill, the procedure for its issuance, payment, circulation, the rights and obligations of the parties are regulated by the norms of the national bill of exchange legislation. In 1930, at the Geneva Conference, three bill conventions were developed, which were mentioned above. The USSR joined the conventions in November 1936. The countries of Anglo-American law have not acceded to the conventions. UNCITRAL developed a draft UN Convention on International Bills of Exchange and International Promissory Notes of 1988 (not yet entered into force; Russia signed the Convention in 1990). Distinguish bill of exchange "simple" and "transferable". A promissory note contains an unconditional obligation of the drawer to pay a certain amount of money to the holder of the bill at maturity. A promissory note, by its origin, is associated with the practice of IOUs. A bill of exchange contains an order to the payer (bank) to pay the amount of money to a third party (the holder of the bill). The obligation to pay passes to the payer if he accepts the bill, i.e. agree to pay for it, put his signature on it. According to the Uniform Bill Law, a bill of exchange is a strictly formal document: the absence of any of the required details invalidates it. A bill of exchange, for example, must contain the name "bill" ("bill mark"), an unconditional order to pay a certain amount of money, the name of the payer and the first holder, the date and place of payment, the date and place of drawing up the document, the signature of the drawer. It is allowed to issue a bill in both national and foreign currencies (based on national currency legislation). Bills, the payers of which are banks, are called financial. As you can see, over time, the bill has become a universal credit and settlement instrument: it performs the function of credit money, means of payment, is a security and, as such, is the subject of various transactions. By means of bills, interbank credit relations are also formalized. Another important financial instrument, means of payment and settlement is a check. A check is a monetary document of the established form, by means of which the issuer of the check orders the bank to pay the holder of the check the amount specified in it. Checks are calculated for goods, services, as well as for exchange transactions with securities. Settlements by checks for non-commercial transactions are common. The order to the bank and the obligation of the bank to execute the order are based on an agreement between the client and the bank. The issuance of a check does not yet extinguish the debtor's monetary obligation to the creditor; this obligation is repaid only at the time of issuance of money by check by the bank. Checks appeared in circulation at the turn of the 11th-17th centuries in Great Britain and Holland. The bankers of these countries began to issue to their clients, who deposited money, special bearer receipts with which customers could pay their debts. There were also special books with order forms in use - a prototype of a checkbook. Check circulation for a long time was regulated exclusively by banking practice, and not by domestic legislation. Only in the second half of the 19th century did the first check laws appear in Europe. In a number of countries (Great Britain), a check was considered as a kind of bill of exchange. In the United States, bills and checks are subject to the same provisions of the Negotiable Instruments Act and the Uniform Commercial Code. In European countries, the check was originally opposed to the bill-selling. It is intended solely for settlements, and not for credit transactions. Often a check is a means of payment

of multiple use: the person who received the check can, in turn, pay them off to your creditor, etc. The check turnover as a form of non-cash payments can be comparable in some countries with the circulation of cash. Moreover, banks not only pay for checks issued directly to them, but also buy (accept) checks from customers addressed to other banks. As a result, the bank has the opportunity to mutually offset claims with other banks. In interbank relationships, checks are used as a way to transfer funds from country to country. The drawer bank informs the payer bank about the check in advance, i.e. sends advice. Payment by check occurs only after receipt by the paying bank of such notice. In modern conditions, banks agree on a simplified form of mutual payment of checks (without advice), which simplifies and speeds up settlements. The inconsistency of domestic legislation on checks gave rise to problems, and states internationalized this issue: they agreed and adopted at a conference in 1931 three Geneva check conventions establishing: Uniform check law; rules for resolving certain conflicts of laws on checks; stamp duty rules for checks. The prevailing number of countries in their internal law has switched to unified rules on checks. Thus, the Geneva Conventions (i.e. international law) acted as a mechanism for the unification of domestic law. The Geneva Conventions are one example of the strengthening of the impact of international law on the domestic legal regimes of states in the financial sector. responsibility of the parties in check legal relations. According to the Uniform Check Law, a check is a strictly formal written instrument. Its mandatory details are: the name "check" in the text (the so-called "check mark"), an unconditional offer to pay a certain amount of money, the name of the paying bank; a special place of payment may also be indicated on the check. Checks are issued on special forms, which are thrown into checkbooks. Banks issue such books to their customers - account holders. Unlike bank checks, such checks are called "checkbook checks". The check may be completed in any way, but the drawer's signature must be handwritten. The sample signature is kept by the paying bank. There are nominal, order, bearer checks. Personal checks are issued in the name of a certain person without the right to further transfer. Order checks are issued by order of a certain person and can be transferred by means of an endorsement (endorsement) to other persons. Bearer checks are issued to the bearer, without specifying the recipient. In many countries, special, "limited", settlement checks have been introduced - only for making non-cash payments: payment on a check is made by crediting a sum of money to the bank account of the check holder. A variety of "limited" checks are crossed checks: they are crossed out on the front side with two parallel lines and are paid only to the bank indicated between the lines. Checks must be presented for payment within the terms established by law. Under the Uniform Check Law, a domestically paid check must be presented for payment within 8 days; a check paid in another country - within 20 days; a check paid on another continent - within 70 days. All persons who put their signatures on the check are jointly and severally liable for paying the check. For issuing a check that is not backed by money in the drawer's account (i.e. "without cover"), the drawer bears not only civil liability, but also criminal liability in many countries. Let us now turn to the transfer as a settlement banking operation. A bank transfer is a settlement banking operation that banks carry out within their correspondent accounts. A bank transfer is also called "settlement payment orders". In the economic literature, a bank transfer is most often disclosed as a transfer of funds by a bank to a recipient on behalf of the sender. In the legal literature, as a rule, we are talking about the transfer of rights of claim arising from monetary obligations: counterparties who make settlements have bank accounts and legal relations arising from this with "their" banks; the rights of claim arising on this basis for monetary obligations are used by counterparties as funds (i.e. means of payment). The transfer technology is as follows: the payer draws up a claim to the bank on a special form, which is called a "payment order"; the payment order is processed in the settlement unit of the bank, and then - in the settlement and cash center / centers of the central bank of the country (or countries concerned). During these operations, the corresponding amount is withdrawn from the payer's account and credited to the recipient's account. Between the payer's bank and the

beneficiary's bank, these transactions are documented by postings on correspondent accounts: the transfer amount is recorded in the debit of the correspondent account of the payer's bank and in credit of the correspondent account of the beneficiary's bank. In the country of the payer, this amount will be recorded by the central bank as "leaving the country", and in the country of the recipient - as "entering the country". When executing a client's payment order, banks of two or more countries, on the basis of an interbank agreement, interact in the mode of oral communication between bank employees, by telegraph, mail or electronic channels. To speed up the transfer of banking (financial) information, a special international telecommunications system SWIFT (SWIFT) was created and is functioning, which was mentioned above. The procedure for making international bank transfers is regulated by domestic law. It, as a rule, prescribes that calculations should be made only in currencies allowed for this. The issue of international bank transfers is the least internationalized. Nevertheless, attempts were made to unify domestic legal regimes concerning this issue. Thus, in 1987, the UNCITRAL Legal Guide on Wire Transfer was developed, and in 1992, the UNCITRAL Model Law on International Credit Transfers. To the most common forms of international financial settlements, especially in foreign trade, includes the so-called "collection". Collection is an order from the exporter to his bank to receive from the importer (directly or through another bank) a certain amount or confirmation that this amount will be paid within a certain period. When collecting, the bank acts as an intermediary in the calculations and is not responsible for the payment itself. In a simplified form, the collection operation (in one of its varieties) can be represented as follows: after the shipment of the goods, the ex-porter transfers to his bank the commercial (consignment) documents provided for by the contract with a collection order for payment; the bank forwards the documents to the correspondent bank in the country of the importer; the importer's bank sends the documents to the importer against payment of the amount, specified in the collection order; after interbank transactions (or notifications) are made, the exporter's bank makes settlements with the exporter. Collections are distinguished: • financial documents ("clean collection"), when checks, bills of exchange, payment receipts, etc. are used to receive payment; • commercial documents (documentary collection), which gives the importer an additional guarantee of shipment of goods. The main commercial document is the invoice (commercial invoice), which indicates the amount to be paid. Other documents may be required: transport, insurance, etc. Payment is made either in cash (transfer within 30 days) or by acceptance of a bill of exchange. Collection operations are regulated by the internal law of states, as well as the norms of international interbank agreements. International banking practice in matters of collection settlements has been summarized and codified by the International Chamber of Commerce; as a result, the Uniform Rules for Collection (ICC Publication No. 522) appeared - the document *lex finanziaria*.

Another common form of international financial settlements in foreign trade is the letter of credit.

A letter of credit is an obligation of a bank to pay, on behalf of a client, in favor of its counterparty under a contract, a certain amount, subject to the provision of the documents specified in the letter of credit (commercial invoice, documents of title - bills of lading, waybills, receipts; insurance policy, etc.). This international settlement transaction is a transaction separate from the international commercial contract on which it is based. The Bank plays the role of an authorized representative of the parties in this form of settlement. The technology of settlements by means of a letter of credit in a simplified presentation looks like this. The importer (buyer) instructs his bank to open a letter of credit. The order must contain an indication of the type of letter of credit, its validity period, the form of payment under it, the documents, the provision of which is a condition for payment. The importer's bank gives a corresponding instruction to the exporter's bank (correspondent bank), which will act as the executing bank. The exporter's bank notifies the exporter (seller) about the

letter of credit; the exporter, having shipped the goods, submits the documents indicated in the letter of credit to this bank and receives payment; the amount is credited to his account. From the moment the bank receives the documents and transfers the payment amount to the seller of the goods/exporter, the order under the letter of credit is considered to be executed. With a letter of credit form of settlement in the relationship between the parties to the settlements (contract), confidence and guarantees are added. The seller is confident that he will receive the payment as soon as he sends the goods and his bank transfers the required documents to the importer's bank. The buyer (importer) is sure that the amount of the letter of credit will be paid to the exporter only upon presentation of the specified documents. Letters of credit, depending on the conditions contained in them, can be divided into the following main types:

- revocable and irrevocable. A revocable letter of credit can be changed or revoked by the importer without the consent and notification of the exporter, but an irrevocable one cannot;
- confirmed and unconfirmed. A confirmed letter of credit is an irrevocable letter of credit, the execution of which is additionally guaranteed by the exporter's bank or a third bank; an unconfirmed letter of credit does not have such a guarantee;
- covered and uncovered. A covered letter of credit is the amount of which is transferred by the importer's bank to the exporter's bank for the entire term of the letter of credit. In case of an uncovered letter of credit, the amount of the letter of credit is debited by the exporter's bank from the account of the importer's bank held by him;
- transferable and non-transferable. A letter of credit is considered to be transferable which can be redirected (transferred) by the exporter/seller to another name while maintaining the terms of the letter of credit. According to a non-transferable letter of credit, it is the person specified in the letter of credit who must submit documents for receiving payment;
- renewable (revolving) and non-renewable. A letter of credit is considered revolving, according to which the importer / buyer regularly, within a certain time, replenishes the amount of money under the letter of credit - as payments are made from it. A non-renewable letter of credit is terminated by execution;
- cumulative and non-cumulative. A letter of credit is cumulative if the unused amounts of the current letter of credit are added to the next letter of credit. For a non-cumulative letter of credit, no unused amounts are added.

There are other types of letters of credit. The procedure for making international payments through a letter of credit is determined by domestic law, the rules of interbank agreements, and is also summarized and codified by the International Chamber of Commerce in a document called "Uniform Customs and Practice for Documentary Letters of Credit" (ICC Publication No. 500). A special place today in non-cash payments in the international financial system began to occupy plastic payment cards. Everyone knows such, for example, cards as VISA, Master Card and others. Cards are not only convenient in international payment transactions, but also make it possible to use a loan, withdraw money from an account. The Bank for International Settlements (BIS) introduced and uses the division of cards into three main categories:

- credit cards (letter of credit cards); such cards make it possible to use a bank credit line during settlements within the established limit;
- debit cards; they are issued by a bank to provide the client with access to his savings account to pay for purchases or withdraw money through an ATM;
- private cards; they are issued by enterprises (including banks) to provide benefits to their customers, for example, in telephone conversations or in paying for travel, entertainment.

According to technological features, plastic cards are divided into magnetic and chip cards. Magnetic cards contain the owner's "Personal Identification Number" (PIN). Chip cards (smart cards) contain a "numerical integrated processor" in which the necessary information about the bank account is recorded; as a result, there is no need for direct communication with the issuing bank. Chip smart cards are almost completely protected from fraud. The first credit card was issued in the early 1950s. 20th century in the USA. In the 60s. an association of interbank cards was formed. In the 70s. appeared, in particular, the international association VISA, uniting the founding banks operating in the sector of bank cards. The VISA Association is governed by an International

Council and six Regional Councils. Within the framework of the association, the management of the electronic network necessary for the use of cards is ensured, and compliance with internal laws is monitored. Regional councils promote VISA products in the territories of their respective countries. All operations transactions made using VISA cards in 170 currencies are processed by two international centers - in the UK and the USA. Cards of the VISA system are differentiated by terms and range of services. It can be concluded that in the international financial sector, all major markets for banking services, the systematic introduction of new products, including payment card networks, are under the control of large transnational banks, banking groups and associations. Standard parameters for plastic cards are developed by the International Organization for Standardization - ISO (Inter-national Standards Organization - ISO), a specialized non-governmental organization. that in the international financial sector, all major markets for banking services, the systematic introduction of new products, including payment card networks, are under the control of large transnational banks, banking groups and associations. Standard parameters for plastic cards are developed by the International Organization for Standardization - ISO (Inter-national Standards Organization - ISO), a specialized non-governmental organization. that in the international financial sector, all major markets for banking services, the systematic introduction of new products, including payment card networks, are under the control of large transnational banks, banking groups and associations. Standard parameters for plastic cards are developed by the International Organization for Standardization - ISO (Inter-national Standards Organization - ISO), a specialized non-governmental organization. that in the international financial sector, all major markets for banking services, the systematic introduction of new products, including payment card networks, are under the control of large transnational banks, banking groups and associations. Standard parameters for plastic cards are developed by the International Organization for Standardization - ISO (Inter-national Standards Organization - ISO), a specialized non-governmental organization.