2. The concept of "money". Fundamental, of course, are primarily the terms "money" and "finance". There is no generally accepted definition of the concept of "money". From an economic point of view, "money" is a special, universal commodity that performs the functions of a measure of value, a means of circulation, a means of payment, a means of accumulation. Money as a medium of circulation is directly related to trade, since it participates in the exchange of goods according to the scheme "goods - money - goods". Here, money mediates trade. The function of money as a means of payment is activated when the receipt of goods and their payment are significantly separated in time (goods on credit, advance payments, etc.). Here money is connected with the problems of credit relations. It is believed that in modern monetary systems the functions of money as a means of circulation and means of payment merge. Money as a measure of value helps to measure and compare goods and services. Thanks to this, it is possible, having sold one product or service, to purchase another - equivalent - product / service. The exchange of goods / services acquires an equivalent character, which is important, in particular, in international trade. In addition, thanks to this, it is possible to establish price proportions between the money of different countries, i.e. exchange rates (exchange rates). Here the concept of "money" goes to the concept of "currency". Money as a means of accumulation becomes a stock, a reserve, an asset, a source of investment. Cash reserves often turn into real investments. Money can take different forms. Historically, they appeared in connection with trade and were certain things that became the “general equivalent”: skins, shells, metal, etc. This was the first money. Then, bars of silver and gold began to be used as money, later - coins, paper money. Along with the profession of a merchant, a bush appeared the profession of a money changer, a usurer. They became the beginnings of future banks. In ancient Babylon (3rd millennium BC), the Chaldeans living in southern Mesopotamia formed partnerships that dealt with the issuance of money loans and transfer operations. In ancient Greece, in the IV century. BC, temples were engaged in usury and money exchange: Ephesus, Delos, Delphi. Later, money changers and moneylenders arose in ancient Egypt and ancient Rome. Money can exist both in cash (cash) and non-cash. Non-cash includes money in current bank accounts, which serve as the basis for check circulation, as well as payments by credit / debit cards. Non-cash money is "invisible" money. There is a clear global trend towardsgradual replacement of cash by non-cash. In our time, the formation of the money of the future is taking place - "electronic money", the movement of which is regulated by means of computer programs and commands. Term and savings deposits aimed at earning interest-bearing cash income can be considered "almost money", since they are only potential means of payment. The same applies to government bonds, which are classified as securities. Money that is kept in bank accounts (and banks have the right to use it until it is returned to the depositor) is called credit or bank money. Issue (emission) into circulation of banknotes in the form of paper banknotes, treasury bills and coins, denomination of banknotes, implementation of monetary reforms, regulation of the monetary system is an integral part of the sovereign rights of any state. By virtue of international legal custom, the state independently establishes the name of the monetary unit, its appearance, form, weight content or the procedure for determining the exchange rate with other currencies. National money put into circulation is the property of the state. The national currency of one state may legitimately end up on the territory of another state; holders/owners of such currency are, in particular, foreign individuals and legal entities abroad. International law allows, permits and regulates this situation. 3. World money. Money, which is the universal international means of payment and the universal international purchasing power, is often referred to as "world money". This is money, which all or many states need: they carry out calculations, store reserves. It is believed that they are more stable, reliable, not subject to strong and unexpected exchange rate fluctuations, etc. For a significant part of history, gold played the role of world money - as a universal equivalent in settlements in general (and international settlements - in particular). It was a period of gold monopoly in the international financial system. For some time,

along with gold, silver was the world's money, and such a financial system was called "bimetallic". Even today, states keep part of their reserves in gold, silver and other precious metals, but, as a rule, settlements in them are no longer made. In 1944, at the international conference in Bretton Woods (USA), a new international organization was created - the International Monetary Fund (IMF). At the conference, it was decided to recognize the US dollar as a reserve currency and use it for settlements between IMF member countries. The dollar has acquired the role of world money. The "weight" of the dollar was determined in grams of gold - the dollar was "tied" to gold, and they began to coexist together; the international financial system turned into a kind of "two-tier": international settlements were made in dollars, but gold was behind the dollar. The gold-dollar standard reigned. In the 70s of the 20th century, a situation of an international currency crisis developed: the US dollar was constantly depreciating and ceased to correspond to its gold content; the peg of the dollar to gold in the IMF system was cancelled. The gold-dollar standard in the international financial system has been transformed into a dollar standard. At the same time, the legally binding fixing of national exchange rates against the dollar was abolished; rates became "floating" - changing under the influence of supply and demand.

The role of national currencies in comparison with the dollar in the international financial system has objectively increased. At the same time, all these changes did not “bring down” the US dollar, although they reduced its influence. Changes in the IMF Treaty removed the legal "props" of the dollar, but the dollar still remained the central currency of the international financial system, only now its strength was based on the economic power of the state, on the past merits and authority of the dollar, on the inertia of the former legal order. The obligation to fix national currencies against the US dollar was abolished, while the practice of such fixing - now on a voluntary basis - remained. The number of states that voluntarily maintained their peg to the dollar decreased, but still remained very large. A slow retreat from the US dollar as the world's onlymoney. Global Monetary and Economic Crisis 2008-2010 confirmed that the role of the US dollar is exaggerated and alternatives to it should be sought. Today, the function of world money is also carried out by the monetary unit of the European Union - the euro. Some other national and collective currencies, such as the Chinese yuan, also claim the role of world money. Within the framework of integration associations, conditions are formed for regional currencies, which can be one of the national currencies of the member states of the association or a common - collective - currency. There is competition in the world between large states and their integration associations for the promotion of "their" currencies to the role of world money. According to the decision of the Kingston (or Jamaica) conference, artificial money has become world money in the IMF system - the so-called special drawing rights,

Currency. The term "currency" has firmly entered the terminology relating to financial relations. In practice and in scientific, educational literature, this term is understood in two ways: firstly, as the monetary unit of any country, and in this context, an equal sign can be put between the word "currency" and the word "money"; secondly, as foreign money used in international settlements, in this context the word "currency" appears when the money of different states "meet" in the foreign exchange market. Depending on the mode of use, currencies are divided into convertible, i.e. convertible into other currencies (in whole or in part), and non-convertible, or closed, irreversible. Decisions on the regime of their national currency are made by states, taking into account the nature and state of the economy. The currencies of countries are called convertible. in whose legislation there are no restrictions on operations related to the exchange of the national currency for any other currency. There are many such currencies; these include: the US dollar, the euro, the Canadian dollar, the Japanese yen, the currencies of other developed countries and a large number of developing ones. The general line of the IMF is that as many countries as possible should have convertible currencies; to transform their national currency towards a convertible one is one of the obligations assumed by the IMF member states. Often, states impose restrictions on all or some foreign exchange transactions, especially for residents. Accordingly, we can talk about convertibility, for example, for current transactions and / or capital transactions. Many states (primarily developing ones) have introduced and maintain severe restrictions on the import/export, purchase and sale, exchange of national and foreign currency for both residents and non-residents. In these cases, we are talking about non-convertible, closed currencies. Another division of currencies is also known - into: • hard currencies; they are characterized by a firm exchange rate, which is based on the fundamental stability of the economy; • soft currencies, ie. currencies with a flexible, unstable exchange rate. The currencies in which governments hold their financial reserves (to cover the balance of payments deficit) are called reserve currencies. unstable exchange rate. The currencies in which governments hold their financial reserves (to cover the balance of payments deficit) are called reserve currencies. unstable exchange rate. The currencies in which governments hold their financial reserves (to cover the balance of payments deficit) are called reserve currencies.

Finance. The term "finance" is used in economics and law in a wide semantic range. Most often, the concept of "finance" is used as a synonym for the words "money", "cash", "cash resources", "financing", etc. On the one hand, “finances” (“financial resources”) are associated with production and consumption, express the value of the product produced, and on the other hand, “finances” are separated from the product and acquire an independent existence. In society, the distribution and redistribution of produced and already existing goods is constantly taking place. Such distribution/redistribution is carried out in the form of division of a part of funds, income. Moreover, incomes and funds are distributed both at the state level (in the public law sphere) and at the level of business entities (in the private law sphere). The whole set of distribution relations that arise in this case is called “financial relations”. So "finance"are generated by "money", are a derivative concept from "money". “Money” is a prerequisite for the existence of “finance”: “money” is the embodiment of goods, “finance” is the embodiment of money. Being a manifestation of commodity values, “money” is distributed and redistributed and thereby changes its purpose: monetary resources are converted into financial resources. It can be argued that "finance", in their complex, synthetic meaning, is: a) money; b) monetary relations. The content of financial relations is, in particular: the allocation of appropriations to organizations from the state budget; introduction of taxes by individuals and legal entities; settlements between individuals in the sale and purchase; payment of wages, etc. Thanks to finances, the normal activity of the state, business entities, production receives the necessary working capital and investments. The totality of financial relations and financial institutions constitutes the financial system of the state. The financial systems of modern developed countries include, as a rule, several links: the state budget; local finance; special funds; finances of state enterprises (corporations). Part of the financial system of the state are: monetary, credit, banking, currency systems, financial services system, etc. The financial resources of all countries, international organizations and financial centers interact with each other, forming world finance, or the financial resources of the world. as a rule, several links: the state budget; local finance; special funds; finances of state enterprises (corporations). Part of the financial system of the state are: monetary, credit, banking, currency systems, financial services system, etc. The financial resources of all countries, international organizations and financial centers interact with each other, forming world finance, or the financial resources of the world. as a rule, several links: the state budget; local finance; special funds; finances of state enterprises (corporations). Part of the financial system of the state are: monetary, credit, banking, currency systems, financial services system, etc. The financial resources of all countries, international organizations and financial centers interact with each other, forming world finance, or the financial resources of the world.

Credit. The concept of "finance" is very closely related to the concept of "credit". "Credit" is the transfer by a lender to a borrower of money or material assets on the terms of repayment and usually with the payment of interest. Lenders are everyone who has free resources and lends them, and borrowers are everyone who borrows these funds and uses them. For example, a bank and an individual can be both lenders and borrowers in different situations.

Despite the proximity of the concepts of "finance" and "credit", at the same time, these are independent categories. With a loan, the loaned amount must be returned to the lender; a loan is a returnable movement of funds, while finance is a one-way movement, often not ensuring the return of costs (payment of taxes, etc.). In addition, finances are formed from income at the stage of distribution, and credit resources - at the stage of redistribution from temporarily free funds of the state, private individuals. Financial and credit resources are used, as a rule, in a complex manner, in interconnection. With a lack of their own financial resources, they resort to credit resources, and temporarily released financial resources serve as a source of a credit (loan) fund. There are various forms of credit: commercial credit, bank credit, interbank, mortgage, consumer, agricultural, state, interstate, etc. Depending on the scope of operation, two types of loans are distinguished: a) a loan for the acquisition of working capital; b) a loan for the acquisition of fixed capital (it is usually called a loan). The principle of repayment of the loan distinguishes it from other forms of providing money - subsidies, subsidies. Textbooks on economic and financial disciplines, even in their titles, strictly separate the terms "finance" and "credit". In textbooks on legal disciplines, such an essential difference between the two indicated categories is taken into account, but this is not always reflected in the titles of courses and textbooks. a) a loan for the acquisition of working capital; b) a loan for the acquisition of fixed capital (it is usually called a loan). The principle of repayment of the loan distinguishes it from other forms of providing money - subsidies, subsidies. Textbooks on economic and financial disciplines, even in their titles, strictly separate the terms "finance" and "credit". In textbooks on legal disciplines, such an essential difference between the two indicated categories is taken into account, but this is not always reflected in the titles of courses and textbooks. a) a loan for the acquisition of working capital; b) a loan for the acquisition of fixed capital (it is usually called a loan). The principle of repayment of the loan distinguishes it from other forms of providing money - subsidies, subsidies. Textbooks on economic and financial disciplines, even in their titles, strictly separate the terms "finance" and "credit". In textbooks on legal disciplines, such an essential difference between the two indicated categories is taken into account, but this is not always reflected in the titles of courses and textbooks.

The concept of balance of payments. The concept of the balance of payments is an economic category, however, an international lawyer cannot understand the norms of international financial law if he does not have an idea about the balance of payments. The balance of payments is a kind of external economic budget of the state, taking into account financial flows: the "arrival" and "leaving" of foreign currency. According to the definition of the International Monetary Fund, the balance of payments is "a statistical record of all economic transactions during a given period between residents of reporting countries". The usual period, whichcovered by the balance of payments - one calendar year. Structurally, the balance of payments consists of three main parts: a) the balance of current (trade) operations; it reflects the inflow and outflow of foreign currency for the export and import of goods and services; b) the balance of investment movement - in the form of capital movements, loans; c) balance with foreign exchange reserves. The structure of the balance of payments in different countries is more or less unified, since the states draw up a balance in accordance with the IMF's Balance of Payments Guidelines. However, there may be differences. In the current operations section, payments for the charter of domestic ships, servicing foreign tourists, international insurance, and the sale and purchase of patents and licenses are taken into account. Often, a separate part is singled out, which is called the trade balance: it reflects the export-import of only "visible" goods. Separately, the balance of transfers and transfers (transfers of pensions, assistance to foreign states, wages of immigrants sent abroad, humanitarian aid) can be singled out separately. As part of the balance of investments, the movement of entrepreneurial capital (both direct and portfolio investments) and the movement of loan capital are separately taken into account - various kinds of loans (both state and business loans), operations for the purchase of national enterprises by foreigners, etc. The country's gold and foreign exchange reserves require a lot of work with them; they are placed in a certain way. For example, part of the reserves can be transferred on a reimbursable basis to a foreign bank abroad (as a rule, on a "swap" basis - with a guarantee of subsequent redemption). The difference between the "arrival" and "leaving" of financial resources is called the balance of payments. It can be either positive (active) when "arrival" exceeds "departure" or negative (passive) when "departure" exceeds "arrival"; In this case, there is a deficit in the balance of payments. With a positive balance, central banks tend to increase state gold and foreign exchange reserves, and with a balance of payments deficit, they are forced to use, i.e. spend those reserves. Excessive inflow or outflow of foreign currency affects the exchange rates in the country, and through them - on the volume of imports and exports. If the deficit arises only in current operations, the state seeks to increase the import of investments and, at the expense of investment resources, to balance the "arrival" and "leaving" of foreign currency. If the current account balance is active, then this is accompanied by an outflow of investment from the country: excess funds “leave” either in the form of loans to other countries, or are used by individuals to buy enterprises and real estate abroad. For many countries, long-term disequilibrium in the balance of payments is inherent. The imbalance in the balance of payments - especially when it comes to the leading states - affects the entire world monetary and financial system and the monetary position of individual countries. To regulate the balance of payments, methods of adjusting the exchange rate by devaluing or revaluing the national currency are often used. But this is not a market, but an administrative way, the application of which is placed under international legal regulation within the framework of IMF law. For many countries, long-term disequilibrium in the balance of payments is inherent. The imbalance in the balance of payments - especially when it comes to the leading states - affects the entire world monetary and financial system and the monetary position of individual countries. 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(MFS). The sphere of cross-border movement of financial resources forms the international financial system. It consists of five components: objective, subjective, regulatory, functional and ideological. The subject component is international financial relations (IFI) in the broad sense of the word - at the public law and private law levels. This group of relations, in turn, is subdivided into other groups: currency; credit; payment (payment and settlement), etc. The private law level of MFIs can be described by the term “financial relations of an international character”.

The subjective component of the IFS are both public and private persons - participants in these relations. Public persons are understood as states, authorized state bodies (presidents, governments, central banks, ministries of finance, etc.); intergovernmental organizations; private persons meansbanks, currency exchanges, other legal entities, individuals. Participants in MFIs at the private law level are commonly referred to as MFI operators. The most important role in the international financial system is played by: the International Monetary Fund (IMF), the International Bank for Reconstruction and Development (IBRD), the Bank for International Settlements (BIS); among the para-organizations are the Paris and London clubs of creditors. In addition, within the framework of regional economic integration, payment and currency unions are being created everywhere. Some of them aim to introduce common - collective - currencies.

The regulatory component unites all regulatory blocks that regulate international financial relations in a broad sense in various ways (including financial relations of an international nature). Among them, first of all - intrastate / national law and international law (IL); from the MT system in this sphere of relations is a body of norms united in international financial law. At the national level, financial relations from the point of view of law are studied by such academic disciplines for universities and science as financial law, civil law, tax law, budgetary law, administrative law, financial law of foreign countries, EU financial law and others. Regulatory functions are also carried out by non-legal norms: international morality, religious, political and others; some of them are called "soft law". It should be borne in mind that in the sphere of financial relations, the states have given greater freedom of action to private-law participants in the international financial system - banks. In almost all of this space, developed market states have left in place a generally permissible legal regime based on the rule “everything that is not expressly prohibited by law is allowed”. Thanks to this, transnational law is intensively developing in financial relations of an international nature, the norms of which are created for themselves by banks of different countries and other participants in such relations (lex financiaria). In almost all of this space, developed market states have left in place a generally permissible legal regime based on the rule “everything that is not expressly prohibited by law is allowed”. Thanks to this, transnational law is intensively developing in financial relations of an international nature, the norms of which are created for themselves by banks of different countries and other participants in such relations (lex financiaria). In almost all of this space, developed market states have left in place a generally permissible legal regime based on the rule “everything that is not expressly prohibited by law is allowed”. Thanks to this, transnational law is intensively developing in financial relations of an international nature, the norms of which are created for themselves by banks of different countries and other participants in such relations (lex financiaria).

The functional component consists of methods of influencing international financial relations. They are diverse.For lawyers, it is important that these methods can be legal and non-legal; among the methods - unilateral, bilateral, multilateral (group), universal, transnational, supranational regulation. The emergence and development of the International Monetary Fund indicates that there has been a switch from the methods of bilateral and group regulation to the universal and supranational regulation of certain issues of the international financial system.

The ideological component usually explains the motives for actions and measures taken, provides arguments and justifications, including from scientific and applied points of view. An example is the thesis: The International Monetary Fund needs to be reformed, because in its current form it cannot withstand global financial crises and serves mainly the interests of developed countries, which makes the international financial system unfair and does not provide mutual benefit to states. The functioning of the international financial system results in a certain international financial legal order. Here are examples of how relations are manifested in the international financial system: • one state provides another with a loan; • an enterprise transfers money to a foreign country to an enterprise-seller in payment for goods purchased abroad; • a large company enters the international stock market with its shares or bonds; • the bank lends to its foreign client or an enterprise with foreign capital; • the bank purchases foreign currency on the international currency market; • a foreign tourist uses various tourist services for a fee; • an immigrant worker sends part of his earnings to his home country, to his country, etc.

In these examples, public-law and private-law levels of relations are distinguished, as well as two more groups of legal relations: a) when financial resources/instruments (money, etc.) cross borders; in legal language - things; b) when borders are crossed by foreign suppliers and recipients of financial resources; in this casethere is a cross-border movement of persons. States, too, apparently, can act as "suppliers" and "recipients" of financial resources when they pay for goods / services (for interstate deliveries) or provide loans. At the same time, the states themselves, as public figures, do not cross borders; this is done by the representatives of the state.

It is very important what domestic legal regime will meet and accompany foreign individuals in a particular state; what national legal regime will be established for foreign financial resources or what legal regime the national currency and other financial instruments will fall into abroad. Moreover, states are not indifferent to what legal regime is established in a foreign partner state for their own currency and for their own persons.

It follows that a large group of legal relations in the international financial system are also legal relations of public persons regarding domestic legal regimes in which foreign and national things and persons find themselves. Many issues of cross-border movement of things and persons, as well as the legal regime for them, are internationalized, i.e. subject to international regulation. States, in particular, create an international legal regime within which financial problems are solved. Thus, the international financial system (IFS) is characterized not only by the cross-border movement of financial resources, but also by the movement of persons, and in certain legal and international legal regimes. IFS is an integral part (subsystem) of the international economic system, which, in turn, is part of the international system as a whole.