

PREVENTIVE MEDICINE. URGENT ASPECTS OF RISK ANALYSIS

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SCIENTIFIC-METHODOLOGICAL APPROACHES TO DESIGNING RISK-ORIENTED MODEL OF CONTROL AND SURVEILLANCE ACTIVITIES IN THE SPHERE OF CONSUMER RIGHTS PROTECTION

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We present scientific-methodological approaches to defining risk categories of economic entities which are subject to surveillance in the sphere of consumer rights protection. Risk is suggested to be assessed as a product of violations frequency comprising violations of separate provisions of the law on consumer rights protection detected in the course of scheduled and unscheduled inspections; a number of claims per one detected violation which were satisfied by courts in favor of consumers; each separate case of harm accepted by court in money terms (as a sum of physical and moral damage to health and damage to property); and coefficient of a potential impact scope which differentiates risks for economic entities belonging to micro-, small, medium-sized and large business. Our information sources are official statistic data obtained due to realization of state control in the sphere of consumer rights protection and court practice collected in all the RF regions over 2012–2016. It is shown that a share of economic entities with extremely high risk potential which can cause total material damage to consumers in sums greater than 10 million rubles per year amounts to about 0.15 % of the total number of economic entities (both juridical persons and private entrepreneurs); economic entities with high risk potential account for about 2 %. Such groups are made of companies involved in financial markets, share construction services, insurance and tourism. About 23 % of juridical persons and private entrepreneurs can be classified as having low risk potential and they can be excluded from scheduled inspections. Economic entities structure in general corresponds to world practices. It is shown that risk-oriented surveillance model development requires improvements in keeping registers of juridical persons and private entrepreneurs as such registers should contain comprehensive information; it is necessary for correct risk category (or hazard category) determination. It is also vital to work out a regulation on registering cases of moral and property damage to citizens caused by violations of obligatory requirements in the sphere of consumer rights protection. Other ways of protecting consumer rights are becoming especially important; here we first of all mean preventive and procedural ones. Such ways are to be developed and implemented especially widely for spheres of activities which are "risky".

Key words: consumer rights protection, goods, services, risk-oriented surveillance, hazard category, property damage.

State policy in the Russian Federation is aimed at growth in quantity of such consumer goods and services on the Russian market which increase the quality of our population's

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¹ On national system of consumer rights protection: materials of the meeting of the RF State Council Presidium on April 18, 2017. Available at: <http://www.kremlin.ru/events/president/news/54328> (28.04.2017).

life¹. It can be achieved with various tools; implementation of risk-oriented surveillance model is one of them as it involves consumers health risks management [6]. Risk analysis system has been actively applied worldwide for more than a decade already and its major goal is to increase state surveillance and control efficiency together with lowering administrative barriers for economic entities [9,14-20]. Risk assessment methodology in the Russian Federation is most widely used in banking and financial spheres [1,7-9]; however, over the last years it has found wider implementation in environmental protection [2], public healthcare [3,5], sanitary-epidemiologic welfare provision, organizational management, and other spheres [6,11-13].

More than 120,000 scheduled and unscheduled inspections by Rospotrebnadzor regional offices are organized at economic entities annually in order to protect consumer rights and to control compliance of their activities, goods, and services with the legal requirements [4]. Over 2007-2016 scheduled inspections share was on average equal to 44%, ranging from 35.5 to 50%. Annually from 200,000 to 300,000 violations of "On consumer rights protection" Federal Law are detected in the inspections course. Over the last 5 years regular courts have received more than 2,000,000 claims on consumer rights protection. 397,145 cases on the matter were heard in the courts in 2016 only. 68.9% of the cases were satisfied for benefits of consumers. Since 2012 more than 130 billion rubles were

awarded to consumers by the courts. The total recovery sum (including moral damage compensations) has increased 5 times over the last 5 years, from 13.3 billion rubles in 2012 to 42.7 billion rubles in 2016².

Clause 8.1 of the RF Federal Law No. 294 "On protection of... rights..."³ fixes risk-oriented model of control and surveillance activities performed by stated authorities, and Government Order no. 245⁴ states it should also apply to the sphere of consumer rights protection.

Both Federal Law No. 294 and the RF Government Order dated August 17 2016 Nj 806 "On application of risk-oriented approach when organizing certain state control (surveillance) activities (with amendments and additions)"⁵ fix certain principles of risk-oriented model design. These principles state that:

- frequency of scheduled inspections at juridical persons and/or private entrepreneurs' enterprises is determined by danger category or risk category;
- criteria of assigning economic entities which are subject to state control (surveillance) into risk categories should allow for probability of violations by juridical persons or private entrepreneurs of the obligatory requirements in the sphere under surveillance (in our case, the sphere of consumer rights protection); they should also allow for gravity of potential negative consequences which possible violations of the

²As per data given by the Judicial Department of the Supreme Court of the Russian Federation as on February 1, 2017. No. CД-АГ/139, as on April 26, 2017 No. CД-АГ/647.

³On protection of juridical persons' and private entrepreneurs' rights when performing state control (surveillance) activities and municipal control: Federal Law passed on December 26, 2008 Nj 294-Ф3 with amendments and additions. Available at: http://www.consultant.ru/document/cons_doc_LAW_83079/ (29.04.2017).

⁴On making amendments into the RF Government Order dated August 17, 2016 Nj 806: the RF Government Order dated March 02, 2017 No. 245. Available at: <https://www.consultant.ru/law/hotdocs/49031.html> (29.04.2017).

⁵On implementation of risk-oriented approach when organizing specific types of state control (surveillance) and making amendments into certain RF Government documents: Government Order dated August 17, 2016 No. 806. Available at: http://www.consultant.ru/document/cons_doc_LAW_203819/ (29.04.2017).

stated obligatory requirements can have;

- assessment of potential negative consequences gravity caused by juridical persons and private entrepreneurs violating the obligatory requirements is to be accomplished allowing for possible gravity of potential damages and scope of potential negative consequences prevalence.

Besides, another vital principle in designing new control organization system is risk criteria and risk categories transparency as well as transparency in distribution of the economic entities which are subject to control into risk categories as per probable damage they can cause to the protected values.

A protected value in the sphere of consumer rights protection is a right of goods or services consumers to acquire goods (services) which are safe for their life or health and also to preserve their property. Requirements to a product or service safety can be violated and risks of that are taken into account when juridical persons and private entrepreneurs are assigned into risk categories for implementing sanitary-epidemiologic control and surveillance activities [10]. Here we mostly consider a probability when specific requirements to safety parameters can be violated and gravity of consequences which are proved to be associated with such violations. Gravity is understood as a damage to a specific individual health which can be caused by violations of standards and requirements set forth for a product or service, and potential number of people who can be exposed to consequences of an activity which violates safety requirements.

But at the same time, when we plan risk-oriented inspections in the sphere of consumer rights protection we face a problem of accounting risks of property and moral losses by citizens. In relation to that, we assume that scientific and methodical approaches to

surveillance objects categorizing in the sphere of consumer rights protection should be based on:

- choice of parameters which are objective, checkable, and individually determined for each juridical person or private entrepreneur under surveillance; these parameters characterize each risk component (probability of the obligatory requirements violation, gravity of such violations' consequences, and the scope of the consequences occurrence);

- working out risk calculation procedure which would allow to obtain comparable results for economic entities involved in variety of activities, which are subject to legal regulation in the sphere of consumer rights protection, for example, hairdressers, or banks and insurance companies;

- giving grounds for risks scale which provides adequate classification of juridical persons and private entrepreneurs which are subject to surveillance.

All the above-mentioned tasks helped us to define our **research goal** which was to create and to test scientific-methodological approaches to creating a risk-oriented model of control and surveillance activities in the sphere of consumer rights protection.

Mature risk management and assessment system obviously can't exist without a relevant maturity of information decisions on collecting, generalizing and analyzing data as well as without developed intradepartmental processes. Rospotrebnadzor has a well-organized and maintained departmental statistics system. And it was clearly advisable to fully use the available database which gives impressive possibilities to make analytical generalizations, both for the Russian Federation as a whole and for its separate regions. We took data from the statistical departmental reports "Data on the results of

federal state surveillance implementation by Rospotrebnadzor regional offices" and used these data as our information basis (form 1, table in the section 3 as per Russian regions over 2013-2016). We considered possibilities to use data on: number of performed scheduled and unscheduled inspections as per spheres of activities; number of detected violations as per various clauses of "On consumer rights protection" Federal Law and technical regulations (again allowing for activity spheres); on number of cases when damage was done to consumers' health and property etc. We paid attention to the fact that departmental statistics contained data on money sums which were awarded by the courts for consumers' benefits (including moral damage compensating).

Juridical persons and private entrepreneurs were classified as per risks of causing potential property damage to goods and services consumers allowing for a sphere of activity which they were involved in. We allowed for recommendations on preferred application of calculation procedure for risk assessment which helps to determine exact risk numerical value as a product of "damage probability" parameter and "damage gravity" parameter [6, page 25]

Data and methods. When working out procedures and assessing risks of damage to consumers in the sphere of consumer rights protection as well as when classifying economic entities we tried to unify approaches for the whole system of control and surveillance activities by the Federal Service on Consumer Rights Protection and Human Well-being. Such approach seems to be reasonable due to the fact that some juridical persons and private entrepreneurs are subject to surveillance both in the sphere of sanitary-epidemiologic well-being and consumer rights protection sphere.

We used departmental statistic data collected over 2012-2016 in 84 regions of the RF. To assess a scope in which this or that economic entity can influence consumers, we assigned a juridical person or a private entrepreneur to "small", "medium-sized", or "large" business.

We determined risk as a product of the following values;

- frequency of violations, detected in the course of scheduled and unscheduled inspections as per separate clauses of the law on consumer rights protection;
- number of claims which were satisfied by the court per one detected violation;
- one case of harm in money terms, accepted by the court (as a sum of physical and moral damage to health and property damage);
- coefficient of scope which differentiated risks for economic entities belonging to micro-, small, medium-size and large business.

The basic formula for calculating potential property damage risk which could be caused by an economic entity (R^i) was as follows:

$$R^i = \mathring{a}_j P_j^i G_j^i,$$

$$G_j^i = \mathring{a}_j a_j^i U^i K,$$

where

P_j^i was frequency of violation of j -th clauses of the law on consumer rights protection as per i -th activity sphere, detected in the course of scheduled and unscheduled inspections as per 1 inspection;

G_j^i was gravity of consequences caused by violating the obligatory

a_j^i was a number of claims accepted by the court related to one detected violation of j th clause of the law on consumer rights protection as per i -th activity sphere;

U^i was one case of material and moral damage in money terms accepted by the court as per i -th activity sphere;

K was a coefficient of scope which differentiated risks for economic entities belonging to micro-, small, medium-size and large business.

We set frequency of violations detected due to scheduled and unscheduled inspections for economic entities for each separate activity as 95% percentile of regional distribution of violations detected due to Rospotrebnadzor scheduled and unscheduled inspections over 2012-2016.

If we choose 95% percentile as violation frequency value it can lead to a certain overestimation of potential risks for most economic entities under surveillance. However, this parameter characterizes this almost maximum potential damage which can be done by an economic entity involved in a certain activity in the Russian Federation at the contemporary stage of the country economic development and the existing level of "compliance with law". Experts in the risk-oriented surveillance field formulate potential danger accounting principle and consider it to be obligatory [6, page 25]. If overall social responsibility of business in the country grows than decrease in number of detected (i. e. occurring) violations will inevitably lead to decrease in 95% percentile of violations frequencies, and, consequently, to lowering risk categories for a number of juridical persons and private entrepreneurs. Besides, if we accept the same violation frequency value for a specific activity it will allow to exclude regional peculiarities of "detectability" of violations in the sphere of consumer rights protection. And such peculiarities do exist. Thus, for example, in 2016 7.2 violations on average were detected in Sverdlovsk region as per 1 inspection in the sphere of consumer rights protection; 4 violations, in

Bashkortostan and Tula region; 0.9 violations, in Karachai-Cherkess and Chechen Republics [4]. "Check-lists" system introduction, differentiation of obligatory requirements as per damage risks, unification of approaches to registering cases of damage to consumers property, and some other measures will in future help to eliminate all the existing unconformities. But as for now, we treated the above-mention parameter application as an optimal variant to assess probability of the obligatory requirements violation.

We assessed "damage gravity" parameter as a product of several components. We took it as a postulate that not every violation could lead to property damage. The first component in gravity assessment was a probability of actual damage to consumers due to legal requirements violations which was estimated as per number of claims on consumer rights protection issues (both in protecting concrete individuals and in protecting unspecified ones), which were satisfied by the courts for consumers' benefits and attributed to 1 case of the violations detected in the course of inspections. This value was detected as per results of regression analysis when correlations between a number of claims satisfied by the courts and a number of violations of the law on consumer rights protections over 5 years were analyzed and data on all the RF regions were used in the analysis. The approach fully corresponds to the basic requirements set forth by the Government Order No. 806 which demands to allow for possible frequency of potential negative consequences occurrence when obligatory requirements are violated; i.e. this Order correlates violations and damage. We considered claims satisfied by the courts exactly as evidential cases of damage to consumers. We made all the calculations as per activity spheres and it allowed us to

describe peculiarities of frequency (probability) of property damage occurrence per 1 case of legal requirements violation when various goods or services were offered to consumers.

The second gravity component was one case of material and moral harm in money terms accepted and satisfied by the court. We determined this value as a ratio of the money awarded for consumers benefits to a number of claims satisfied by the court for each activity sphere. To analyze the data, we reduced all the awarded sums as per all claims over 2014-2016 to comparable values with the help of deflators. 95% percentile of regional distribution of sums awarded by the courts for consumers' benefits (as per 1 case of damage) was taken as a gravity parameter.

We assessed a scope of an economic entity potential impacts by assigning it to a micro-, small, medium-sized, or a large business. We defined a scope coefficient basing on the ratio between a number of the given enterprises and their annual earnings (up to 60 million rubles for micro-enterprises; up to 400 million for small enterprises; up to 1 billion for medium-sized business; and more than 1 billion rubles for large businesses). Accordingly, scope coefficients for various activity spheres were as follows: 0.6 (micro-business); 4.0 (small business); 10 (medium-sized business); 100 (large business).

Risk value obtained from the equation was numeric and characterized potential annual property losses by consumers (as a sum per all who suffered them) which could be caused by a specific economic entity involved in a certain sphere of activity in the RF. Risk value was compared with a scale designed by experts (table 1).

Risk assessment for each specific economic entity allowed to assign it to this or that category and to subsequently determine

frequency of scheduled control and surveillance activities.

Table 1

Scale for assigning economic entities to risk categories

Risk categories	Criteria
Low	$R < 1$ thousand rubles
Moderate	$1 \text{ thousand rubles} \leq R < 10$ thousand rubles
Average	$10 \text{ thousand rubles} \leq R < 100$ thousand rubles
Considerable	$100 \text{ thousand rubles} \leq R < 1000$ thousand rubles
High	$1 \text{ thousand rubles} \leq R < 10000$ thousand rubles
Extremely high	$R \geq 10000$ thousand rubles

The system becomes dynamic due to possibility to "increase" or "decrease" a risk category for a juridical person or a private entrepreneur on the basis of the inspection results; this possibility is fixed in the regulations. When a decision on a category change is taken, officials pay attention to occurrence or absence of legal resolutions on administrative offence cases which came into force; orders on temporary suspension and (or) revoke of a license on an activity and orders on eliminating violations of the obligatory requirements set forth by the RF sanitary-epidemiologic legislation.

Primary results. As we applied the suggested approaches in processing actual data obtained in the course of control and surveillance activities it allowed us to reveal that frequency of violations by economic entities of the obligatory requirements in the sphere of consumer rights protection differed greatly for juridical persons and private entrepreneurs involved in different activities. Data on 64 activity spheres (with the highest violations frequency) are given in Table 2.

Table 2

Frequency of violations as per certain clauses of the law on consumer rights protection
(per 1 inspection, 95-percentile over 2012-2016, 84 regions of the RF)

Activity sphere	Clause 4	clause 5, 6	Clause 7	clause 8-10, 12	clause 11	Clause 16	Other clauses of the law	As per all clauses
TOTAL, including	0,35	0,16	0,23	1,56	0,13	0,21	0,48	3,13
Retail trade, including	0,41	0,24	0,31	1,71	0,15	0,09	0,50	3,42
food stuffs	0,45	0,27	0,34	1,61	0,16	0,04	0,38	3,25
distance selling	0,74	0,04	0,06	4,00	0,04	1,30	2,00	8,18
per samples	0,50	0,24	0,32	2,69	0,31	1,32	1,04	6,42
Catering	0,52	0,17	0,33	1,73	0,18	0,09	0,38	3,40
Consumer services	0,44	0,08	0,14	2,10	0,18	0,53	0,76	4,23
Technical services and car repair and maintenance	0,46	0,10	0,13	3,00	0,30	0,58	1,00	5,57
Car parking services	0,90	0,00	0,00	3,00	0,36	0,49	0,50	5,25
Hotels	0,50	0,00	0,09	3,00	0,33	0,43	0,82	5,17
Tourism, including	0,37	0,00	0,06	2,30	0,14	1,69	1,24	5,80
organized children groups	0,40	0,00	0,20	2,04	0,20	1,00	1,00	4,84
Transportation, including	0,40	0,00	0,08	2,51	0,11	0,28	0,54	3,92
air transport	0,25	0,00	0,00	3,00	0,00	0,51	1,00	4,76
urban surface transport	0,37	0,00	0,06	2,77	0,14	0,25	0,50	4,09
Communications, including:	0,67	0,00	0,00	2,92	0,20	1,85	1,00	6,63
wired broadcasting	0,11	0,00	0,00	2,53	0,00	1,50	0,80	4,95
mobile communications	0,50	0,00	0,00	2,04	0,00	1,03	1,00	4,58
data transfer	0,54	0,00	0,00	3,00	0,00	1,00	1,00	5,54
telephone communications	0,50	0,00	0,00	3,00	0,00	1,50	1,00	6,00
Financial activities, including:	0,20	0,00	0,00	2,00	0,03	3,86	1,31	7,39
insurance	0,33	0,00	0,00	2,88	0,00	2,83	1,47	7,51
banking	0,15	0,00	0,00	2,00	0,00	5,00	1,41	8,55
micro-financing	0,00	0,00	0,00	2,65	0,00	2,00	1,00	5,65
Payment services	0,00	0,00	0,00	2,00	0,00	1,00	1,00	4,00
Share construction	0,00	0,00	0,00	2,22	0,00	2,72	1,61	6,55
Communal services	0,59	0,03	0,23	2,26	0,12	0,50	0,60	4,34
Education	0,31	0,01	0,06	1,78	0,14	0,80	0,56	3,66
Health care	0,40	0,03	0,16	1,99	0,13	0,63	0,57	3,92
Real estate agents activities	0,00	0,00	0,00	2,43	0,10	2,75	1,63	6,90
Cinemas	0,21	0,00	0,00	2,00	0,40	1,00	1,00	4,61
Other activities	0,36	0,07	0,14	1,79	0,16	0,31	0,52	3,34

As per data given by Rospotrebnadzor offices over the examined period, requirements set forth by the law on consumer rights protection were most likely to be violated in banking ($P^{95}=8.55$ per 1 inspection) and in distance selling sphere ($P^{95}=8.18$). Violations frequency was also high in insurance ($P^{95}=7.51$). Requirements which were most frequently "vio-

lated" included clauses on consumers' right to get correct information about goods, works, services, their producers and/or sellers (clauses 8-10-12) or clauses on terms of contracts which infringed consumers' rights (clause 16). If these requirements are violated it can lead, among other things, to consumers being deluded; such delusions result in inadequate actions in buying

these products or services and discrepancies between buyers' expectations and actual quality of a product (service).

When the requirements set forth by these clauses of the law are violated it results in most frequent reference of consumers to the courts as they want their interests to be protected. Thus, annually up to 0.6 claims on consumers rights protection accepted by the court are registered per 1 detected violation of clauses 8-10 and 12 on financial market; i.e. almost each

violation is considered to be a case of actual damage done to consumers. References to the courts aimed at consumer right protection and compensations for damages in the spheres of education, healthcare, communications and others are considerably less linked to frequency of legal requirements violations. On average as per all activity spheres, one claim is accepted to be heard at the court per 80-85 detected violations (Table 3).

Table 3

Number of claims accepted by the courts per 1 detected violation of a clause of the law on consumer rights protection

Activity sphere	clause 4	clause 5, 6	clause 7	Clause 8-10, 12	clause 11	clause 16	Other clauses of the law
TOTAL	0,043	0,039	0,000	0,000	0,000	0,158	0,012
including							
Retail trade, including	0,046	0,000	0,000	0,002	0,000	0,097	0,012
food stuffs	0,021	0,000	0,000	0,000	0,000	0,033	0,007
distance selling	0,066	0,441	0,000	0,005	0,000	0,000	0,010
per samples	0,287	0,000	0,046	0,000	0,000	0,212	0,040
Catering	0,000	0,020	0,000	0,000	0,000	0,000	0,008
Consumer services	0,015	0,036	0,000	0,005	0,000	0,024	0,075
Technical services and car repair and maintenance	0,000	0,000	0,000	0,000	0,012	0,000	0,000
Car parking services	0,000	0,000	0,000	0,015	0,000	0,000	0,000
Hotels	0,015	0,036	0,000	0,005	0,000	0,024	0,075
Tourism	0,083	0,000	0,000	0,000	0,000	0,051	0,071
Transportation	0,043	0,039	0,000	0,000	0,000	0,158	0,012
inner water transport	0,000	0,000	0,000	0,000	0,000	0,490	0,000
air transport	0,000	3,611	0,000	0,000	0,000	0,000	0,000
urban transport	0,043	0,039	0,000	0,000	0,000	0,158	0,012
Communications, including	0,000	0,000	0,000	0,000	0,000	0,000	0,046
wired broadcasting	0,444	0,000	0,000	0,000	0,000	0,000	0,000
mobile communications	0,000	0,000	0,000	0,000	0,000	0,000	0,046
telematic communications	0,000	0,000	0,000	0,000	0,000	0,000	0,046
data transferring	0,000	0,456	0,000	0,000	0,000	0,000	0,046
telephone communications	0,000	0,000	0,000	0,000	0,000	0,000	0,046
Financial activities, including:	0,041	0,000	0,000	0,602	0,000	0,148	0,000
insurance	0,000	0,000	0,000	0,663	0,000	0,088	0,000
banking	0,000	0,000	0,000	0,608	0,000	0,164	0,000
micro-financing	0,186	0,000	0,000	0,033	1,041	0,005	0,049
Share construction	0,000	0,000	0,000	0,000	0,000	0,027	0,645
Communal services	0,000	0,000	0,000	0,123	0,000	0,000	0,000
Education	0,006	0,000	0,000	0,001	0,000	0,007	0,003
Healthcare	0,006	0,000	0,000	0,001	0,000	0,007	0,003
Real estate agents services	0,000	0,000	0,000	0,000	0,458	0,035	0,000
Other spheres	0,000	0,000	0,000	0,000	0,000	0,080	0,050

As we analyzed average sums awarded by the courts for benefits of products and services consumers per various spheres of disputed legal relations we revealed that the greatest sums were awarded in share construction (304.8 thousand rubles)⁶. The smallest sums were awarded in communal services (25.5 thousand rubles), services provided in the sphere of culture and rest (38 thousand rubles) and communications (54 thousand rubles).

An average awarded sum per 1 satisfied claim in 2016 amounted to 112.4 thousand rubles in disputes arising from contracts with financial-lending organizations (106.8 thou-

sand rubles in 2015, 98.7 thousand rubles in 2014): it amounted to 134.3 thousand rubles per 1 satisfied claim in disputes arising from contracts in the sphere of trade, services etc.

The obtained data gave grounds for risks assessment of economic entities which were included in the federal register of juridical persons and private entrepreneurs and were subject to surveillance in the sphere of consumer rights protection. Risks assessment based on the suggested approaches helped us to obtain the data which are generalized in Table 4.

Table 4

Calculated values of property losses risk (including compensated moral harm) in specific Spheres of activities (data are generalized)

Activity sphere	Property losses risk, rubles/year (risk category)			
	Micro	Small	Medium-sized	large
Retailing	5.5 (5; moderate)	36.4 (4; average)	91.1 (4; average)	911.2 (3; considerable)
catering	0.7 (6; low)	4.6 (5; moderate)	11.5 (4; average)	114.9 (3; considerable)
Consumer services	13.5 (4; average)	89.7 (4; average)	224.2 (3; considerable)	2242.4 (2; high)
Technical maintenance of vehicles	1.7 (5; moderate)	11.5 (4; average)	28.7 (4; average)	287.4 (3; considerable)
Hotels	6.9 (5; moderate)	46.1 (4; average)	115.3 (3; considerable)	1152.8 (2; high)
Tourism	37.4 (4; average)	249.2 (3; considerable)	623.0 (3; considerable)	6230.3 (2; high)
Transportation	5.6 (5; moderate)	37.3 (4; average)	93.1 (4; average)	931.3 (3; considerable)
Communications	1.2 (5; moderate)	7.9 (5; moderate)	19.7 (4; average)	197.4 (3; considerable)
Financial market	201.7 (3; considerable)	1344.6 (5; high)	3361.4 (5; high)	33614.2 (1; extremely high)
Share construction	825.8 (3; considerable)	5505.1 (5; high)	13762.8 (1; extremely high)	137628.5 (1; extremely high)
Communal services	29.1 (4; average)	193.9 (3; considerable)	484.8 (3; considerable)	4847.8 (5; high)
Education	0.6 (6; low)	3.7 (5; moderate)	9.3 (5; moderate)	93.1 (4; average)
Healthcare	2.4 (5; moderate)	15.9 (4; average)	39.7 (4; average)	397.4 (3; considerable)

⁶As per data given by the Judicial Department of the RF Supreme Court on April 26, 2017 No. CJI-AF/647.

We analyzed distribution of almost 1.5 million juridical persons and private entrepreneurs included in the federal register per categories of property damage risks. Our analysis revealed that a share of economic entities which could be assigned into extremely high risk category in the sphere of consumer rights protection amounted to not more than 0.15% (Figure). They were mostly large juridical persons operating on financial markets and in share construction sphere.

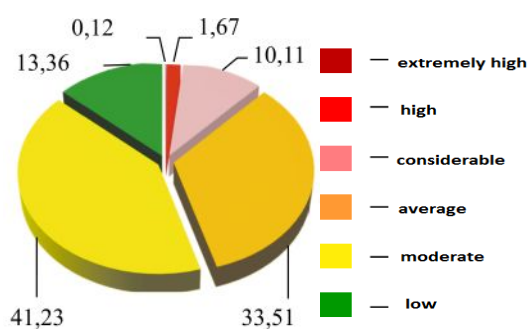


Figure. Structure of juridical persons and private entrepreneurs involved in activities which are subject to regulations by the Federal Law "On consumer rights protection", as per categories of potential property losses risks for goods and services consumers

A share of high risk objects was also low and amounted to about 2%. This group, apart from financing and construction, comprised juridical persons and private entrepreneurs who provided insurance and tourism services.

About 13% of all the economic entities under surveillance can be assigned into the 6th category and they will be excluded from the inspections schedule. But still unscheduled inspections of these objects can take place under circumstances set forth by the law.

We should note that the structure of the objects under surveillance as per risk categories fully corresponds to the data given in foreign literature on risk-oriented state surveillance. We should also point out that it is advis-

able to revise this structure and the criteria of assigning economic entities into risk categories every 3-5 years in the scope of the whole country. Such revision seems reasonable due to changes in legislation on consumer rights protection, court practices, changes in violations frequency or awarded sums (even in comparable prices) etc.

Conclusion. In general, economic entities assignment into various categories as per damage risks helps to reasonably concentrate surveillance and control authorities efforts on economic entities with extremely high and high risks via changes in surveillance activities frequency. But still it is obvious that implementation of risk-oriented model in the sphere of consumer rights protection requires its further improvements.

It seems vital to improve generation and maintenance of juridical persons and private entrepreneurs register which should contain comprehensive information for correct risk category determination (or danger category). Such register is seen as a component of the state information resource in the sphere of consumer rights protection (<http://zpp.rospotrebnadzor.ru>). The latter should provide consumers with actual and relevant information which is obtained due to aggregation and analysis of a great number of state and private data sources, such as statistics, data on granted permissions, licenses, confirmations of products compliance and registration, marking, goods' origin and movement, bankruptcies, goods withdrawal, inspection results, laboratory tests results, other judicial and administrative law enforcement etc.

It is also very important to create a regulation on registering cases of moral harm and property damage to citizens due to violations of obligatory requirements in the sphere of consumer rights protection.

Risk-oriented approaches implementation requires development of tools aimed at goods traceability for fixing inspections procedures which are required for checking activities of enterprises directly involved in manufacturing, selling, delivering, storing, transportation, and destruction of unsafe products.

There are other ways to protect consumer rights and they are becoming considerably vital. First of all, we mean preventive activities (clarifications, warnings about typical violations, consulting and informing) and proceedings (reference to the court with claims on protecting unspecified individuals and participation in the court hearings to give statement on a case). Such forms are to be created and developed especially actively in the spheres of

"risky activities". First of all, it concerns financial services market and share construction.

Extremely vital task is to perform system analysis of the productivity and efficiency of surveillance and control activities in the sphere of consumer rights protection which already apply risk-oriented approaches.

Implementation of the set of activities which includes risk-oriented surveillance model application will allow not only to increase efficiency of the national consumer rights protection system enhancing consumers' capabilities and guarantees, but also to create additional stimuli for social and economic development and for life quality growth in Russia.

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