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USING THE DEFINITION OF «CONTRACTUAL OBLIGATIONS» IN THE CURRENT LEGISLATION

One of the oldest and most typical legal constructions there is an agreement. In the theory complete and unfolded type of studies about an agreement it was formed Roman civilest and lasted the object of reception on many ages. For this time a construction did not test a «agreement» some cardinal changes, however, taking into account development of public relations, it is modified. The modern stage of development of Ukraine is characterized the considerable increase of role value of agreements which especially arise up within the framework of the separate fields of law (civil, commercial but other). This tendency, foremost is connected with activation of participation of subject of law in the field of the legal adjusting, by stimulation of good behaviour.

Legal adjusting of contractual relations of economic appeal which is carried out, except for the Civil code of Ukraine, by a far enough normatively legal acts (aggregate of norms of the real acts which regulate obligation relations, it is possible to name an obligation legislation), gives shape these relations obligation legal relationships among which the special place belongs to the contractual obligation legal relationships (contractual obligation). Contractual obligation in a civil law – it obligation, that arise up on the basis of agreement (in a number of cases – on the basis of court decision), and mediate both property civil relations (contractual civil legal obligation) and economic property relations (economic-contractual obligation).

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GEOLOGICAL OFFENCES: PROBLEMS OF TRANSBRANCH CODIFICATION

The article is sanctified to the decision of problems of codified acts of geological and administrative legislation at opening of compositions of offences in the field of geological study of bowels of the earth,

namely - violation of right of ownership on the bowels of the earth, requirements on the guard of bowels of the earth, rules and norms of realization of geological works.

The most widespread type of legal responsibility for violation of legislation about the bowels of the earth there is administrative. This type of responsibility is envisaged by Code about the bowels of the earth of Ukraine and Code of Ukraine about administrative crimes.

However comparison of corresponding norms of the indicated codified acts testifies to the presence of row of problem questions of transbranch character.

The aim of the article is formulation of suggestions on permission of problems of codified acts of legislation about the bowels of the earth and administrative legislation at opening of compositions of offences in the field of geological study of bowels of the earth.

Existent compositions of geological offences divide in an administrative legislation on three groups: 1) violation of right

of ownership on the bowels of the earth; 2) violations of requirements on the guard of bowels of the earth; 3) violations of rules of realization of works on the geological study of bowels of the earth.

As the detailed comparative analysis of binding overs of the indicated codes showed in them terminological disparities, out-of-date norms, blanks, take place in the legal adjusting, objective and subjective collisions.

In totality educed lacks of modern codified acts complicate not only of right application but also present problems in perfection of their codified constructions.

This research gave an opportunity to set forth certain suggestions on addition and change of existent releases of reasons of codified acts of administrative and geological legislation, and also to offer author's interpretation of the most ambiguous terms and concepts.

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PRINCIPLES OF CIVIL AND FAMILY LAW: COMPARATIVE LEGAL ASPECTS

The article examines the range of problems of current civil and family law through comparative legal analysis of principles system of two law branches. Based on the analysis the author gives his own forms definition of normative expression of principles. The role of the civil and family law principles is that they reflect in general form the essence of the relations governed by a particular branch of law. Since both the field of civil and family law regulates personal non-property and

property relations that arise between the subjects and are based on the principles of equality, property independence of participants, the object and the method of law regulation of these two sectors is similar. It is proved that the general principles of civil and family law enshrined in regulatory legal acts of these sectors are similar in the main, and therefore are used in the same way. Additional arguments received the system of principles based on which we can conclude that the generalized prin-