

Concept and criteria of legal capacity of the legal subjects

*I. Okuniev, Ph.D., Assistant Professor of State law disciplines Department,
«KROK» University
igor.okuniev@okp.kiev.ua*

Research Methodology. Certain approaches of researchers', related to legal subjects capacity. were systematized, using the method of classification, as well as defined the basic classification criteria of such legal subjects capacity.

Results. Theoretical and legal issues of legal subjects capacity were analyzed.

Novelty. The legal subjects capacity as a real ability (possibility, willingness) of entity to act as a legal subject from the legislative entry conditions point of view (organizational, material etc.), depending on legal subject type, were defined. The institutes of Ukrainian law, that determine legal subject capacity (licensing, accreditation, certifying, attestation) and suggested several groups of legal capacity classification criteria, including organizational, material, normative) were Defined.

The practical significance. Paper can be used: 1) for further development of scientific-theoretical issues of the legal subject status; 2) in the educational process by teaching the theory of law, as well as for the preparation of the tutorial materials; 3) in the legal drafting process for legislation improvement; 4) in law enforcement in terms of safeguards of the legal subjects rights and interests; 5) in legal nurturing to increase the level of legal culture and consciousness.