

NULL AND VOID LEGAL ACTIONS

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According to the law, the legal action is a legitimate display of the will of a person or legal entity that aims to create, change, or erase obligations or civil rights. In Ukrainian civil law and civil code Legal actions are the most numerous and most important among the judicial facts. According to our definition to the invalidity, it appears that there are two types of void legal actions: legal action rendered invalid absolutely (null) and relatively invalid legal action (reversible).

The absolutely null legal action does not cause legal consequences to the parties: it does not void a valid juridical act, thus such a legal action shall not be declared as such by a court decision. When the court during the hearing of the case determines that a legal action is absolutely null and void, it does not specify it as null and void, but is limited to the certification of invalidity and starting from this, resolves the conflict of parties about relevant legal relationship. The interested party may file complaint only to determine an absolute invalidity's conclusion, but not for its disclosure. The lawsuit and the decision given for that are of the certificate type (recognition).

In Ukrainian Civil code we have definition that civil legal action is null if it is established by law. It means that legal actions is null, when we have a legal norm of law that it is void and null.

I would like to propose my own definition, I think that null legal action is an act of a person (a subject of civil legal relations), although it is aimed at the to create, change, or erase civil rights and obligations, or committed without the intention of creating legal consequences, but which in connection with the violation of the terms of the law is not creates legal consequences, regardless of the court's recognition decision.

The legal action is invalid only in cases stipulated by law. That is, the parties do not achieve the desired result as a result of the legal action.

It is important to differentiate absolutely (null) and relatively invalid legal action (reversible). Legal action is null if it is established by law. Reversible if their nullity is not directly established by law, but one of the parties or another interested person denies their validity on the norms established by law.

The null and void legal action does not because legal consequences aimed at parties and does not have the power of a valid legal action. While the cancellable legal actions can bring legal consequences aimed at parties and have the power of a judicially valid action, until they are declared invalid (canceled) by court decision, on request of the interested persons. From the moment when the decision becomes final, the judicial action ceases to exist.

In Ukrainian civil law we can highlight legal actions, which always is null and void. These are legal actions of child, incapacitated person, some actions of teens. Also legal action that violates public order is null, it is important to understand that the legal action is considered to violate public order if it was aimed at violating the constitutional rights and freedoms of man and citizen, the destruction, damage to property of person, the state, the Autonomous Republic of Crimea, a territorial community. Also legal actions that are committed with out special permissions is null. Also if parties ignore notarial or written form of act, it will be null.

So, in general in national law, void means of no legal effect, having no legal force. An action, document, or transaction which is void is of no legal effect whatsoever: an absolute nullity — the law treats it as if it had never existed or happened.

References

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THE MAIN SUBJECT OF LABOUR RELATIONS

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Labor relations are inherently the most common of all relationships in society. They, in large measure, regulate the most important sphere of society's life. First of all, I must say that labor relations in Ukraine are regulated by a number of normative – legal acts, most of which were adopted in the days of Soviet power. Some of them have already lost their relevance and need to be improved and brought into line with the realities of our time. Thus, in particular, the Labor Code was adopted in 1971, so didn't meet the new realities of social – labor relations in the country. The Labor Code was focused on a situation where the state was a legislator, an executor of its own laws, and practically the only employer. In addition, labor relations are mostly not regulated properly, and in some cases are not regulated at all.

Since the proclamation of independence, there have been significant changes both in society and in the legal system of the country, and in the minds of people, so it has ceased to effectively regulate social relations, and the existing structure of the Code doesn't meet modern needs, and therefore needs to be changed. Of course, it can not be denied that a lot of work was done on the adoption of new