

governing public contracts, and in the development of specific recommendations for improving legislation which can increase the certainty of doing business and at the same time strengthen consumer protection.

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CAUSAL RELATIONSHIP BETWEEN A SOCIALLY DANGEROUS ACT AND SOCIALLY DANGEROUS CONSEQUENCES: CONCEPT AND FEATURES

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The problem of establishing a causal relationship between a socially dangerous act and socially dangerous consequences is of fundamental importance for criminal law. Determination of such a connection is a critical stage in the qualification of criminal offenses with material elements, since without establishing a causal relationship between a person's act and the consequences that have occurred, it is impossible to bring a person to criminal liability. In the current context of the development of legal science and law enforcement practice, special attention should be paid to the issues of correct interpretation and application of the rules on causation in criminal law.

In addition to its theoretical significance, this issue has an equally important practical aspect. Courts and pre-trial investigation bodies, when considering criminal cases, often face the need to prove the presence or absence of a causal relationship between the actions of the accused and the consequences that have occurred. This is especially relevant in cases of criminal offenses related to negligence, inaction and other cases.

A causal relationship between a socially dangerous act and a socially dangerous consequence can be defined as an objective relationship in which a

socially dangerous act (as a cause) caused a socially dangerous consequence (as a consequence of this cause). Many well-known scientists have devoted their research to this important topic, among them the Ukrainian scholars: V. Benkivsky, Ya. Mochkosh, K. Katerynychuk, V. Myslyvy and others.

Causation is a mandatory feature of the objective side of a crime with material elements, which expresses the objectively existing dependence between the act and the consequences. Without establishing this connection, it is impossible to properly qualify a crime and bring a person to criminal liability.

Having analyzed the sources on the characteristics of causation, we have defined the main features of causation as follows:

- 1) objectivity (existence independently of human consciousness);
- 2) necessity (regularity of consequences);
- 3) immediacy (direct connection between the act and the consequences);
- 4) temporal sequence (the act always precedes the consequences).

Cases of indirect causation are difficult to assess in criminal law, when there are intermediate links between the act and the consequences, such as the acts of other persons, forces of nature, technical processes, etc. In such situations, the causal link is established taking into account the role of these factors in the development of the causal chain.

In the case of inaction, causation has a certain specificity and is established by proving that a person was legally obliged to act in a certain way, had a real opportunity to fulfill this obligation, but failed to do so, resulting in socially dangerous consequences.

Thus, the causal relationship between a socially dangerous act and socially dangerous consequences is a complex criminal law phenomenon, the correct establishment of which is crucial for ensuring the principle of fairness of criminal liability and punishment.

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