

ROLE AND VALUE OF PROCEDURAL NORMS IN AGRARIAN LAW

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The purpose of this article is to examine the role value of procedural norms and value of procedural norms, which are predetermined by an objective need for the regulation of relations in the sphere of the Agrarian law.

Procedural norms, role of procedural norms, value of procedural norms, agrarian law.

Recently, scholars of law have been paying increasing attention to the role and value of procedural norms in Agrarian Law. Application of agrarian legislation requires appropriate procedures to be effective.

Interactions between agricultural producers are characterized by agrarian rules of law and it is therefore essential to ensure that norms of agrarian law are implemented. Such norms fulfill their social role as a regulator of relations only when they are properly implemented, and achieving this is dependent on defining and establishing procedures for their use.

The purpose of this article is to explore some issues concerning the definition of the role and value of procedural norms and their place within wider Agrarian Law legislation. It also analyzes the views of scientists of law and provides relevant examples of procedural norms.

Scholars of agro-legal science, for example A. M. Stativka, note that agrarian norms of law aren't simply duplicating other branches of law, but relate specifically to the unique circumstances of agrarian relations. Thus,

agrarian rules of law extend beyond similar norms within other branches of law and must therefore be considered independently of these.

All norms of Agrarian Law are ultimately aimed at satisfying the interests of, and relations between, participants engaging in agrarian activities. However, striving towards a common goal doesn't preclude the necessity of all parties adhering to established procedural norms.

Enforcement of the rights of agricultural producers in the sphere of agrarian relations is impossible without the legal guarantees upholding such rights. For these guarantees to be valid it is necessary to establish norms of law which fix the moment of occurrence of a subjective right (after which moment it applies), other circumstances and procedures for their execution. In legal theory these are called procedural norms of law.

The role of procedural norms can be studied through their functions. The major feature is the provision of concretized, detailed, specific regulation of agrarian relations. Within legal theory it is called the regulatory function. Alongside the last function is useful to note an organizational function which defines focused actions and therefore allows outcomes to be predicted.

The role of procedural norms alongside the substantive norms is that they are the basis for the legitimacy and is one of its preconditions. Therefore, not only a problem of the order of work of subject of agricultural production but and lack of clarity of fastening of the procedural norms in this sphere leads to a difference in the law enforcement practice and the realization of the rights and duties of the foregoing subject.

The value of procedural norms is in that they ensure the exercise of agrarian rights and obligations in accordance with the norms of substantive law. This shows the importance of procedural norms. They should be viewed as a guarantee of protection and exercise of rights. Procedural norms act as the strengthening of legality in the agrarian relations.

In the light of the foregoing, the importance of norms that regulate the implementation of procedures under the substantive law is undisputable. This article highlights the importance of studying procedural norms from a theoretical perspective in order to assist agricultural producers in selecting the appropriate legislation and procedures to secure their rights and meet their obligations.