

THE LEGAL NATURE AND LEGAL EVIDENCE OF ENVIRONMENTAL CONTRACTUAL RELATIONSHIP

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The article is devoted to the determination of the legal nature and legal evidence of environmental contractual relationship. The article examines the main legal features of environmental contractual relations, namely the presence of a public interest environmental, regulatory, their implementation within the ecological relations. Particular attention is paid to the environmental feature of the contractual relations and their main types of environmental legislation.

Contract, environmental contractual relations, public environmental interest, the public good.

The article describes the features of environmental legal contractual relationship and attempt to determine its place in the system of contractual relations. Determined that proper regulation of environmental relations are part of the field of public law, which is radically different from private law, such a relationship has its own characteristics with public aspects.

The article describes the main scientific approaches to environmental and legal agreements and contractual relations in environmental law and evidence that they are inherent.

In particular, the author attributes to the environmental legal contractual relationships include:

a) the public interest in environmental as defined by the Constitution of Ukraine on sustainable environmental management, environmental protection and environmental safety of citizens, and implemented within this social contract, which greatly distinguished relations which thus consist of traditional contractual relationships;

b) the specificity of relationships that are complex, as implemented in the use of natural resources, environmental protection, environmental security, that covered

the subject of environmental law, and settled legal norms as environmental and civil, administrative, financial and other legislation;

c) features of relations aimed at complex public property and non-property that are the objects of traditional environmental law;

g) environmental normativity contractual relationship that caused the compulsory compliance with legal requirements arising, modification and termination of their essential terms that are always determined by law;

d) the content of these relationships, which must take place ecological imperatives that establish both rights and obligations and public and private entities.

The article describes the basic rules of law that regulated the main types of environmental contractual relations, and various types of agreements across the areas in which they are implemented, acquire environmental nature.