2 – SON / 2022 - YIL / 15 - OKTYABR CONCEPT OF LEGAL FACTS AND THEIR TYPES

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Annotation: Legal relations are created, changed or terminated due to certain life conditions. For example, the fact of being conscripted into military service is the basis for the conscript's entry into legal relations of military service; release to the reserve, on the contrary, leads to the end of these legal relations; upon reaching the age of majority, legal relations arise that allow citizens to participate in elections to representative bodies of state power; with the birth of a child, spouses have the obligation to raise it. "Legal facts are certain life conditions, legal norms connect them with the emergence, change and termination of legal relations."

Key words : bilaterial legal relations, a legal relationship, the level of perfection of laws law-making technique, codification, law, ecomomy, state, society, control, power

Legal facts are presented on the assumption of legal norms. In the presence or absence of the legal facts specified in the paragraph, the disposition or sanction of the legal norm is applicable. In fact, the disposition of the legal norm, which provides the right or imposes an obligation, indicates how the behavior of the active party can be or should be. The behavior of individuals in accordance with the instructions of the disposition of legal norms is considered as legal facts that fulfill rights and obligations. At the same time, it should be noted that the facts, together with legal norms, are also legal facts because they determine the exact content of the mutual rights and obligations of the parties. In addition, in many cases, in order to create a legal relationship, factual content, i.e., for the occurrence of legal consequences provided for in legal norms, not just one legal fact, but their sum is necessary (for example, reaching a certain age for mutual relations regarding pension, length of service and a decision of the social security authorities on the appointment of a pension). On the contrary, the facts indicating the absence of any state or action are negative facts.

Various legal facts can be classified into types depending on their basis.

1. According to the nature of the resulting consequences: legal facts that create the right, change the right, and terminate the right.

Law-forming evidence leads to the emergence of legal relations; facts that change the right cause a change in the content or subject of legal relations (for example, cession - change of persons in an obligation); facts that terminate the right put an end to subjective rights and legal obligations.

We draw your attention to the fact that a single legal fact can simultaneously create a right, change a right, and terminate a right. For example, the death of a person causes the emergence of legal relations related to inheritance (the fact that creates the right), changes the structure of the participants of the legal relations of which the

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deceased was the subject (the fact that changes the law), death terminates many legal relations that the deceased was a participant in (family, labor, pension and other relations) - this is evidence that terminates the right.

2. Legal facts in connection with the will of the participants of legal relations are divided into actions and events.

Actions are evidence related to the will of the participants of legal relations. They consist of legal (legal) and illegal (against the law), that is, a crime.

Legal legal facts, in turn, are divided into legal event and legal action.

A legal event is a legal activity carried out with the aim of creating legal consequences. The absolute majority of legal facts are legal events, that is, they are aimed at creating, changing or terminating legal relations. These can be state transactions (donations, sales, etc.) and orders of state bodies, officials, and the like.

Legal action is a legal action performed without the intention of creating legal consequences, but such consequences occur by force of the law. Legal consequences also arise as a result of actions deemed significant by law. An example of a legal action is the creation of a work of high artistic value that is of interest to the publisher. When the author created his work, he may not have considered its publication, the resulting legal relationship and the payment of the pen fee. However, this will still happen by force of law.

A false marriage is also considered a legal act if a child is born. A marriage formalized without the intention of creating a real family (for the purpose of having a residence) creates all the legal obligations related to the upbringing of the child in cases where a child is born.

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