Chernadchuk T.O.,

Candidate of Juridical Sciences, Associate Professor, Senior Lecturer at Department of Administrative and Information Law, Sumy National Agrarian University

FOUNDATIONS OF EMERGENCE, MODIFICATION, AND TERMINATION OF INFORMATION BANKING LEGAL RELATIONS

The article analyses the reasons for emergence, modification, and termination of banking legal relations. An attention is paid to the fact that legal facts, i.e. events and actions provided for by the rules of the Banking law are related to emergence, modification, and termination of banking relationships. The analysis of existing definitions of legal facts allowed highlighting their essential features: different life circumstances, conditions, and facts; they are defined by the rule of law hypothesis; are the basis for emergence, modification, and termination of relationships; are provided by state coercion. Accordingly, a generalized definition of legal facts is suggested. Legal facts are the rule of law provided by a hypothesis, life circumstances, conditions and facts, the presence or absence of which entails certain legal consequences the emergence, modification, or termination of the legal relationship. It is noted that the information banking relationship may exist only between specific individuals; legal facts serve as a "connecting link" between the rule of information law and subjective rights and duties of a specific subject. It is emphasized that the rule of information law only creates the legal possibility of emergence, modification or termination (is a prerequisite for) of information banking legal relation. Instead, legal facts implement the possibility of the development of information banking legal relation provided by the rule of information law. The features of the manifestation of the general properties of legal facts in information and banking area are revealed, the features of these facts in the information and banking law are discovered, the features of the status secured by hypotheses of the rule of information and banking law are determined. In its turn, this led to the conclusion that the legal facts can be described as the specific circumstances that occur in the information sector of banking, manifested in the presence or absence of certain phenomena of the material world, and carry information about the state of social relations that make up the subject of legal regulation of information law in the field of banking activities and directly or indirectly provided for by the rule of information and banking law fixed in the legislation procedural form provided by law and result in legal consequences.