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## **FEATURES OF NON-CONTRACTUAL OBLIGATIONS IN NON-PROPERTY DAMAGE**

Non-contractual obligations cover both tortious obligations and obligations which arise from unjust enrichment and analogous doctrines. Until relatively recently, choice of law rules formulated by the courts held sway in relation to both torts and restitution [1].

However, «non-contractual obligations» may also be understood in a more meaningful sense. Such a concept presupposes by implication first that the law of non-contractual obligations can plausibly be separated from contract law, and second that the law of non-contractual obligations can be explained as an internally coherent part of the law of obligations. In other words: non-contractual obligations may be presumed to be fundamentally different from contractual obligations on the one hand, and to be based, at least in part, on a coherent set of overarching principles on the other.

The law applicable to non-contractual obligations governs in particular:

- the basis and extent of liability, including determining who may be held liable;
- the grounds for exemption from liability and the limitation or division of liability;
- the existence, nature and assessment of damage and the remedy claimed;
- the measures the court may take to prevent or terminate injury or damage and ensure compensation;
- the manner in which an obligation may be extinguished and the rules relating to prescription or limitation;
- the question as to whether the right to seek compensation can be transferred to someone else, including by inheritance;
- persons entitled to compensation for damage they have sustained;
- liability for the acts of another person [2].

Today, a common source for such a meaningful concept of non-contractual obligations can be found on the basis of ideas that were once developed, by early natural lawyers, as a comprehensive theory of non-contractual obligations. Within the concept of restitution (*restitutio*), this theory comprised large parts of modern tort law and unjustified

enrichment. Here, it is not necessary to give a complete presentation of this overarching conception of non-contractual obligations. It suffices to understand the three fundamental ideas, or basic theoretical elements, underlying this theory of restitutio.

The first one was of genuinely Christian, theological origin: it was the Augustinian principle that a sin cannot be forgiven unless the sinner has given back what had been taken away.

The second fundamental element within the theory of restitutio was of philosophical nature. It was the Aristotelian concept of corrective justice, which was introduced into the medieval discourse on restitutio by Albertus Magnus and Aquinas. These philosophers re-interpreted the duty to make restitutio from the point of view of corrective justice.

The final fundamental element underlying the theory of restitutio transformed this still rather abstract conception of justice into a body of juridically applicable rules. It was the idea, authoritatively established by the leading early natural lawyer Francisco de Vitoria, that all restitution is based on the infringement [3].

There are specific rules for specific non-contractual obligations, for example product liability and intellectual property. Certain non-contractual obligations are excluded from the scope of the regulation. These include:

- revenue, customs and administrative matters;
- state liability;
- specific non-contractual obligations arising out of, for example, matrimonial property regimes and family relationships, nuclear damage or violations of privacy and rights relating to personality, including defamation [2].

The article proposes the concept of «non-contractual obligations» as a fundamental legal category of European private law. Non-contractual obligations are an internally agreed part of the obligation law and are fundamentally different from contractual obligations. In Ukraine it takes place in personal injury as «the characteristic features of obligations of compensation for damage caused by mutilation are that they arise when the absolute rights of the injured are violated, despite the fact that compensation for damage is of a property nature, all obligations are non-negotiable, since its subjects before causing the damage did not were related to the terms of the contract, and the most significant, in our opinion, is that the obligation to compensate for damage can be imposed not only on the person who caused the damage but also on other persons» [5].

Thus, unjust enrichment and tort law should not be seen as independent or opposite kinds of obligations. A fundamental aspect of this concept is that «unjust enrichment» should not be misunderstood as a separate legal category; rather, it is a basis for liability that is functionally and structurally comparable to concepts such as fault or individual responsibility that apply throughout the legal system as a whole.

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## **FUNCTIONING OF THE ENGLISH LANGUAGE IN THE WORK OF THE POLICE**

Learning English by employees of the National Police of Ukraine is currently a very urgent task, because with the political views of our country, which is on the path of European integration, one of the conditions for Ukraine's accession to the European Union will be to provide the executive authorities with employees who speak English. This is all due to the fact that all units and employees of the National Police of Ukraine will be tested for compliance with European standards, but after Ukraine's accession to the European Union, all police officers must be proficient in English, this condition is associated with the citizens of the European Union, who, having the citizenship of one of the member states, have full right to freedom of movement and residence anywhere in the territory of the Union, and the police is the first authority that will provide assistance to victims of offenses. But such a problem is not so easy to eliminate, because no one can force a police officer to learn English who is simply not interested in it, and in the educational institutions of the internal affairs system there are very few hours for learning English.

In Ukraine, English is the absolute leader (66.8 % of users from Ukraine study it on Duolingo), followed by German (8.77 %), Spanish (5.6 %) and French (5.15 %).

With the beginning of the full-scale invasion of russia on the territory of Ukraine, knowledge of English has become even more important than before, and now I will tell you why Firstly, now English has