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## **THEORETICAL AND FUNCTIONAL ANALYSIS OF FUNCTIONS AND SYSTEM OF THE COMMERCIAL PROCEDURAL LAW**

The theme of the present article is devoted to the theoretical study of the economic functions and system of the procedural law as essential components of its individualization.

The article aims at developing of the theoretical basis and grounding of the new basis regarding the features of dialectical forms of communication and mutual influence of functions and economic system of procedural law based on theoretical and functional analysis of the general theory of law and legal fields' working outs.

The scientific novelty of the presented results is that for the first time the subject is studied in the frame of commercial procedural law based on systematic and complex study of the interaction and mutual influence of functions and systems, new theory of general basis of the essential aspects of its manifestation. The article also outlines the functional organization of commercial procedural law in the light of the given legal components.

The practical significance of the results of the study is manifested in the conclusion stipulated by the research and completing the science of economic law as for the functions and systems through a comprehensive redefining and clarifying their position in law. Some theses have controversial nature, which can serve as material for further research.

The methodological basis of research lays on general and special methods of scientific knowledge, as: dialectic, analytic and synthesis, system and structural methods. The dialectical method was used to study the theoretical aspects of

the concept and features of the field of law, objectives and goals of procedural law. Method of analysis and synthesis was used to confirm the theoretical conclusions, and systemic and structural – to outline approaches to understanding the nature and functions of the system, the study of the sequence of the formation of commercial procedural law.

The main results of the paper are the study of the basic legal components that represent a special legal regime of commercial procedural law. On the basis of analysis of theoretical and functional grounds of law theory, as well as economic law and philosophical system approach, there were studied definitions of “function” and “system” of law. The dependence of the functions and the legal system of social relations that are the subject of commercial procedural law, which determines their objective, was defined. While analysing the economic functioning of procedural law, there was defined the objective of interaction and interdependence of goals, objectives, functions and systems of law. Constructive approach was supported in terms of identifying forms of relationships and functions of the system. It defines the primacy of functions in terms of the sequence of formation of economic procedural law. Approximate address role in functioning both for the legal system and for the existence of structural elements was determined. Specific expression of the essential functions in ensuring of existing links between social relations that are the subject area of law and its system was found.