

THEORETICAL AND PRACTICAL ISSUES REGARDING THE CRIMINAL LIABILITY OF THE LEGAL PERSON

Vasile LUHA*

ABSTRACT: *It is observed that the criminal norm is vaguely expressed and practical formulas are offered for a systemic interpretation.*

A thesis with practical consequences is defended: criminal liability with repressive effects has no purpose in itself; it is a form of complementary liability, of punishing some recognized subjective civil rights; the purpose of criminal repression is not to destroy the subjective civil right, but to protect it; for this reason, any procedure for prosecuting a legal person must identify and define the subjective rights that are functional under the organization of a subject of collective law and protect them; in order to avoid errors, the interpretation of the uncertain criminal law will be made only in order to fulfill this social purpose.

KEYWORDS: *criminal liability of the legal person, liability for one's own deed, liability for the deed of another, subjective liability, objective liability, uncertainty of the criminal law.*

JEL Code: *K 14*

* Professor at the Faculty of Law and Social Sciences within the "1 Decembrie 1918" University of Alba Iulia, prosecutor at the Prosecutor's Office attached to the Alba Iulia Court of Appeal, ROMANIA.