**Gorbatyuk Y.**

**The types and conditions of legal responsibility for the abuse of monopoly (dominant) position on the commodity market**

In the article the author defines the types of legal responsibility for the abuse of monopoly (dominant) position on the commodity market and their regulatory consolidation, and analyzes the grounds for the application of legal responsibility for the specified type of offense.

The purpose of the article is to determine, on the basis of the current legislation of Ukraine, the types of legal liability for abuse of a monopoly (dominant) position in the market and the grounds for its application.

Abuse of a monopoly (dominant) position on the market is prohibited and entails liability in accordance with the law.

Today abuse of a monopoly (dominant) position is the subject of two types of legal liability: economic and administrative.

If entity takes a monopoly (dominant) position on the market, the bodies of the Antimonopoly Committee of Ukraine have the right to make a decision on the compulsory division of a business entity that holds a monopoly (dominant) position.

The damage inflicted by violations of the legislation on the protection of economic competition in the form of abuse of a monopoly position is compensated by the person who committed the violation in the double amount of the harm done.

Damage compensation is carried out in court, but only on the initiative of the victim.

The basis for legal liability for abuse of a monopoly position on the market is the composition of this offense, which includes the following elements: the object of the offense, the objective side of the offense, the subject of the offense and the subjective side of the offense.

This offense can be committed only by a special subject - an entity holding a monopoly position in the market.

The subjective aspect of this offense is the presence of a special intent, obtaining additional benefits.

The competition law does not impose the use of its liability for breach of this legislation, depending on the presence of guilt in any form of entity.