

Conflicts between civil, labour and family law provisions: Ways to improve legal regulation

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Abstract. The relevance of the study lies in the existence of numerous conflicts between the norms of civil, labour and family law in Ukraine, which complicate law enforcement, create contradictory judicial practice and reduce the level of trust in the legal system. The aim of this work was to identify the most significant conflicts in these areas of law and to formulate practical proposals for their elimination or minimisation of negative consequences. The study used a method of paired comparisons based on the preference of options in combination with expert analysis. This methodological combination ensured an objective ranking of the identified conflicts and their generalisation based on the professional experience of experts. Nine legal conflicts were analysed, three for each area of law. Based on a survey of fifteen experts from various fields of law, a matrix of pairwise comparisons was formed and weighting coefficients of significance were calculated. It was established that in the field of civil law, the most significant conflict is that concerning the civil capacity of minors. In labour law, the key issue identified is the dismissal of pregnant women and mothers with young children. In family law, the priority is the conflict concerning the regime of marital property in the context of corporate rights. As a result, specific areas for improving legislation were proposed, taking into account the results of modelling and expert analysis. The results of the study can be used in the development of draft laws, as well as in the law enforcement practice of judicial system employees, scientists and lawyers in the process of harmonising legal norms and strengthening legal security

Keywords: conflicts of legislation; civil law; labour law; family law; paired comparison method; expert analysis; harmonisation

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Introduction

The legal system of Ukraine is undergoing constant reform, driven both by internal socio-economic transformations and the need to harmonise with European standards. However, alongside positive developments, there has been an increase in legal conflicts between the norms of individual branches of law, in particular civil, labour and family law. Such contradictions lead to complications in law enforcement practice, ambiguous interpretation of legal norms, legal uncertainty and a decline in trust in the judicial system.

Particularly noticeable is the inconsistency between the provisions of the Civil Code of Ukraine (2003), the Labour Code of Ukraine (1971) and the Family Code of Ukraine (2002), which, despite their systemic importance, do not always form a consistent approach to identical or related legal relationships. For example, the provisions of Articles 32-34 of the Civil Code of Ukraine (2003) on the partial civil capacity of minors are not always consistent with the provisions of Articles 6, 8 and 17 of the Family Code of Ukraine (2002), which define the legal status of children, parents and guardians. In turn, Article 184 of the Labour Code of Ukraine (1971) prohibits the dismissal of pregnant women and women with children under three years of age, but in practice its application conflicts with the general grounds for termination of employment provided for in Article 40 of the Code.

Similar conflicts are recorded in matters of guardianship, inheritance, marital property regime, social guarantees for part-time work, remote work, and alimony obligations. Such conflicts between legal norms or between laws and subordinate acts create situations in which practising lawyers, courts and other law enforcement agencies are forced to decide for themselves which norms take precedence. This, in turn, contributes to inconsistencies in judicial practice and, in some cases, to violations of the principle of legal certainty and predictability of decisions.

Contemporary conflict of laws in Ukrainian law is developing at the intersection of general theoretical approaches and applied research in specific areas. The conceptual foundations of this direction are concisely and consistently set out in the work of V. Zvonarov (2021), where conflicts are viewed as an inevitable product of the evolution of the legal system, institutional changes and multi-level rule-making. The author distinguishes between types of conflicts based on their sources and level of hierarchy, and emphasises the importance of methodological rigour in their identification and classification. The theoretical framework is further developed by S. Priyma and M. Erofeeva (2022), who clarify the concept of legal conflict, the conditions for its occurrence, and its distinction from gaps and competition between legal norms. It should be noted that the authors emphasise the communicative dimension of law-making, where inconsistencies in terminology and technical and legal techniques lead to differences in interpretation. This conclusion directly correlates with the conflicts identified in the manuscript between related fields, where terminological uncertainty is often the trigger for conflict.

I. Shchutak's (2017) contribution to legal technique is noteworthy: the author proposes a system of priorities and requirements for the linguistic, logical and structural integrity of normative acts in order to prevent collisions *ex ante*. It should be noted that the approach to preventive standardisation of law-making technique directly reinforces the conflict prioritisation tools selected in the manuscript. Ya. Bernaziuk (2022) believes that the application of the principle of specificity in judicial practice demonstrates how *lex specialis* ensures the predictability and uniformity of the application of law in the presence of general and special norms, while requiring the court to carefully establish the limits of specificity. Taken together, its results form the methodological basis for choosing between priority rules, which is a necessary foundation for harmonising the intersection of civil, labour and family law.

The study by O. Khotynska-Nor and K. Lehkikh (2024) presents practices for resolving conflicts in court proceedings, showing how courts establish a hierarchy of criteria for the priority of norms, taking into account subject matter, time of adoption, and systemic connections. It should be noted that the authors clearly identify the variability of approaches even at the level of the court of cassation, which complicates the formation of uniform practice.

In public administration, O. Strelchenko *et al.* (2024) show that conflicts arise not only between laws, but also between laws and subordinate acts, particularly in matters of competence, procedural regulations and the division of responsibilities between authorities. For the family-civil intersection, the analysis by O. Reznik and Yu. Yakushenko (2020) on surrogacy is illustrative. The authors describe the contradictions between private law contract structures, public law restrictions and medical standards, and emphasise the need for a clear definition of the status of subjects and legal consequences for the child, parents and medical institutions. This clearly illustrates that conflicts between norms in different sectors are often interdisciplinary in nature and cannot be resolved simply by applying a single rule of priority. An additional but fundamentally important vector is local rule-making. Y. Lenger (2021) shows how local government acts conflict with higher-level legal acts due to duplication, erroneous reference norms and excessive casuistry. Combined with conclusions about defects in legal technique, this confirms the need for vertical coordination and verification of the compliance of subordinate acts with basic codes, which directly resonates with the priority conflicts outlined in the manuscript for labour and family law.

In conditions of martial law and the transformation of the legal order, the emergence of new conflicts between bodies of law is accelerating. E. Orzhynska *et al.* (2024), reviewing the practice of international humanitarian law in relation to the conduct of war, points to the integrative nature of regulation, where the norms of constitutional, criminal, administrative and international law intersect in the process of qualifying acts, bringing to justice and protecting human rights. This context reinforces the arguments in favour of

institutionalising permanent mechanisms for conflict monitoring and periodic review of sectoral codes, as rapid changes in the socio-legal environment increase the likelihood of horizontal and subordinate conflicts.

The aim of the study was to identify the most critical conflicts between the norms of civil, labour and family law in Ukraine, to substantiate their impact on the legal system and to propose tools for their harmonisation through an analysis of the significance of each of them using the method of paired comparisons and expert assessment.

Materials and methods

The methodological tools used in this study consisted of quantitative and qualitative methods of analysing conflicts of legal norms. It was based on two complementary approaches: the method of paired comparisons by preference of options and expert analysis. The use of such a multidimensional methodology made it possible to assess the contradictory aspects of civil, labour and family law more objectively and comprehensively. The object of the study was the legal norms of civil, labour and family legislation of Ukraine, which in the process of law enforcement contradict each other and create conflict situations. The subject of the study was the conflicts between these norms, as well as formalised approaches to determining their priority, taking into account legal practice and expert opinion. The material basis of the study also includes the provisions of the Labour Code of Ukraine (1971), Article 1216 of the Civil Code of Ukraine (2003), and Article 7 of the Family Code of Ukraine (2002), which contain contradictions that are subject to conflict analysis.

In addition, special legal methods characteristic of legal conflict of laws were used in the study. This means that the analysis of conflicts was carried out not only in general terms, but also with the specification of normative provisions. For each identified contradiction, the articles of the Civil Code of Ukraine (2003), Labour Code of Ukraine (1971) and Family Code of Ukraine (2002) were identified, the legal content of the contradiction (subjects, objects and consequences) was determined, and its nature (lexical, chronological, subordination, vertical or horizontal) was substantiated (Bernaziuk *et al.*, 2022).

The use of the paired comparison method based on the preference of options provided a tool for formal assessment of the importance and priority of the objects selected for analysis. These objects are represented by conflicts in legislation, and their importance has been compared. The analysis was carried out by identifying specific articles, determining the legal content of the contradiction, classifying its nature (subordinate or horizontal conflict) and justifying ways to overcome it based on the principles of speciality, priority of the newer norm or act of higher legal force. Thus, experts assessed the extent to which collision A is more or less significant than collision B. To make such a comparison, a scale was formed: from equal impact (value 1), significant weight advantage (values 3, 5, 7, 9) intermediate values (2, 4, 6, 8), and inverse values ($1/2$, $1/3$, etc.), which meant the presence of a conflict. Subsequently, a matrix of pairwise comparisons was formed, the components of which were assessments of the advantage of one conflict over another. After forming the matrix, mathematical calculations were

performed to determine the geometric mean of the elements of each row and their normalisation using weighting coefficients. The collision with the highest weighting coefficient has the highest priority. In summary, the methodology is implemented using the following algorithm:

1. If collision A is significantly more important than collision B, the expert assigns a value from 3 to 9 (increasing by 1).
2. If collision A is slightly more important than collision B, the value may be 2.
3. If the collisions are equally important, the value is 1.
4. If collision A is less important than collision B, the inverse value from $1/2$ to $1/9$ is taken.

An expert group of 15 people was formed for the assessment: five experts in civil law, including representatives of law firms, professors and academic staff in the field of law, as well as judges; five experts in labour law, including representatives of trade unions and civil servants responsible for regulating labour relations; five experts in family law (judges who mainly dealt with family disputes, lawyers whose practice is largely related to family law, and academics whose field of research is family law). A questionnaire describing each potential conflict was prepared for the expert analysis. Each expert received this questionnaire remotely (in electronic format), which simplified the data collection process and allowed experts from different regions of the country to be involved. Once the data collection was complete, all assessments were compiled into three paired comparison matrices – separately for civil, labour and family conflicts. The recommendations of ICC/ESOMAR (2025) were taken into account when engaging experts. Next, geometric means were calculated for each row and weighting coefficients were determined. This made it possible to clearly establish which conflict in each branch of law is the most significant according to the aggregate expert opinion.

Results

The following conflicts were identified during joint discussions with civil law experts, lawyers and representatives of the scientific community. During expert interviews, a list of the most pressing conflicts was compiled, which often cause difficulties in the practical application of the Civil Code of Ukraine (2003) and accompanying laws. In the field of labour law, experts (representatives of state bodies, trade unions, employers, practising lawyers) identified the following conflicts that most often create problems in the regulation of labour relations. This also applies to conflicts in family law (Family Code of Ukraine, 2002). Each category of conflicts has been assigned a corresponding designation for further modelling (Table 1).

After forming the paired comparison matrix, the weighting coefficients (priorities) for each collision are calculated. One of the common algorithms is to use the geometric means of the products of the scores per row and then normalise (w_i) the resulting values. Based on the calculation results, the collisions are ordered by decreasing (or increasing) weighting coefficients. The collision with the highest w_i is considered the most substantial. The results of the modelling for each category of collision must be determined separately. Begin with the collisions between the norms of Civil Law (Table 2).

Table 1. Identified conflicts between civil, labour and family law provisions

Points	Assessment measurement	Family law (C1-C3)
L1. Civil capacity of minors (Conflict between the provisions of Article 31 and Article 32 of the Civil Code of Ukraine (2003) and Article 177 of the Family Code of Ukraine (2002) regarding the conditions and grounds for granting minors the right to independently perform legal acts – discrepancies in the requirements for the consent of legal representatives and the limits of such legal acts)	T1. Adoption and guardianship: different procedures and requirements (Conflict between the rules prohibiting the dismissal of certain categories of employees, as expressly provided for in Article 184 of the Labour Code of Ukraine (1971), and the general rules for the termination of employment contracts regarding the exhaustiveness of grounds, procedural guarantees and uniform application)	C1. Adoption and guardianship: different procedures and requirements (Conflict between the general provisions of the Family Code of Ukraine (2002) as provided for in Article 207 and Articles 217-220, 229-231 (adoption) and Articles 243-246 (guardianship and care) and the requirements of subordinate legislation and departmental instructions regarding procedures, stages of registration and the list of documents)
L2. Compensation for non-pecuniary damage (Conflict between the general norms of the Civil Code of Ukraine (2003) regarding compensation for non-pecuniary damage and special norms concerning the types of entities entitled to compensation and the grounds, size, and procedure for compensation, for example, Article 56 of the Constitution of Ukraine.)	T2. Part-Time work and social guarantees (Conflict of norms regarding the provision of social guarantees and insurance rules, as set out in Article 56 of the Labour Code of Ukraine (1971), and the calculation of payments to employees working part-time.)	C2. Alimony obligations and material assistance (Conflict between the rules determining the order and amount of payments in the case of multiple recipients, as defined in Article 60 (and, where necessary, Articles 57 and 61) of the Family Code of Ukraine (2002), and the various forms of employment of the payer, which leads to different interpretations of the order of payment)
L3. Succession and contract of maintenance for life (Conflict between the general norms of the Civil Code of Ukraine concerning succession and special rules governing the contract of maintenance for life with priority given to the provisions regulated by Articles 744, 748, 749, 751-756 of the Civil Code of Ukraine.)	T3. Regulation of remote working (Conflict between norms regarding health and safety protection and working time accounting, as set out in Articles 60.1 (home-based work) and 60.2 (remote work) of the Labour Code of Ukraine (1971), and control over the performance of work by remote employees.)	C3. Regime of separate and joint marital property (Conflict between Article 60 of the Family Code of Ukraine (2002) and Articles 96-1 of the Civil Code of Ukraine (2003) regarding the legal regime of corporate rights, securities, and similar assets.)

Source: compiled by the authors

Table 2. Summary matrix of expert assessments (averaged) regarding conflicts between civil law provisions

L1-L3	L1-L3			
	<i>Li</i>	<i>L1</i>	<i>L2</i>	<i>L3</i>
	<i>L1</i>	[1]	[2]	[3]
	<i>L2</i>	[1/2]	[1]	[2]
	<i>L3</i>	[1/3]	[1/2]	[1]

Source: compiled by the authors

1) $L_{12} = 2$ means that conflict *L1* (civil capacity of minors) is on average twice as significant as *L2* (compensation for moral damage).

2) $L_{13} = 3$ means that conflict *L1* is three times more significant than *L3*.

3) $L_{23} = 2$ means that *L2* is twice as significant as *L3*.
For each row of the matrix, the product of its elements is calculated and the *n*-th root is found (here *n* = 3): $L1 = 1.81$.

$L2 = 1$, $L3 = 0.55$. After that, it is necessary to calculate the sum of these geometric means (S_c):

$$S_c = 1.817 + 1 + 0.55 = 3.367. \quad (1)$$

Accordingly, the weight coefficients are: $w_{L1} = 0.54$; $w_{L2} = 0.3$; $w_{L3} = 0.16$. Now, similarly, form a matrix for conflicts between labour law provisions (Table 3).

Table 3. Matrix summarising expert assessments (averaged) of conflicts between civil law provisions

T1-T3	T1-T3			
	<i>Ti</i>	<i>T1</i>	<i>T2</i>	<i>T3</i>
	<i>T1</i>	[1]	[3]	[2]
	<i>T2</i>	[1/3]	[1]	[1/2]
	<i>T3</i>	[1/2]	[2]	[1]

Source: compiled by the authors

For each row of the matrix, the product of its elements was calculated and the cube root was found (since *n* = 3). The resulting geometric mean values were: $L1 = 1.8$,

$L2 = 0.55$, $L3 = 1$. Next, their sum was determined, which is $S_c = 3.3$. On this basis, the weight coefficients were calculated: $w_{L1} = 0.55$; $w_{L2} = 0.15$; $w_{L3} = 0.3$, reflecting the relative

importance of each criterion within the matrix. After that, a matrix was formed using a similar procedure to analyse conflicts between family law norms (Table 4).

For each row of the matrix, the product of its elements is calculated and the n -th root is found (here $n = 3$): $L1 = 1$, $L2 = 0.53$, $L3 = 1.88$. Next, the sum of these geometric means is calculated: $S_c = 3.37$. Accordingly, the weight coefficients are: $w_{L1} = 0.33$; $w_{L2} = 0.17$; $w_{L3} = 0.5$. This indicates the varying degrees of influence of the respective conflicts in the family law system. The analysis showed that the contradiction regarding the regime of separate and joint property

of spouses has the greatest weight among those considered, after which the results were compared with similar calculations in civil and labour law.

Thus, in each branch of law (civil, labour, family), the most critical conflict was identified (based on the results of paired comparisons):

1. Civil law: $L1$ – Civil capacity of minors.
2. Labour law: $T1$ – Procedure for the dismissal of pregnant women and women with young children.
3. Family law: $C3$ – Regime of separate and joint marital property (Fig. 1).

Table 4. Matrix summarising expert assessments (averaged) of conflicts between civil law provisions

C1-C3	C1-C3			
	T_i	$T1$	$T2$	$T3$
$T1$		[1]	[2]	[1/2]
$T2$		[1/2]	[1]	[1/3]
$T3$		[2]	[3]	[1]

Source: compiled by the authors

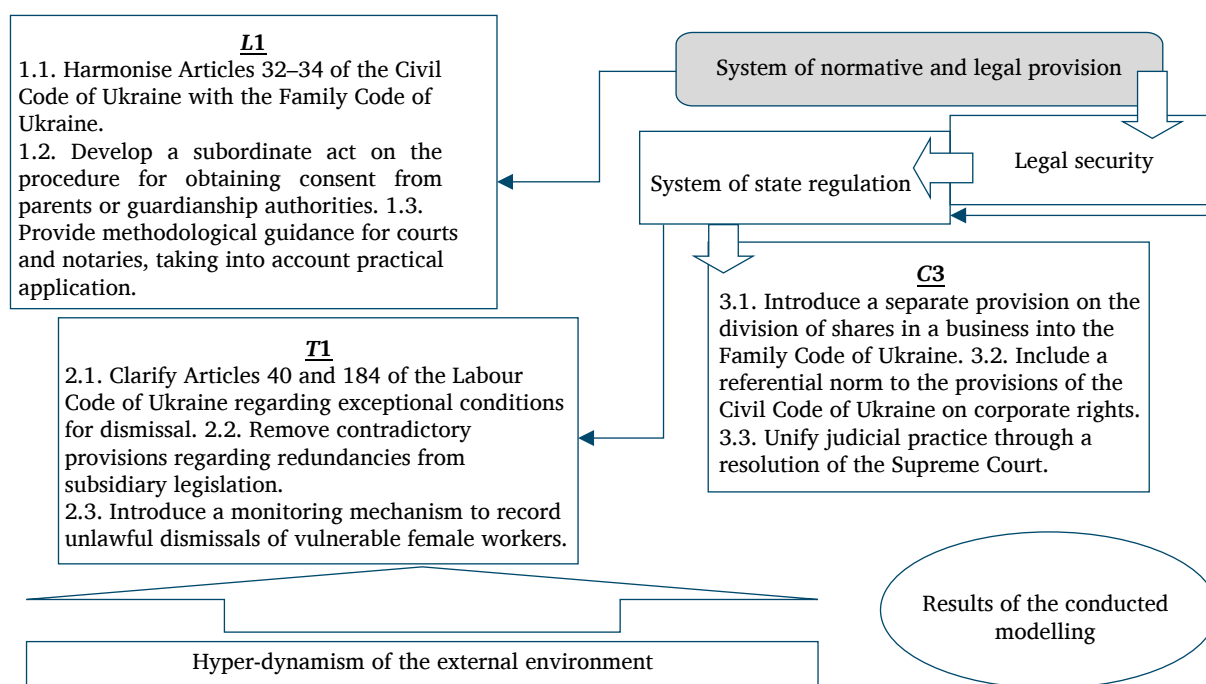


Figure 1. Mechanism for improving legal regulation to minimise the most significant conflicts between civil, labour and family law provisions

Source: compiled by the authors

Harmonisation of Articles 32–34 of the Civil Code of Ukraine (2003) with the Family Code of Ukraine (2002) should consist of a single definition of the limits of independent legal transactions by minors and identical requirements for the consent of legal representatives. It is advisable to include in Article 32 an exhaustive list of transactions that a minor may perform without parental consent, such as minor everyday transactions, disposal of their own earnings or scholarships, and to establish a threshold for the value of property transactions without consent, expressed in terms of the minimum subsistence level. Thus, Article 33 should define the form of consent, its term of validity, the possibility of restrictions by type of transaction and the procedure for revocation, and Article 34 should clearly regulate the

consequences of a transaction without proper consent, with priority given to the protection of the bona fide counterparty and the interests of the child. This will eliminate the identified conflict between Articles 31–32 of the Civil Code of Ukraine (2003) and Article 177 of the Family Code of Ukraine (2002) regarding consent and limits on the disposal of property, and also corresponds to the results of expert ranking, where the issue of civil capacity of minors is identified as the most significant in civil law.

A subordinate act on the procedure for granting consent by parents or guardianship authorities should detail a step-by-step algorithm and standards of proof. It is advisable to provide for standard forms of applications and consents, mandatory identification of the child and legal

representatives, verification of powers and absence of conflict of interest, as well as the deadline for the decision-making by the guardianship authority, for example, five working days in normal cases and a shorter period for urgent transactions. The act should allow for electronic consent with a qualified electronic signature and recording in a single electronic register, which is verified by a notary or other entity certifying the transaction. It is necessary to define the list of transactions where consent is given *ex ante* and cases of subsequent approval, as well as the consequences of refusal by the guardianship authority with written justification. This type of regulation follows directly from the authors' proposal for a single electronic register verified by a notary and is intended to bridge the gap between codes and subordinate regulations.

Methodological explanations for courts and notaries should unify the practice of application through standardised checklists and models of legal positions. For notaries, it is necessary to establish a mandatory sequence of checks, in particular the age and capacity of the child, the existence and scope of consent, the compliance of the transaction with the best interests of the child, the existence of an entry in the register, as well as the recording of the child's consultation, if this is appropriate for their age. It is advisable to provide courts with algorithms for assessing the validity of transactions, the distribution of the burden of proof between the parties, the classification of the consequences of lack of consent as contestability or nullity depending on the type of transaction, as well as guidelines for the protection of a bona fide counterparty.

It is advisable to clarify Articles 40 and 184 of the Labour Code of Ukraine (1971) as a joint set of guarantees and exceptions, excluding any broad interpretations. Article 184 should explicitly list the categories of employees who are subject to an unconditional prohibition on dismissal, specifying the only exception as the complete liquidation of the employer with a mandatory offer of available vacancies, priority for transfer and written justification of the impossibility of an alternative. Article 40 should include a separate clause stipulating that the grounds for termination of employment at the employer's initiative do not apply to these employees, except for the specified exception, and should also establish the employer's obligation to prove the legality of each stage of the procedure with documentary evidence of selection and the absence of discriminatory criteria.

The removal of controversial provisions from subordinate legislation on redundancies requires an inventory of all orders and instructions that actually change or narrow the guarantees provided for in the Labour Code of Ukraine (1971). Provisions that allow circumvention of consultations with employee representatives, introduce non-standardised lists of selection criteria for dismissal, blur the obligation to offer other work, or introduce additional references without legal grounds should be abolished.

The supervisory mechanism for recording the unlawful dismissal of vulnerable female employees should be structured as a mandatory preliminary electronic notification to the state authority prior to the issuance of the order and as subsequent automatic monitoring. The employer submits a package of evidence to the electronic system proving that there are no alternatives to dismissal and that transfer offers have been made. The system generates a unique verification identifier, and the state labour authorities automatically receive a task for control actions with recording of results and

legal assessment. Social insurance authorities are informed electronically to synchronise payment guarantees, the employee receives a notification of rights and a channel for submitting comments, and the judiciary has access to the verification materials as the primary evidence package.

It is advisable to introduce a separate provision into the Family Code of Ukraine (2002) that directly regulates the division of corporate rights of spouses, in particular shares in the authorised capital of companies and securities acquired with joint funds during marriage. This provision should clearly distinguish between property rights to the value of a share and the personal non-property corporate rights of a participant, establish the right of the other spouse to determine the share in the value of the asset or to monetary compensation, determine the moment of valuation, the requirement to disclose beneficial ownership and the procedure for protecting the rights of third parties. This decision directly removes the conflict identified in the study between Article 60 of the Family Code of Ukraine (2002) and Article 96-1 of the Civil Code of Ukraine (2003) regarding the legal regime of corporate rights and securities, and also implements the authors' proposed requirement for mandatory disclosure of the beneficiary during the division of property.

The special provision of the Family Code of Ukraine (2002) should refer to the provisions of the Civil Code of Ukraine (2003) on corporate rights in order not to duplicate the definitions and procedures for the creation, exercise and transfer of corporate rights. The reference structure will ensure that the procedure for disposing of a share, the pre-emptive rights of other participants, restrictions on alienation, as well as the consequences of violating statutory provisions are determined by general civil law rules, while the question of whether an asset belongs to the joint or separate property of spouses is resolved by the norms of family law. This approach minimises the conflict between the family norm of joint property and the civil law regime of corporate rights, which was identified in the Article as a systemic conflict.

To unify law enforcement, it is advisable to adopt a general resolution of the Supreme Court that will establish uniform algorithms for determining shares in corporate assets of spouses, approaches to assessing their value, the distinction between monetary compensation and actual division, as well as standards for protecting the rights of third parties, including other participants in the company and creditors. The paper directly recommends such a resolution with model algorithms and an emphasis on the protection of third-party rights, which corresponds to the variability of approaches recorded by the authors even at the cassation level and the priority of this particular conflict in the family law block.

As a result, it is advisable for civil law to harmonise Articles 32-34 of the Civil Code of Ukraine (2003) with the provisions of the Family Code of Ukraine (2002) regarding the limits of independent legal transactions by minors, while simultaneously approving the subordinate procedure for obtaining and recording the consent of parents or guardianship and custody authorities through a single electronic register verified by a notary. For labour law, we consider it necessary to clearly codify the exceptional grounds for termination of employment relationships with pregnant women and mothers with minor children in Articles 40 and 184 of the Labour Code of Ukraine (1971), establishing the employer's obligation to prove the legality of dismissal, the priority of

alternatives to dismissal, as well as automatic supervision by the State Labour Service of Ukraine and electronic notification of the social insurance fund. For family law, it is important to highlight the introduction of a separate provision on the division of corporate rights, shares in the authorised capital and securities in the Family Code of Ukraine with reference to the provisions of the Civil Code of Ukraine (2003), mandatory disclosure of beneficial ownership during the division of property, as well as the adoption of a general resolution of the Supreme Court with model algorithms for determining shares and protecting the rights of third parties. These changes directly correspond to the logic of the block on the system of regulatory and legal support, legal security and the system of state regulation.

Thus, the use of the paired comparison method is an effective tool for prioritising conflicts, as it is based on the opinion of a group of experts and provides a formalised, more objective approach to identifying the most important issues. The proposed ways to improve each of the most critical conflicts identified are designed to harmonise legal norms, reduce discrepancies in judicial practice and increase the legal protection of citizens.

Discussion

The results of the study confirm the basic thesis of N. Linyk (2020), which emphasises the priority of children's rights, but supplement it with operational mechanisms. The specification of the limits of partial legal capacity, the unified consent of legal representatives, a single electronic register of consents, and methodological checklists for courts and notaries transfer the value-based approach to the practical level, which reduces the risk of fragmentation of practice and increases the protection of the best interests of the child. This follows directly from the identification of conflict L1. At the same time, the conclusions of N. Cherevko (2024) regarding the right to work under martial law are consistent with priority T1, in particular with the need for a clear list of exceptional grounds for dismissal and placing the burden of proof on the employer. The proposed clarifications, digital prior notification of the state authority and the removal of contradictory provisions from subordinate legislation provide a procedural framework for the implementation of the guarantees referred to by the scholar.

I. Borysiuk's (2021) work on the evolution of international mechanisms for the protection of children's rights logically reinforces the recommendations for harmonising civil and family law provisions. The determination of the moment and form of consent, the requirement to record consultations with children depending on their age, and the unification of the consequences of legal acts without consent bring national procedures closer to international standards, as evidenced by the justification of the hierarchy of conflicts and the instruments for overcoming them. V. Vlasenko's (2024) argument regarding the principle of legal certainty correlates with the idea of vertical and horizontal consistency of norms. The experience summarised by O. Maksymenko (2024) supports the administrative and procedural vector in child protection cases, which is also reflected in this article. Standard forms, verification of powers and absence of conflicts of interest, specified deadlines for decision-making, the possibility of electronic consent with a qualified signature, and verification of records by a

notary reproduce best administrative practices and close the gap between codes and subordinate regulations identified during the expert analysis. The work of M. Kryshanovych *et al.* (2022) concerns the determinants of influence in the engineering sector, but its conclusion about the importance of a coherent legal environment is consistent with the family and civil block C3. A special provision on the division of shares in a business, references to the corporate rights provisions of the Civil Code of Ukraine, and guidelines for assessing the value of shares reduce transaction risks for enterprises, including those in the engineering sector, as we have shown by prioritising this conflict and developing practical solutions. The approach of S. Kryshanovych *et al.* (2021) to gender parity in public administration is complemented by the labour block. Protection against unlawful dismissal of pregnant women and mothers with young children, a transparent redundancy procedure, and automatic supervision by the state labour service contribute to effective equality of opportunity in the labour market, reflecting the European values mentioned in the study and corresponding to the T1 ranking as a critical area.

The areas identified by M.A.M. Bani-Meqdad *et al.* (2024) regarding the risks of the cyber environment are consistent with the digital architecture of law enforcement. A single electronic register of consents, qualified electronic signatures, and access protocols for notaries and courts require adequate data protection, so proposals must be accompanied by cybersecurity standards and access audits that strike a balance between procedural efficiency and human rights guarantees. The focus of V. Alkema *et al.* (2024) on the resilience and strategic management of enterprises in a long-term war receives normative support. Harmonisation of labour and family-civil relations regulations increases the predictability of personnel decisions and corporate transactions, which reduces legal risks and supports economic and social security. This connection is also evident within the mechanism developed.

Conclusions

This Article examined the problem of conflicts between the norms of civil, labour and family law in Ukraine. The subject of the study was specific legal contradictions that arise in the process of law enforcement, and the goal was to identify the most significant ones and develop approaches to their formalised analysis using the method of paired comparisons combined with expert assessment. Despite limitations in the form of lack of access to some court decisions and a limited sample of experts surveyed, the objectives of the study were fully achieved.

A systematic review of Ukraine's legislative framework in three specific areas was conducted, which made it possible to identify nine common conflicts. In the course of the study, a questionnaire was developed with descriptions of each of them, and an expert survey was conducted among fifteen specialists in the fields of civil, labour and family law. Based on the survey results, a matrix of paired comparisons was formed and weighting coefficients were calculated, which made it possible to rank the conflicts according to their degree of impact on law enforcement.

It was found that in the field of civil law, the most critical conflict is that concerning the legal capacity of minors, in particular the discrepancies between Articles 32-34 of

the Civil Code of Ukraine and the provisions of the Family Code of Ukraine regarding the independent performance of legal acts by children, which creates uncertainty in the field of guardianship. It was determined that the issue of dismissal of pregnant women and mothers with young children requires more precise regulation in the Labour Code of Ukraine, in particular by revising Articles 40 and 184, as well as harmonising them with the provisions of laws on social insurance, child protection and certain subordinate acts regulating dismissal due to staff reductions and the protection of employees with family responsibilities.

Summarising the results obtained, it can be noted that a formalised approach to the analysis of inter-sectoral legal contradictions allows for greater objectivity in identifying the most problematic areas in legislation. Conceptually, the above demonstrates the effectiveness of combining quantitative and qualitative methods of analysis in solving complex legal problems. The analysis conducted means that the harmonisation of legal norms between different sectors cannot

be limited to general declarations, but must be based on accurate data obtained through professional assessment.

Further promising areas of research have been identified, which consist in extending this approach to other areas and branches of law (such as administrative and commercial law), as well as providing more detailed recommendations for legislators aimed at harmonising the interaction of legal norms in different branches. In particular, it would be advisable to periodically update expert conclusions, taking into account changes in the legal system and the socio-economic space.

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Колізії між нормами цивільного, трудового та сімейного законодавства: шляхи вдосконалення правового регулювання

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Анотація. Актуальність дослідження полягає у наявності численних колізій між нормами цивільного, трудового та сімейного законодавства України, які ускладнюють правозастосування, створюють суперечливу судову практику та знижують рівень довіри до правової системи. Метою цієї роботи було виявлення найбільш суттєвих колізій у зазначених галузях права та формулювання практичних пропозицій щодо їх усунення або мінімізації негативних наслідків. У дослідженні було застосовано метод парних порівнянь за перевагою варіантів у поєднанні з експертним аналізом. Така методологічна комбінація забезпечила об'єктивне ранжування виявлених колізій та їх узагальнення на основі професійного досвіду фахівців. Було проаналізовано дев'ять правових колізій по три для кожної з галузей права. На основі опитування п'ятнадцяти експертів з різних сфер юриспруденції було сформовано матриці парних порівнянь та розраховано вагові коефіцієнти значущості. Було встановлено що у сфері цивільного права найвагомішою є колізія щодо цивільної дієздатності неповнолітніх. У трудовому праві ключовою проблемою виявлено звільнення вагітних жінок і матерів з малолітніми дітьми. У сімейному законодавстві пріоритетною є колізія щодо режиму майна подружжя в контексті корпоративних прав. У результаті запропоновано конкретні напрями вдосконалення законодавства з урахуванням результатів моделювання та експертного аналізу. Результати дослідження можуть бути використані при розробці законопроектів а також у правозастосовній практиці працівників судової системи науковців і адвокатів у процесі гармонізації правових норм та посилення правової безпеки

Ключові слова: колізії законодавства; цивільне право; трудове право; сімейне право; метод парних порівнянь; експертний аналіз; гармонізація