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Title: The juridical capacity of the minor in labour law and criminal law

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Keywords: juridical capacity, minor, labour law, criminal law

#### Abstract:

This paper refers to the juridical capacity of the minor in two branches of law: labour law and criminal law, making a comparison between the legal stipulations regarding the minor in these branches. According to the Labour Code, the natural person obtains the work capacity when he/she attains the age of 16. By exception, the minor can conclude a work contract as an employee also at the age of 15, with the approval of his/her parents or legal representatives, in order to perform activities which are adequate to his/her physical development, aptitudes and knowledge, if by this his/her health, development and professional preparation are not jeopardized. Hiring a person under the age of 15 is prohibited. In criminal law, penal liability begins at the age of 16. As an exception, the minor between 14 and 16 can be held liable for penal offence, but only if it is proved that he has committed the deed with discrimination. The minor under the age of 14 is not liable for penal offence.

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