

**Key words:** *legitimate defense, penal responsibility, Criminal Code*

**Abstract:** Within our criminal law, committing an offence constitutes a basis for the criminal responsibility (article 17, paragraph 2, from the Criminal Code). Taking into consideration the fact that the general notion of offence, as a fundamental juridical institution of the criminal law, is characterized by three essential characteristics listed within the article 17, paragraph 1 from the Criminal Code (social danger, guilt and the provision in the criminal law), the criminal responsibility will necessarily have as a theme the conjugate existence of these essential characteristics.