**INFORMATION PROVIDING ACTIVITIES OF LAW-ENFORCEMENT BODIES: HISTORICAL AND LEGAL ANALYSIS**

**Banakh S.V.**

Candidate of Juridical Sciences, Docent of Department of Criminal Law and Process, Dean of the Faculty of Law of the Ternopil National Economic University

The article deals with the historical and legal aspects of the development of information support for the activity of law enforcement agencies from the ancient times to the present. Particular attention is paid to the history of law enforcement activities in the Ukrainian lands in the XIXth and XXth centuries. The author came to the conclusion that development of informatization of the activity of law-enforcement system of the state in Ukraine took place in accordance with the European and world tendencies.

As a result, it is noted that the historical and legal analysis of the problem under investigation shows that information provision of law enforcement bodies is an important element of their functioning. Law-enforcement bodies take their origins from the moment of launch of official law-enforcement activity and depend on the level of development of legal norms and mechanisms for their implementation. Organization of law enforcement activities (that is, the basis for ensuring the functioning of law enforcement bodies) is characteristic of every historical socio-political system.

The development of the informatization of the activity of the law-enforcement system of the state in Ukraine took place in accordance with the European and world tendencies. Its beginning dates back to the eighteenth and nineteenth centuries, and peaked in the twentieth and twenty centuries. The use of information technology may become the main factor in strengthening the rule of law, ensuring the country's defense capability, social and political stability and the development of democratic principles in the management of the state.

**LEGAL RULEMAKING: THE PROBLEM OF QUALITY MEASUREMENT**

**Bratasyuk M.**

Doctor of Philosophical Sciences, Full Professor, Professor at the Department of Phylosophy, Ivan Franko National University of Lviv

**Rosoliak O.**

Candidate of Juridical Sciences, Docent, Associate Professor at the Department of Constitutional, administrative and financial law, Ternopil National Economic University

Qualitative reform of law-making activity, in particular, legislative, is now a sufficiently relevant aspect of legal reform in general. It is clear that the process of reforming the legislative process is not enough, because even the best laws can remain declarations if people are not ready to fulfill them. However, without human-type, humanistic legislation, too, can not do. It is necessary, and therefore to deeply change the legislative activity in favor of a person, its interests means to provide a solid foundation for solving the problem of realization of human rights, which so need modern Ukrainians.

Is not the main task and goal of legal reform now to be the humanization of all legal development, overcoming the state-centered dimension. At present, the reform in the legal sphere is chaotic, not well thought out, it is reduced mainly to changes in certain institutions (prosecutor's office, courts, police), but there are no fundamental changes there. It is impossible to make reforms in part, superficially, changing only the faces of people in a number of institutions and not changing their worldview, thinking, its deep codes. Legislative (law-making), state-centered thinking - these are the established concepts, categories, principles, values, codes, is a whole world outlook that needs to be overcome and to form a new worldview and a new humanistic attitude towards a person.

From the standpoint of the legist doctrine, the laws and their norms are the embodiment of the authority of state power, and therefore clearly are legal phenomena: "the law is a law", "the letter of law" above all: justice, human rights, the person himself, and others like that. That is, the criterion of legality for the legist is the will of the state power, its interest, which should correspond to the norm or act. To this criterion are added the mandatory implementation of the legal act, its effectiveness, logical requirements, language requirements, etc. Of course, in conditions of democratic legal development, such an interpretation of the principles of law-making should be rethought in accordance with the anthropological approach, which is possible from the standpoint of jurisprudentialism, and a criterion of legality that is not identical to state-controlled.

 Expanding the content of the criterion of validity from the standpoint of the naturalist approach, we address inalienable human rights, the meanings of law, legal values, which are identical with universal human values. In our opinion, the fundamental basis of legal rule-making should be the standards of human rights, the concentrated expression of which is the principle of the rule of law, which is in fact a megaprinciple, since it includes in substance a number of other principles: justice, freedom, reasonableness, equality, respect for a person, his life , honor and dignity, rights and freedoms; respect for private property, common good, etc., as well as a number of legal procedures that collectively provide a person with protection from arbitrariness of state power and any other. If such laws that destroy human values are taken systematically, a state of total injustice, a massive violation of human rights is created in the country.

Differences, sometimes quite substantial, between the principles and norms of the law in modern Ukrainian legal development take its origins from the declarative nature of the people's power, since the people's power and the rule of law, the essence of which is concentrated in the principles of law, are inextricably linked, interdependent, which implies that the problem of real compliance with the principles and norms in the creation of a norm and in law enforcement can not be solved by the efforts of lawyers exclusively. This is a complex problem that has a mental-intellectual, socio-economic, political, spiritual and cultural dimensions and requires the efforts of the whole society.

**THEORETICAL AND METHODOLOGICAL SUBSTATION OF THE ESSENCE OF CORPORATE DISPUTE AND THE PECULIARITIES OF ITS JURISDICTION**

**Verbitska M.**

PhD of Law, Associate Professor, Department of Constitutional, Administrative and Financial Law of Ternopil National Economic University,

**Vakiryak V.**

Student of fifth year of Ternopil National Economic University.

Part 1 of Article 167 of the Commercial Code of Ukraine stipulates that corporate rights are the rights of a person whose share is determined in the statutory fund (property) of an economic organization, which includes the power to participate in the management of an economic organization, obtaining a certain share of profit (dividends) of the organization and assets in case of liquidation of the latter in accordance with the law, as well as other powers stipulated by law and statutory documents.

Consequently, corporate relations are related to the implementation of corporate rights, determined by the corresponding share in the authorized fund.

There are cleared up the main features of the legal dispute: the existence or assumption of the existence of material relations between the parties to the dispute; nature of the mutual position of the parties to the dispute; presence of subjective interest of participants; a sign of the practical value of the concept.

It is set up that an important aspect of a clear settlement of a corporate dispute is a well-established system of legal regulation of corporate relations, and accordingly, the dynamics of legislative reforms in the area of corporate law of this type of disputes. However, it should be noted that today the system is not well-developed and well-regulated, and there are many problems regarding the current legislative regulation of both corporate disputes and corporate law in general.

It is generalized that the most common categories of corporate cases, that are considered by the Supreme Court, include the following: appeal against the decisions of the general meeting of the participants of the companies, management bodies; invalidation of constituent documents, amendments to them; related to the activities of the management bodies of the company; related to share rights, share in authorized capital; invalidation of commercial agreements related to the implementation of corporate rights; changes in the register of shareholders and appeals against the registrar's actions; compensation for losses incurred by an economic partnership by its official (derivative actions).

Corporate relations arise, change and cease on corporate rights from the moment of the state registration of a limited liability company, and in its subject composition are those that arise between an economic partnership and its participant (founder), including a participant who left, as well as between the participants (founders) of business associations, which are related to the creation, operation, management and termination of the activity of this company (except labor).

It is set up that the specificity of this type of dispute is due to the fact that they require qualifications, experience and relevant knowledge in the area of corporate law, as well as in the context of other related areas of law.

Corporate disputes are a separate kind of dispute, therefore it is not expedient to identify corporate disputes with other disputes of society, which, although they result from their direct activities, but are not corporate.

**FORMATION OF PRINCIPLES AT THE STAGES OF FORMATION AND DEVELOPMENT OF THE INSTITUTE OF CIVIL SERVICE OF UKRAINE**

**Halai V.**

Associate Professor of the Department of International Public Law of Kyiv National Trade and Economic Universit

The necessity of research of historical approaches to the formation of the principles of civil service is substantiated due to the urgency of the problem of the development of the civil service institute in Ukraine and its transformation in the light of administrative reform and the expediency of substantive consolidation of the principles of the activity of employees through the prism of the formed stages of the formation of the civil service.

A detailed analysis of the stages of formation and development of the civil service from the period of the Cossack period to the period of the reign of Soviet power (the state administration of the USSR) was carried out.

The proposals on the content consolidation of the basic principles of civil service at each of the investigated stages of formation and development of the civil service, which in turn are closely connected with the periodization of the state creation of Ukraine, are formulated.

The period of the Cossacks is characterized by the beginning of the formation of such principles of civil service as legitimacy, professionalism (in part), competence, political impartiality (partially), high level of patriotism; Rule of Law.

During the period of the Ukrainian People's Republic (the time of the Central Rada), the following principles of the civil service are observed: legality, professionalism, competence, patriotism, respect for other nations and peoples, provision of rights and freedoms of citizens, national minorities.

During the period of the Ukrainian State, the following important principles of the civil service were laid down in law: service to the Ukrainian people, legality, honesty, devotion to the cause, professionalism, competence.

During the reign of Soviet power (the state administration of the Ukrainian SSR), all previously acquired in the Ukrainian lands of such principles of civil service as democracy, service to the Ukrainian people, legality, honesty, devotion to the cause, professionalism, competence, etc. were completely destroyed.

The analysis made it possible for the author to consider that among the main principles, the application of which has become significant in most of the investigated stages, there are: the rule of law, legitimacy, professionalism, competence, patriotism, service to the Ukrainian people.

The author has formulated a number of moles. Through analysis of the stages of the formation and development of the civil service and the substantive consolidation of the principles of civil service in each of them (the period of the Cossack period, the period of the Ukrainian People's Republic (the time of the Central Rada), the period of the Ukrainian State, and the period of the domination of the Soviet government (the state administration of the Ukrainian SSR) what: 1) the period of the Cossacks is characterized by the beginning of the formation of such principles of civil service as legality, professionalism (in part), competence, political impartiality (in part), high level of patriotism; Rule of Law; 2) during the period of the Ukrainian People's Republic (the time of the Central Rada) the following principles of the civil service are observed: legality, professionalism, competence, patriotism, respect for other nations and peoples, provision of rights and freedoms of citizens, national minorities; 3) during the period of the Ukrainian State, the following important principles of the civil service as a service to the Ukrainian people, legality, honesty, devotion to the cause, professionalism, competence were laid down legally; 4) during the period of the reign of Soviet power (the state administration of the Ukrainian SSR), all previously acquired in the Ukrainian lands such principles of civil service as democracy, service to the Ukrainian people, legality, honesty, devotion to the cause, professionalism, competence, etc. were completely destroyed.

Therefore, taking into account the detailed analysis of the historical stages of the formation and development of the civil service, the consolidation of the principles of the civil service, we believe that among the basic principles, the application of which was considered significant at most of the stages studied, are: the rule of law, legitimacy, professionalism, competence, patriotism, ministry the Ukrainian people.

**FEATURES OF THE INFORMATION AND LEGAL STATUS OF OFFICIALS OF ANTI-CORRUPTION BODIES**

**Holota N.**

Senior Lecturer of the Department of Legal Regulation of Economics and Law VNNIE of Ternopil National Economic University

Legislative consolidation of the basic principles of combating corruption is considered as a guarantee of successful state administration and stable economic development of the state. The presence of a small number of publications and scientific works on the given subject makes it possible to argue that the question of the legal status of anticorruption bodies, in the majority of cases, is approached by the authors through an administrative aspect, focusing on the functions and responsibilities of the anti-corruption bodies.

Determining the peculiarities of the information and legal status of officials of anti-corruption bodies can be based on the provisions of the current legislation, which establish the key functions of officials of anti-corruption bodies, including in particular:

- prevention of corruption, use of preventive anti-corruption measures;

- detection, termination, investigation and disclosure of corruption offenses;

- prevention of corruption (in particular, a special check on persons who are applying for positions related to the functions of the state or local self-government, requirements for transparency of information, etc.);

- monitoring of the state of prevention and counteraction of corruption in Ukraine;

- realization of anticorruption policy in the state, as well as other tasks defined by the legislation of Ukraine and others.

Taking into account the scientific approaches to the information-legal statute and specifics of the tasks of officials of state bodies for combating corruption, the following elements should be classified as elements of the information and legal status of officials of anti-corruption bodies:

1) information rights and guarantees of officials of anti-corruption bodies, specially determined by acts in the field of combating corruption, as well as their official instructions, provisions on the answers of the unit;

2) official duties of an informational character, separately established by anticorruption documents, job descriptions, as well as those that arise in the course of the implementation by officials of anti-corruption bodies of their rights;

3) the definition by the current legislation of restrictions on the implementation of information rights, guarantees and obligations by the officials of anti-corruption bodies;

4) the legislation established the responsibility of officials of anti-corruption bodies for improper fulfillment of their information and legal obligations or for the abuse of information rights rights or guarantees.

**ADMINISTRATIVE ACTIVITY AS CHARACTERISTIC OF PUBLIC ADMINISTRATION**

**Hrechaniuk R.**

Senior Research Fellow of the National Prosecution Academy of Ukraine

In the article the conducted development of theoretical aspects of determination of administrative activity is as part of state administration. The different scientific looks researched for formulation of concept of administrative activity, the basic constituents of this concept are certain in relation to state administration.

To understand the nature of the administrative activity, it is necessary to research different approaches to its understanding. Analysis of publications allows to consider administrative activity as: part of public administration; component of activities of law enforcement agencies; administrative management.

The main purpose of administrative activity as a characteristic of public administration is assurance of internal administration of performance of defined public tasks and strategic priorities of respective subject. Its effectiveness (through successful operational model, management decisions, administrative methods) can improve the quality of the statehood strategy in a specific area, sometimes by hiding its disadvantages. Administrative activity in public administration has certain features, which are related primarily to the fact that spheres of state influence are too diverse and, correspondingly, administrative processes in public administrative subjects differ depending on the need to perform certain tasks.

Thus, summarizing the positions and theoretical works, it should be recognized that the main purpose of administrative activity as a characteristic of public administration is assurance of internal administration of performance of defined public tasks and strategic priorities of respective subject. Its effectiveness (through successful operational model, management decisions, administrative methods) can improve the quality of the statehood strategy in a specific area, sometimes by hiding its disadvantages.

**NORMATIVE AND LEGAL ASPECTS OF THE PLANNING OF FOREIGN POLICY OF UKRAINE IN THE CONDITIONS OF THE ISSUE OF INDEPENDENT STATE: PROBLEMS AND PERSPECTIVES**

**Hrubinko A.**

Doctor of Historical Sciences, Associate Professor, Professor of the Department of Theory and History of State and Law of Ternopil National Economic University

In the article the experience and current state of normative support of Ukraine’s foreign policy in the context of solving the problem of strategic planning are analyzed. The main provisions of normative acts, which set out the main principles of Ukraine’s foreign policy, are considered critically. The author’s thoughts on the structure and content of the draft Law of Ukraine «On the Principles of Foreign Policy of Ukraine» and the Strategy of Foreign Policy of Ukraine are submitted.

The purpose of the article is to analyze the state of legislative support of Ukraine's foreign policy in view of the need for strategic planning of the state's activity in this area.

The results of the conducted research testify to the unsatisfactory state of legislative support of Ukraine's foreign policy. For a long time (until 2010), a special law was not adopted in Ukraine, which could testify to the deliberate neglect of the political leadership of the various parties in this area of ​​state building in order to please it with sufficiently changing international interests. Paradoxically, the Verkhovna Rada of Ukraine of July 2, 1993 "On Main Directions of Foreign Policy of Ukraine" was still the most perfect normative legal act on this issue. The current Law "On the Principles of Internal and External Policies" was still submitting a formally-written version of the regulation of complex problems of the development and implementation of foreign policy.

Proposed for the development and prompt adoption of the Law of Ukraine "On the Principles of Foreign Policy of Ukraine" and the Strategy of Foreign Policy of Ukraine as a basic special legislative act and supplementing and specifying subordinate act are of crucial importance for resolving this sphere of activity of our state in the international arena under difficult conditions of being in a state of armed conflict, contradictions with a number of diseases in the near abroad and, in general, long overdue. Adoption of the said normative acts will ensure the completion of the process of formation of legal and conceptual-organizational foundations of Ukraine's foreign policy.

**LICENSING CONDITIONS OF REALIZATION OF INSURANCE ACTIVITIES IN THE UKRAINIAN MARITIME SPHERE**

**Gubina G.**

PhD, Associate Professor at the Department of Civil and Labor law

National University «Odessa Maritime Academy»

The Licensing conditions of economic activity for the provision of financial services (except for professional activities in the securities market), approved by the Cabinet of Ministers of Ukraine from 07.12.2016 № 913, are analyzed, their defects are identified. There are no provisions that take into account the peculiarities of insurance in the marine sphere, documents that allow the insurer not to fulfill its obligations on time or not at all.

The possible ways of improving the latter are proposed, referring to the by-laws and regulations on this issue, which were in force before them. The list of documents for obtaining a license to conduct business in the field of marine insurance in accordance with p.17-19 of Licensing Conditions No. 913 must be supplemented 1) certificate of the financial status of the founders (participants) of the insurer, confirmed by an auditor (auditing firm); 2) economic justification of the planned insurance (reinsurance) activity; 3) a copy certified by the applicant in accordance with the established procedure for conducting internal financial monitoring; 4) certified by the applicant a copy of the document on the appointment of the employee responsible for conducting internal financial monitoring, information about senior officials or specialists responsible for conducting financial monitoring.

Licensing conditions No. 913 about organizational requirements also require bringing of additional information specific to insurance in the maritime sphere, such as placing on its website (web page) of the insurer data about the general amount of insurance contracts concluded with details on each type of insurance and the total insured amount specified above contracts with updating 1 time per quarter start.

**REGULATORY AND LEGAL PROVISION OF THE LEGAL EDUCATION OF THE POPULATION: THE INTERNATIONAL LEGAL ASPECT**

**Guzul V.**

Applicant of the Research Institute of Public Law

The article is devoted to the analysis of international documents in the field of legal education. The place of international normative legal acts in the hierarchy of normative legal acts has been considered. Characterization of international educational legislation has been carried out.

Developing an effective legislative framework is an indispensable condition for the formation and implementation of state policy in the field of legal education of the population. Normative legal acts, being forms of expression of law, determine the legal validity and validity of legal norms, the limits of their validity, binding and other properties. The effectiveness of the legal regulation of social relations largely depends on the unity and consistency of the legal system, the orderliness and certainty of the relations of sources of law. Today, due to the fact that Ukraine has ratified a number of international documents in the field of education and human rights protection, a legal framework for the development and functioning of national legal education, which is in line with international legal standards, has been created. In view of the above, the analysis and understanding of international documents is important for the legal regulation of the legal education of the population.

There has been focused on the main provisions of normative legal acts on the protection of human rights. The concept of discrimination, civic education in the context of legal regulation of legal education has been described. It has been emphasized that contemporary international legislation reflects a significant transformation of ideological orientations and consciousness of each person that affects the content of legal education and defines the directions of the legal and regulatory framework for the formation and implementation of the state legal policy on the legal education of the population in Ukraine. Also there has been proved that the ratification of a number of international documents in the area of education and human rights protection contributed to the creation of a legal framework for the development and functioning of national legal education that is in line with international legal standards.

The above shows that contemporary international legislation reflects a significant transformation of ideological orientations and consciousness of each person that affects the content of legal education and defines the directions of the legal and regulatory framework for the formation and implementation of the state legal policy regarding the legal education of the population in Ukraine.

**BREST PEACE AS THE LEGAL BASIS FOR THE ESTABLISHMENT OF UKRAINIAN-BULGARIAN DIPLOMATIC RELATIONS**

**Datskiv I.**

Ph.D., professor Department of International

law, international relations and diplomacy

Ternopil National Economic University

It is analyzed that the study of the Ukrainian-Bulgarian relationships within the period of the Ukrainian Revolution in 1917-1921 first and foremost is of great importance, in order to avoid in future the mistakes of the past. It is appropriate to study and analyze in detail in both positive and negative aspects, achievements and miscalculations of the bilateral relations. After all, without understanding of the historical background it is impossible to see the prospects.

It is noted that conducting of such research is expedient not only in the context of the history of Bulgaria and Ukraine, but also in the context of the world history, since the evolution of the Ukrainian-Bulgarian relationships within this period was largely dependent on the developments in the international arena.

It was concluded that the Brest Peace on February 9, 1918 opened the way for the establishment of the diplomatic relationships between Bulgaria and the Ukrainian People's Republic. Both countries were interested in this process. Bulgaria hoped to engage the bilateral Bulgarian-Ukrainian relationships, first of all the trade ones, and thereby improve its economic situation, undermined by the war. For its part, the UPR, affirming its statehood, was interested in diplomatic recognition of it by a wide range of states.

Thus, we can state that the Brest Peace Treaty on February 9, 1918 opened the way for the establishment of diplomatic relations between Bulgaria and the Ukrainian People's Republic. Both countries were interested in this process. Bulgaria hoped to engage bilateral Bulgarian-Ukrainian relations, first of all trade, and thus improve its economic situation, undermined by the war. For its part, the UPR, affirming its statehood, was interested in diplomatically recognizing it as broadly as possible.

In general, it can be argued that these relations were established as a result of the signing of the Brest Peace Treaty between the UNR and the Central Powers, and continued the 1918 nature of the relations between the two allied states, although they did not have time to acquire a systematic and long-lasting character and bring significant benefits to both parties. However, the Ukrainian-Bulgarian relationship is a powerful and rich stratum of European history, politics and culture.

**LEGAL FRAMEWORKS FOR THE DEVELOPMENT AND FUNCTIONING OF THE EARTH MARKET IN UKRAINE**

***Zyhrii Olha***

PhD in Economics, Associate Professor of Civil Law and Law

in Ternopil national process Economic University

The article deals with issues related to market reforms in Ukraine, including land. The primary importance is to provide the sustainable development, good management, welfare and economic opportunities for citizens. It is very actual research in the field of land policy and analysis of concrete measures for solution of problems related to land under conditions.

It is considered that the impact of the requirements of the International Monetary Fund, where there is the urgent problem of the enactment of the law of the turnover of agricultural land. Situations that may occur in Ukraine due to the removal of the moratorium on land sales are analyzed. Positive and negative sides of the moratorium and the introduction of the land market are investigated. It is revealed that the issue of land ownership, namely the possession, use and disposal of land resources in agriculture which require further discussion. It is made the detailed analysis of the impact of market opening of agricultural land on economic well-being and potential profit (loss) of various stakeholders. It is established that, purchase and sale of land will increase farm efficiency, promote economic growth in of the village, agricultural sector, increase the export potential of the country, facilitate access to credit for small and medium businesses. We consider macroeconomic factors, standard of living, investment climate, social norms and demographic characteristics of the population, measures of state regulation, natural features, physical characteristics of the land. It is proposed suggestions concerning the formation and development of the agricultural land, the establishment of reliable institutional and regulatory framework of functioning market and real protection of rights of owners.

**LEGAL STATUS OF LEGAL EXPERT ON LAW ISSUES IN CIVIL PROCEDURE OF UKRAINE**

**Krukoves V.**

PhD, research associate in Academician F.G. Burchak

Institute of Private Law and Entrepreneurship

of the National Academy of Legal Sciences of Ukraine

The research paper is devoted to s the problems of determining the legal status of the expert on law in civil procedure in Ukraine. The peculiarities of his involvement in the judicial process are analyzed and ways to improve his legal status are proposed.

Today, lawyers are discussing the advisability of involving a legal expert in litigation. Thus, according to some lawyers, judges in Ukraine act on the principle of "jus novit curia" («a judge knows the law»), and according to others, the consolidation of the rights and obligations of an expert in law at the legislative level is consistent with the course of development of legal policy in the field of democracy and the rule of law proclaimed by Ukraine.

In the legal literature, as a rule, the problems of participation of a legal expert in court proceedings are revealed through the prism of scientific and practical analysis of Article 8 of the Law of Ukraine "On International Private Law", according to which the court may apply to the expert to establish the content of foreign law. At the same time, legal science requires complex scientific research on the legal personality of the expert on legal issues as a participant of legal relations arising in the implementation of civil proceedings.

The author emphasizes that the main purpose of a legal expert is to assist in matters that require specialized knowledge. At the same time, the norms of the Civil Procedural Code require further elaboration in terms of a comprehensive solution of the issue of participation of the legal expert in civil proceedings.

It should be noted that the conclusions of the legal expert may concern only the issues of analogy of law or law or application of foreign law, they cannot solve the issues of gaps or conflicts, as this task is solely the responsibility of the court when making decisions, and no one has the right to indicate the courts, the decision to make or how to solve the dispute correctly.

Recent results of law enforcement activities have shown that neither the court nor the participants in the process are yet ready to involve a legal expert and their findings in the process. Thus, in practice, in most cases it is limited to providing legal positions to the advantageous party under the guise of the opinion of an expert in law or application of conclusions on issues that are not provided for by law.

In addition, problems arise in the ratio of a legal expert with other participants of the process, the proportionality of the costs of their services and issues of their compensation, the impossibility of bringing them to responsibility for the refusal or provision of an unreliable conclusion, etc.

***QUALITY OF THE PROVISION OF TRANSPORT SERVICES IN THE CONDITIONS OF THE EURO-INTEGRATION PROCESSES***

**Lukasevych-Krutnyk I.**

PhD in Legal Science, Associate Professor, Associate Professor of the Department of Civil Law and Process, Ternopil National Economic University; Doctoral student of the Scientific Research Institute of Private Law and Entrepreneurship named after F. G. Burchak of National Academy of Legal Sciences of Ukraine.

In the current conditions of European integration processes taking place in Ukraine, the study of the quality of service provision, including transport, is becoming relevant. This problem is important not only from the theoretical point of view - for the development of the doctrine of private law, but also from a practical point of view, since every ordinary citizen is an individual - a consumer of transport services. Therefore, research on the quality of transport services is aimed at satisfying the actual needs of science and practice.

The purpose of this article is to study the concept of quality of transport services and criteria for its definition, taking into account the achievements of modern civilist doctrine and the norms of the current legislation of Ukraine.

The article is devoted to the legal aspect of the concept of quality of transport services and criteria for its definition. It was clarified that today the criteria for the provision of transport services in the legislation of Ukraine are not defined. However, international experience proves the necessity and effectiveness of their consolidation at the normative level. It is proposed to borrow from the EU legislation and to establish at the legislative level minimum standards of quality of transport services for each type of transport, which would include the following criteria: a) informing the customer about the peculiarities of providing transport services; b) the accuracy of the provision of services and the basic principles of action in case of violation in the provision of services; c) the speed of transport services; d) cleanliness and comfort of vehicles; e) availability for payment and distribution of the network; f) assistance to people with disabilities; g) handling complaints, compensation and damages in case of non-compliance with service quality standards, etc.

**TO THE QUESTION OF SUSTAIN PROTECT THE RIGHTS AND LEGAL INTEREST IN ADMINISTRATIVE LAW NORMS**

**Mazuryk N.**

Chief Specialist of Kyiv Court of Appeal

In the article the author analyzes the legal phenomenon of protection of the rights, freedoms and legitimate interests of individuals and legal entities and substantiates the importance of its implementation in the conditions of polyhedral relations of administrative law. The author distinguishes the subject of protection by administrative and legal norms. The author outlines the principles of accessibility of administrative justice as the element of person legal protection. According to the results of the study, the author proposes the content and signs of the term "directions to protect rights and legitimate interests be the administrative law norms".

The direction of the norms of administrative law for the protection of rights and legitimate interests is the result of the legislative, normative, judicial law-making and right-realization activities of the participants in administrative legal relations, which manifests itself in the following properties of norms: preventing the creation of excessive and discretionary powers of the subject of state power; the availability of a procedural mechanism for the implementation of substantive law on protection; the availability of administrative suicide; consolidation of legal liability and the presence of a specific offense in the legislation on liability of officials (officials) of public administration; comprehensive interpretation of the content of fundamental human rights and freedoms, as well as legal principles by the administrative and constitutional courts.

Effectiveness of normative acts of administrative law should be evaluated, firstly, by the criteria of certainty and systematic communication with other sources of law, and secondly, the availability of instruments for protecting the rights and legitimate interests of individuals, as they are the key to the mechanism of legal regulation that is in accordance with the Constitution and the underlying legal principles.

**UNILATERAL CONTRACT, AS THE BASIS OF OCCURRENCE PROPERTY RIGHTS TO ANOTHER’S REAL ESTATE**

**Maika N.**

PhD in Law, Assistant Professor, Department of the Civil Law and Procedure Ternopil National Economic University

**Yatsishin O.**

attorney-at-law

Most legal actions of real legal relations are legal acts. However, in science of civil law is not enough attention to unilateral contract as the basis of occurrence property rights to another’s real estate.

The subject of our study is the legal act, which do not have contractual nature. We talk about unilateral contract as the basis of occurrence property rights to another’s real estate in order inheritance (testament, testamentary disposition, testamentary refusal).

Unilateral contract as the basis of occurrence property rights to another’s real estate is legitimate, volitional action by person and directed to occurrence property rights to another’s real estate. This legal action commit by person which has the proper authority.

Basis of occurrence property rights to another’s real estate is unilateral contract which combine unilateral authorization and unilateral obligation.

The will by the legal nature is unilateral contract with expression of will one person (exception the will of the spouses).

Order of the testator can be occurrence property rights to another’s real estate. That is to give a third person property rights to another’s real estate.

The testamentary refusal is order of the testator within the will which is aimed at establishing a singular succession. However, the testamentary refusal is not recognized directly by law as the basis of occurrence property rights to another’s real estate.

Summarizing the foregoing, one can conclude that the grounds for the real rights to someone else's real estate are unilateral acts combining unilateral authorizations and unilateral commitments. It is about the establishment of such rights in the order of inheritance (will, testamentary order, performed by the testator in the will, and also based on a willful denial). Unilateral transaction as the basis for the establishment of real rights to someone else's real estate - is a legitimate, voluntary action of a person, aimed at acquiring a real right to someone else's property, committed by a person who has the appropriate powers in relation to the thing and aims to consciously create specific civil-law consequences for themselves or other people.

**ADMINISTRATION OF NATIONAL SECURITY AND DEFENSE BY ORGANS OF MILITARY COMMAND IN THE STATES OF ASIA (ON THE EXAMPLES OF JAPAN, CHINA, SOUTH KOREA)**

**Sergey Melnyk**

PhD in Law, Head of the Military Law Faculty Yaroslav Mudryi National Law University

The article covers the issues concerning the administration of national security and defense capability in such foreign states as Japan, China, South Korea. It is noted, that models of administration of military organization activities in the specified states have certain features due to historical conditions of state formation. The system of national security and defense administration of developed countries of Asia began to emerge in the second half of the 20th century. That was due to the fact that most of the countries of Asian region liberated from colonial dependence after the Second World War, took the path of self-building and finalized the political structure and priorities of foreign policy development.

The main subject is the armed forces (the army). It is emphasized, that the models of administration of military organization activities in Japan, China, South Korea have certain features due to historical conditions of state formation.

Administration of national security and defense capability is an administrative impact of the officials and authorities who, on accordance with the law, are authorized to make decisions on the organization of activities of the military administration subjects for the successful performance of tasks and functions entrusted to them.

It is concluded, that the administration of providing national security and defense in developed states of Asia is carried out by an extensive system of organs of military command. Among them, the most important is the activity of the armed forces of the state or institutions, which perform their functions (in the case of Japan). It is emphasized, that in Japan and South Korea the national model of structural organization and functioning of organs of military command was formed under the guidance of the US specialists. It is grounded, that the promising direction of scientific development is the elaboration of proposals on borrowing and implementing of foreign experience into the national practice of Ukraine’s security and defense sector functioning.

**MECHANISMS OF DECREASING NEGATIVE INFLUENCE OF CORRUPTION TO SOCIETY IN THE COUNTRIES OF THE WORLD**

**Mykytyn V.**

PhD in Law, Senior Lecturer

of the Department of Civil Law and Procedure Judicial Faculty

Ternopil National Economic University

Combating corruption requires studying the conditions in which the anti-corruption strategy in Ukraine is being developed and implemented in the modern period, assessing the state's policy in this direction, as well as identifying the problems of applying concrete mechanisms for such a response. The main anticorruption doctrines adopted in Ukraine in the modern period do not give an unambiguous answer to the question of how to minimize corruption in the state. Therefore, the key to developing strategic approaches to combating corruption is the establishment of a range of actors who should play a leading role in this process - specialized anti-corruption bodies, law enforcement agencies, other civil society institutions or individual citizens on the basis of foreign experience.

This work is a study of the problems of combating corruption in the context of the modern anti-corruption strategy of Ukraine based on foreign experience in preventing and combating corruption. This approach provides an opportunity to identify the causes and identify effective measures to combat corruption in Ukraine, which is important for solving the tactical and strategic tasks of the state and society in this direction.

The formulated theoretical positions, proposals and conclusions can be used in research activities for the further elaboration of legal issues in the organization of prevention and counteraction of corruption in state bodies; in lawmaking activity aimed at countering corruption in Ukraine; practical activity of anti-corruption bodies; learning process.

After considering the opinions of scientists about the mechanisms of combating corruption and ways to reduce the negative impact of corruption on society, relevant international experience, it can be argued that there are criminologically significant problems of using such mechanisms in Ukraine as: repressive - criminal measures of influence (punitive and non-punitive); cultural - ensuring freedom of speech and the media; education; raising the social culture of citizens; mediated - ensuring a systemic state policy; creation of an independent judicial system; improvement of anti-corruption legislation; to ensure that criminal policies are adequate to the realities of Ukrainian society; building an effective criminal justice system; ensuring transparency of information and procedures; information provision of citizens; social security of civil servants; scientific support of anti-corruption measures, application of international experience, developments of other sciences, in particular, cybernetics in combating corruption in Ukraine.

**THE USE OF A POLYGRAPH IN LAW ENFORCEMENT ACTIVITIES: THE EXPERIENCE OF FOREIGN COUNTRIES**

**Anna Mokrytska**

Ph.D. in Economics

Department of Economic Security and Financial Investigations

Ternopil National Economic University, Ukraine

**Slipchenko T.**

Candidate of Economic Sciences, Associate Professor of the Department of Economic Security and Financial Investigations of the Ternopil National Economic University

The article analyzes the experience of using polygraph and polygraph research in the activity of law enforcement agencies of foreign countries. The long-standing practice of using the polygraph in the activities of law enforcement bodies is by such countries as Japan, USA, Canada, Israel. It is determined that the main directions of the use of the polygraph are as investigations of offenses (including criminal) and the fight against organized crime, as well as verification of credibility and integrity of candidates for positions in the police, prosecutor's offices, courts and other law enforcement agencies, as well as civil servants who want to take higher positions. Polygraph tasks include: narrowing the range of suspects, establishing the fact of committing a crime, creating conditions for obtaining true testimonies, collecting additional and guiding information that can help to choose the most promising and substantiated direction of investigation. Effectiveness of the use of the polygraph in the activities of law enforcement agencies, convincingly proved practice in many countries. These technologies have proved their worth and have been used successfully for a long time in the US, Israel, Turkey, Poland, the Baltic States and other countries, in particular, during the selection of a certain group of civil servants, conducting internal investigations, in particular in pre-trial investigations, disclosure and investigation of resonance crimes. The normative-legal principles of the use of psychophysiological researches using polygraph in the national practice are described.

Summing up, it should be noted that the long-standing practice of using a polygraph in the activities of law enforcement bodies is the countries such as Japan, USA, Canada, Israel. The main tasks that are solved with the help of a polygraph are: narrowing the range of suspects, establishing the fact of committing a crime, creating conditions for obtaining true testimonies, and collecting additional information about the offense under investigation. Often, the results of such studies are used not for the purpose of obtaining evidence, but for the collection of orientation information that can help to select the most promising and substantiated direction of investigation. Foreign experience shows that, in law enforcement practice, checks on polygraphs are usually used not in the interests of obtaining judicial evidence for a decision on a case, but to assist the investigator in choosing a more perspective and something grounded in his direction.

**THE ESSENCE OF PUBLIC CONTROL OVER THE ACTIVITIES OF PUBLIC AUTHORITIES**

**Nironka Y.**

Applicant of the Research Institute of Public Law

In the article essence is exposed and the qualificator features of public inspection are found out as an important constituent of mechanism of providing of constitutional principle of democracy. The institutional base of public inspection is outlined and it is indicated on her basic components. It is marked methods and forms of realization of public inspection from the side of citizens.

Public control is defined as a type of social control as a function of civil society and a way of involving the population in the management of society and the state. It is an important form of the implementation of democracy, because it enables the population to participate in public administration, the decision of state and public affairs, and actively influence the activities of state authorities and local self-government.

It is stressed that today an array of such methods of public control as observation is used; analysis of documents, official statistics; visits to the institution, examination of conditions; collecting complaints; interviews, interviews, focus groups; public expertise; monitoring, etc. The most important methods are monitoring and expertise.

There are two main forms of exercising public control by citizens, which are enshrined in the Constitution of Ukraine the ability to exercise public control through public events; in the exercise of the right of citizens to form a public association as a means of influencing the state authorities and local self-government bodies or expressing a negative reaction to the policy implemented.

The establishment of civil society institutions is accompanied by an extension of the mechanism of public control, which can provide them invaluable assistance and support in the implementation of state policy. Public control, organized and purposefully within the political and legal system, must solve the problems that arise between civilians and the state in a fully civilized way, through the use of channels of interaction and mutual responsibility, which are determined by law, and this control is the most important condition for the implementation of the constitutional principle of democracy.

**THE ORETICAL LEGAL BASIS AND PECULIARITIES OF PROVISION OF ADMINISTRATIVE SERVICES IN UKRAINE**

**Obleschuk O.**

2nd year student at the Faculty of Law Magistracy of Ternopil National Economic University

Administrative service is the activity of the state, as well as municipal authorities, ie executive authorities, local authorities and other specially authorized bodies, with the aim of implementing their latest authority in the field, asserting and confirming certain facts, subject to appeals of the entity (physical or legal person) with a statement to the relevant body, in order to exercise their rights or interest.

It is that the modern jurisprudence is clearly delineated into specific industries, and one of which is administrative, and since Ukraine is in the process of reforming according to European standards, its structural elements require careful analysis, namely: current legislation, which it is Guided by the realization of its activity (so-called administrative-legal regulation), the realization by the public authorities of the subjects of this activity and the ways of its improvement, with the help of which, rendering of services for the servicingwill be comfortable for most people and the mentioned authorities.

Ukraine is at the stage of forming a new format of relations between the state and citizens. After significant shocks to Ukraine, a new stage in the development of the Ukrainian state began, in which everyone should feel a citizen who is appreciated and respected, whose interests are taken into account.

According to the European principles, the main tasks of state bodies are his service to the citizens, so that they in turn feel themselves as advocates.

Scientists from the EU Member States use the notions of "public services", "services of general interest" (services of general interest), "services of general economic interest" (services of general economic interest) to refer to this phenomenon. ), "Services for citizens", which, among other public ones, include services that are considered administrative services in Ukraine.

**CRIMINAL LEGAL CHARACTERISTIC OF FICTITIOUS BUSINESS**

**Pilyukov Yu.**

Candidate of Juridical Sciences, Associate Professor of the Department of Criminal Law and the Process of the Ternopil National Economic University, Senior Specialist of the Ternopil NDECC of the Ministry of Internal Affairs of Ukraine

The purpose of the study is to analyze the criminal-legal characteristics of fictitious entrepreneurship in order to use the results of research in the practice of investigating this crime.

In the science of criminal law, the most accepted is the idea that the object of any crime is the social relations protected by the law on criminal liability.

The main object of the crime, stipulated by Art. 205 of the Criminal Code of Ukraine, there are social relations that arise in the process of entrepreneurial activity.

An additional immediate object is only those social relations that are threatened or harmed. In our case, it can be argued that harm is caused by social relations in the field of taxation, property, fair competition, obtaining credit resources, etc.

The objective side of a crime is an external aspect of a crime characterized by socially dangerous acts (action or inaction), socially dangerous consequences, causal connection between the act and socially dangerous consequences, place, time, situation, way, as well as means of committing a crime. .

The methods of committing fictitious entrepreneurship are the creation of business entities (legal persons) or acquisition in order to cover illegal activities or activities that are prohibited. An offense for which criminal liability is provided for in Part 1 of Art. 205 of the Criminal Code of Ukraine, is considered to be terminated from the moment of creation (state registration) of a business entity-legal entity, or its acquisition (acquisition of ownership of it).

The subject of a fictitious business can be:

- a convicted person acting as the founder or acquirer of a business entity, a legal entity, or with the help of others or counterfeit documents, registers (acquires) such entity;

 - official of the enterprise or organization that has made the decision to create or purchase another legal entity;

- the owner (founder) of a legal entity that has made the same decision. The subjective part of the crime is the internal nature of the criminal act, consisting in the mental attitude of the subject of the crime to the consequences of his act.

The subjective part of the crime is the internal nature of the criminal act, consisting in the mental attitude of the subject of the crime to the consequences of his act.

Wines as a phenomenon are characterized by two elements: consciousness and will. In particular, consciousness is defined as an intellectual element, and the will - as volitional and only together they form the fault. Along with the blame, there are also such signs as the motive and purpose of criminal behavior. Desire is the desired result of which the subject of the crime wants to reach, therefore, in fact, it will be the purpose of the crime, but what forms the purpose and affects it - a motive.

Thus, the subjective part of the crime provided for in Art. 205 of the Criminal Code of Ukraine, characterized by direct intent, selfish motive and special purpose - cover of illegal activities or activities that are prohibited.

Conclusion. Determining the criminal law of fictitious business, allows the subjects of the investigation correctly to classify the wrongful act and effectively organize the investigation.

**CONCEPTUALIZATION OF LEGAL REALITY STRUCTURE AND LOCATION OF LAW IN NIY**

**Savenko V.**

Doctor Science of Law, Professor of the Department of Theory and History of State and Lawof Ternopil National Economic University

The article examines the phenomenon of legal reality, as the basis of the deontological being of society and the level of compliance of the legal law with the universal laws of being; analyzes the fundamental principles of the emergence and structure of legal reality; interdependencies between natural law and current legal reality are monitored; the idea that any definition of law contains an ontological basis is substantiated.

The article focuses on the fact that the rethinking of laws in modern legal science is formed on the basis of philosophical approaches, among which the most important place is just the right reality as the highest form of systematization of the theory of legal knowledge. System analysis of the law in the structure of legal reality measures the formal implementation of the law of verified decisions.

The author concludes that further development of the philosophical understanding of the legal law will go towards enriching its present understanding, which will be synchronized with the ever deeper knowledge in the anthropological, philosophical, social and legal dimensions. The invariability of the fundamental principles of the construction of legal laws is rooted in the fact of their rooting in the transcendental-axiological dimension.

Consequently, the relationship between law and law has existed for many years and still exists. This problem was considered both at the international level and at the domestic, modern level. In Ukraine, this issue is relevant and nowadays, which causes great interest and exacerbates the tension in society.

This problem is not so much theoretical, as most scholars point out, how practical is it in the process of law-making, law enforcement and law enforcement, since not all laws created by the state, or rather state bodies, have legal content, but sometimes in general they are contrary to it. Therefore, now it is necessary to clearly distinguish between such concepts as legal and illegal law and to understand when the law loses the right to be called illegal, and therefore illegitimate.

**THE CONCEPT, CHARACTERISTICS AND TYPES OF COMMUNAL PROPERTY AS A KIND OF PUBLIC PROPERTY**

**Skliarenko I.**

Assistant to the Judge of the Leninsky District Court of Kropyvnitsky

The article investigates communal property as part of public property. It considers the concept of the public property, its features and types as well as the place of the communal property within public property. The paper offers the definition of the communal property and investigates the specific features of communal property as part of the public property. Additionally, it develops classification of communal property objects based on their specific characteristics.

Communal property is one of the material foundations of local self-government. With the help of functioning of communal property objects, common interests of the inhabitants of a certain territorial community are realized. In connection with this, there is a need to identify features of communal property as an integral part of public property, its features and types.

Сommunal property, along with the state form of ownership, is an integral part of the administrative-legal category of public property. Its features as a form of public property are aimed at ensuring the realization of public rights and interests of individuals, both publicly and privately-owned. Its characteristic features are the special structure of the subjects of the right of communal property, namely territorial communities, on behalf of which the powers of the owner is exercised by the relevant local government. Also, communal property objects ensure the realization of public rights and interests of individuals only in a certain administrative-territorial unit or locality. Communal property as a type of public property should be distinguished according to the types of its objects that may have local, local or regional significance.

**TRANSPARENCY AS A FACTOR AND REQUIREMENT FOR PUBLIC AUTHORITY ACTIVITIES**

**Tereshchuk G.**

Doctor of Law, Associate Professor of the Department of Constitutional, Administrative and Financial Law

The article attempts to highlight a number of elements relating to transparency as phenomena and requirements of public power, as well as ethical operational value in the practice of public authorities. The author developed a theoretical analysis of the transparency of public authorities as a starting point, which will give a practical effect of positive administrative activity.

Transparency, as a phenomenon and phenomenon, is evidence of the maturity and development of society, taking into account the ability of the latter to recognize the need for a permanent dialogue both within the society itself and with the institutions of the state, the authorities. Modern scientific approaches to the analysis of the phenomenon of transparency in society and the state testify to the efforts to form a clear idea of ​​the structure and nature of the phenomenon of transparency and its role in the activities of public administration bodies in the context of establishing cooperation between civil society and the state. At the conceptual level, the phenomenon of transparency is a guarantee of confidence in the authorities and a fence against abuse on their part, which in the end forms and ensures effective partnerships between the state and its citizens.

The public's trust in public authorities depends directly on their level of transparency, since it relates to the communicative ability to cooperate and respond promptly to criticism and to overcome the contradictions between public and public interests. The approach, which sets the priority of the unequal treatment of state institutions and civil society, is considered incorrect and leads to disputes and conflicts that have a destructive result for the development of the state as a whole. Therefore, attempts to create additional obligatory and restrictive mechanisms and instruments by the state should be carried out extremely moderately, taking into account and counting the onset of the possible consequences of their introduction, as well as with a preliminary assessment of the expert environment and broad discussion among citizens. Otherwise, such initiatives will have the opposite effect and will play a catalyst role for civil unrest and a permanent conflict with public authorities.

**LEGAL GROUNDS FOR TERMINATION OF LEASE AGREEMENT ON THE LESSOR`S REQUEST**

**Trufanova Yu.**

PhD in Law, Assistant Professor, Department of the Civil Law and Procedure

Ternopil National Economic University

The reasons for the tenancy contract termination as requested by the landlord are considered in the paper. The mechanism of application of the general and special reasons for the contract termination as requested by the landlord is analyzed.

It is stated that in the civil law doctrine the question on the mechanism of the application of general reasons for the termination of the civil contracts (for example, taking into consideration a material breach of contract or a substantial change in circumstances) and the special reasons for the termination of the contract of tenancy (rental lease), which are specified in the Chapter 58 of the Civil Code of Ukraine is controversial. Freedom of contract allows its parties to provide, other than those specified in the Central Committee of Ukraine, other grounds for termination of the contract of employment on the initiative of the lessor.

In the author’s opinion, the parties have the right to provide the reasons for the contract termination, which does not depend on its violation by one of the parties (for example, the contract may provide for the certain cancellation circumstances).

The author concludes that for the termination of the tenancy (rental lease) contract on the reasons stipulated by the Art. 783 of the Civil Code of Ukraine, the key role is played not only by the objective side of the committed violation of the contract, but also its subjective component. Thus, if the tenant has taken all necessary legal measures to return the hired things and eliminate the violations of the terms of the contract, but due to the availability of the circumstances which do not depend on him, the violations were not eliminated, there are no reasons for the tenancy contract termination on the grounds provided for by this paper.

**TO THE QUESTION OF DIGITAL JURISDICTION**

**Fronchko V.**

Senior Lecturer of the Department of Civil Law and Process of the Law Faculty Ternopil national Economic University

The article deals with the concept and essence of "digital" jurisprudence, as an integral part of innovation activity. The author analyzes the main areas of development of "digital" jurisprudence, especially the application of methods of legal technology in innovation activities.

Digital computer technology in the legal field is quite a new, complex, systemic and multilevel phenomenon, with the advent of which jurisprudence rationalized. In many modern states, science and new information technologies, with the help of the law, are ranked as the main national priorities. That is why, when in Ukraine yesterday, in these countries of the world already tomorrow. Paraphrasing the famous saying, one can say who owns modern information technologies, he owns the world.

An analysis of the regulatory framework for the development of the "digital" economy of Ukraine shows that terminological uncertainty and a certain contradiction are characteristic in this area. The "digital" economy needs proper regulatory regulation, where the principles of "decentralization" of state services and state information policy are clearly defined on the basis of a clear and correct conceptual apparatus, and specifies the areas of implementation of the "digital" economy, the main of which should be the provision of information security of the state.

The ideas of the "digital" economy should precede "digital" jurisprudence, which provides both the field of law-making and the process of enforcement. The absence of such a link leads to the ineffectiveness of the proposed program and conceptual measures.

One of the important factors in the implementation of the "digital" economy of Ukraine is the introduction of the national system of electronic interaction "Trembita" in 2019.

**LEGAL REQUIREMENTS TO NORMATIVE LEGAL ACTS IN THE SYSTEM OF ADMINISTRATIVE LAW SOURCE**

**Hylia M.**

Applicant of Ternopil National Economic University

In the article, the author analyzed and described the legal requirements for normative legal acts in the system of sources of administrative law. The modern requirements set forth in the laws and by-laws of normative-legal acts are investigated, the scientific opinions on this issue are analyzed, the own vision of the system of legal requirements for normative legal acts in the system of sources of administrative law is proposed. The purpose of the paper is to analyze and characterize legal requirements for normative legal acts in the system of sources of administrative law.

The norms of administrative law are characterized by special ways of their creation and establishment, as well as various forms of expression. This is due to the fact that the subjects of their development and adoption are not one or several bodies, but a large number of subjects of public administration, which for many years created and continue to increase the most numerous group of sources of administrative law, namely the system of administrative legal acts. The requirements for regulatory acts attracted the attention of many scientists, but they have not chosen a unified approach to the definition of their system. Due to the investigation of existing requirements in the laws and regulations, as well as analyzing the scientific views on this issue, it is proposed to have an own vision of the system of requirements for administrative normative acts, in particular, it should contain three groups: 1) legal requirements; 2) language requirements; 3) technical requirements. It was also established that in order to develop a unified approach to formulating requirements for normative legal acts, it is expedient to adopt an appropriate law with an approximate name "On normative-legal acts", in which the requirements for different kinds of normative legal acts should be defined. Such requirements should be made taking into account the following criteria: 1) the subject of the adoption of a regulatory act; 2) the legal force of a legal act.

**INTERNATIONAL ARBITRATION AS A DEPARTMENT OF RESOLUTION OF INTERNATIONAL ECONOMIC DISPUTES**

**Shatalyuk A.**

2nd year student at the Faculty of Law of Ternopil National Economic University

This article is dedicated to the problem of engaging arbitration as a transparent means of resolving disputes. Also at the present stage of reforms and changes in the sphere of international disputes, which, in their composition, have an economic direction, often arise the question of involving an arbitral tribunal as a prompt, transparent and competent body to meet the requirements of the conflicting parties.

However, the question arises whether truly international arbitration is such an impeccable and competent body to whom it is possible to entrust its economic dispute to the interested parties. International commercial arbitration is by nature an arbitral tribunal. The mechanisms of its creation and functioning in the era of rapid integration processes, demonstrating the current economic situation, are a necessary and objective condition for ensuring legal regulation of the external economic and economic activity.

International arbitration is one of the most effective and most open ways of solving economic (economic) disputes in the international arena. The activities of this body are regulated by the Law of Ukraine "On International Commercial Arbitration" of February 24, 1994, as well as taking into account all provisions on this arbitration, which are enshrined in international treaties of Ukraine. The international arbiter's reverse can suppress the following types of disputes:

1.) disputes of civil law and contractual relations that can

arise in the implementation of external trade or other types

International relations, if their enterprise

at least one of the parties is located outside the border;

2.) disputes of various kinds between international organizations and associations and enterprises with international investments and between their participants, as well as disputes with other subjects of the law of Ukraine.

Appeal to arbitration is voluntary, carried out by concluding by the parties of a special international agreement, which is called a compromise. On both sides regulate: the procedure for determining the composition of arbitrators; subject of dispute; the competence of arbitrage; procedure for consideration of the case; the nature and source of the norms on the basis of which the decision should be made; the order of making a decision; legal obligation of the decision.

With regard to international arbitration awards, as well as a court decision of a particular country, must be enforced arbitrarily. In the case of international arbitration, this is provided for by various international treaties, which are obliged to ensure such enforcement.

In view of the foregoing, one can conclude that consideration of economic disputes with an economic component of such an authority as international arbitration is and will be the most effective means of settling disputes in the international arena between stakeholders in international economic economic activity, which contains many indicators of such such as: speed, convenience, clarity, transparency, confidentiality, efficiency, as well as the possibility of implementing the decision of this body in the countries of the location of legal entities or their and other assets.

**FINANCIAL AND LEGAL ASPECTS OF THE STATE BUDGET AND ITS ROLE IN THE BUDGET SYSTEM OF UKRAINE**

**Shevchuk O.**

PhD, Associate Professor at the Department of Constitutional, Administrative and Financial Law, Faculty of Law of Ternopil National Economic University

***Fedyshin O.***

2nd year student at the Faculty of Law Magistracy of Ternopil National Economic University

The article deals with the actual problems of legal regulation of the financial system. The category "state budget" as a means of determining the content of the financial system is analyzed. It is established that the state interests are the basis of the formation of a subsystem of public finance with fixed assets: the state budget as the main plan for the formation and use of financial resources to ensure the implementation and functioning of the state. The Budget Code, which can be based on the general logic of construction and regulation of the public finance management system, defines the basic rules for the adoption and implementation of management decisions in each of the articles, as well as requirements for information and analytical support of the state process in Ukraine.

The aim of the work is to study the financial and legal aspect of the state budget and determine its role in the budget system of Ukraine. The object of research is the financial and legal aspect of the state budget and its role in the budgetary system of Ukraine. The subject of the study is the peculiarities of the financial and legal aspect of the state budget and its role in the budgetary system of Ukraine.

In order to ensure that the financial legal aspect of ensuring the state budget meets the requirements of the domestic development of Ukraine, it is necessary to make a number of significant changes to the Budget Code of the State and then, on the basis of the proposed changes, to improve the entire budget system.

**TYPES OF SPECIAL KNOWLEDGE USED IN THE INVESTIGATION OF CORRUPTION CRIMES**

***Shramko O.***

Director of Ternopil NDECC of Ministry of Internal Affairs of Ukraine

The subjects of the investigation of corruption crimes, along with legal knowledge in the field of procedural and substantive law, use the special knowledge of well-known persons - experts or experts who, in the framework of criminal proceedings, conduct consultations, various studies, engage in investigative (search) activities and conducting of examinations. So any investigation of crimes can not do without the use of special knowledge.

dThe purpose of the article is to study the types of special knowledge used in the investigation of corruption crimes.

The author is inclined to think of those scholars who consider knowledge in the field of forensic technology special. Basically, this knowledge is based on data from the natural sciences and engineering sciences. Such branches of forensic technology as gabitiology, fingerprinting are based on knowledge of anatomy and physiology of man, ballistics - on knowledge of physics and mechanics, explosion engineering - phyics and chemistry, phonoscopy and acoustics – physics, forensic registration – In the aggregate of branches of knowledge that determine the signs of accounting objects, and mathematics, system engineering, cybernetics.

The main types of specialist knowledge for the classification of forensic examinations are forensic, medical, psychiatric, technical, ecological and other knowledge, and according to the branches of knowledge used in the research, the expertise is divided into forensic, medical, biological, examination of materials, substances and products, environmental, economic, accounting, commodity research, construction-technical, automotive and other.

The actual research objects in which knowledgeable individuals use special knowledge can be various material and intangible objects and their reflection in the form of material and ideal traces, as well as the phenomena and processes that occur in the commission of these crimes.

The main types of special knowledge used in the investigation of corruption crimes are forensic knowledge, since rules of judicial photography and video recording, recording, handwriting research, money, documents and their requisites, small arms and firearms, ammunition, traces-reflections of various Material objects are studied by separate branches of forensic technology: forensic photography and video recording, sound recording, forensic track study (traosology),technical research documents, handwriting, forensic weapon (ballistics) and others.

The listed types of forensic knowledge that can be used in the investigation of corruption offenses are not exhaustive. They can also be attributed to specialist knowledge from other fields of science and technology. In particular: special knowledge in the field of materials, substances and products, explosives, economic knowledge, commodity science, automotive products, transport and commodity research; knowledge in the field of military property;special construction-engineering, land-technical, appraisal-construction, appraisal-land, road-technical knowledge and knowledge on land management; knowledge in the field of information and computer technologies, forensic medicine, psychiatry, psychology, art, individual branches of production, education, provision of services, etc. The use of specialist knowledge depends on the need for an investigator or court to investigate any crime and corruption in particular.

Conclusion. The special knowledge used in the investigation of corruption crimes includes the combination of scientific and practical knowledge and skills possessed by knowledgeable persons (specialists, experts) that correspond to the current level of development of the corresponding branches of human activity (with the exception of knowledge in the field of procedural and substantive law ) used by the investigator and the court in investigating and prosecuting offenses committed by the legislator in the category of corruption.