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Naukovy Visnyk Chernivetskoho Universitetu: Zbirnyk Naukovykh Prats. Vyp. 385: Jurisprudence. – Chernivtsi: Ruta, 2007. – 124 s.

The issue on the base of the newest achievements of legal science, law application practice, domestic and foreign experience touches upon the problems of theory and the practice of the various law branches, there are formulated practical recommendations to the legislator on the development of the legislation currently in force, as well as to the employees of law-protecting bodies on the application of the concrete norms of law in the circumstances of transitional society.

It can be used by scientific employees, teachers of institutions of higher and secondary specialized education, students, employees of law -applying and law-protecting bodies.

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E-meil: oleg@chnu.cv.ua © , 2007.

28.06.2007 . 60 84/8.
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” [25, c.9],

”[28, .205].

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 [32,
 .429].
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 ”[28, .188]. , ,
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 ”[33, .10].
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 ”[26, .38],
 [17, .95-103; 11, .139-
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 [7, .59-65; 27,
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[20, 21].

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[26, 94].

[28, .176].

[8, .135-282].

[15, .200].

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[29, .174].

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[18, 19, 5, 14].

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[13, 9, 12, 22, 3].

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[10, .176-178].

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8.	. – 2000. – .35. – .59-65.		.75.
9.	(. – 2002.	22.	, 2000. – .10-18.
10.	. – 1981.	23.	. – .: , 1970.
11.	. – 1984.	24.	. – ., , 1981.
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13.	. – 1970.	26.	. – 2002. - 4 (31).
14.	. – 1965.	27.	. – , 1974.
15.	. – 1988. – 24 .	28.	. – .: , 2002.
16.	. – 1981.	29.	. : 2 . .1:
17.	. – 1981.	30.	. – ., 2000.
18.	. – 1974.	31.	. – ., 1998.
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	(.1 –) //	33.	. – 5- . . – .: , 1987.
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	(.1 –) //	35.	. – ., 2001.
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N.S. Ney

THE METHODOLOGY OF THE LAW SCIENCE OF PUBLIC ADMINISTRATION

Summary

The methodology of the law science of public administration involves all methods of law sciences, but the basic methods are the system approach and the integrative method.

. - 551-579; 15, . 7-21].

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[12, . 278-279]. - (-

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[7, . 7].

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[4, . 16-18; 11, . 87-91].

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[8, . 455]?

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 1193, 1224). - 2004. – 780 . -
 3. . . . : -
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 - ., 1993. - 2. - .70-73. -
 4. . -
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 9. . . . -
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 10. , 1974. –
 256 . -
 11. . . . -
 , 2002. – 223 . -
 12. . . . / . -
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 13. . . . -
 (. 22.3.18) [2, . - : ,
 241]. , 1976. – 190 . -
 14. . . . -
 : , 1997. – 187 . -

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Savchuk S.V., Trofimova L.V.

PRESUMPTION OF UNGUILTINESS AS MEAN OF LEGISLATIVE TECHNIQUE

Summary

It is impossible to give the logical definition of the concept of guilt. Otherwise a concept with the opened structure will lose setting in a law. It is needed to outline the general going near the use of concept of guilt in opening of asocial properties of personality. The estimation of guilt depends on persons, which take part in collection and analysis of facts, fixed in the set order as proofs. Thus complication of establishment of substantial facts (legal competent proofs) is overcome the use of presumption of unguiltiness.

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[11, .48],

[13, .89],

() [7, .5].

« » [15, .26].

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» [5, . 189].

[16, . 130].

[1, . 2].

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[9, . 16].

[3, . 256].

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» [4, . 95].

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2. (...) //

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3. .., 1993.

4. .., 1995.

5. [2, .5].

6. .., 1916.

7. 1999.- 295 .

8. .., 2004.- 360 .

9. : , 2002.- 328 .

10. 12.00.12.- , 1998.- 36 .

11. // .- 2003. - 8.- .145-149.

12. // .. 2004.- 7(12).- .38-44.

13. : , 1999.- 136 .

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N.A. Guralenko

THE VALUE OF MULTYSOURCURAL LAW IN UKRAINE

Summary

The development of the law philosophy and the social law influence the revue the traditional thoughts about the code monopoly in the system of law sources in Ukraine. The multisourcural law will provide the effective defense of human right and freedoms in a process of the foundation of l legal state in Ukraine.

“ : ”), (“ ’ (“ ”) (“ ”) (“ ”)”).

[4, . 54].

” [6, . 66].

[11].

[5], [12].

[4], [6, 7], [14]

[1], [2], [14]

[3, 8, 13].

[17], [9].

“ ”.

” (1878), „ ” (1881), „ ?” (1881); „ ” (1895), „ ” (1897), „ , 1899”, „ ” (1900), „ ” (1900), ?” (1903), „ ” (1904), „ ” (1904), „ ” (1905).

”[14, .111].

1878 .

...”[10, .18].

...”[16, .45, .50].

...” [16, .48, .245].

” [1, .93].

”[16, .48, .246].

[4, .52-60].

” [16, .45, .54].

” [16, .45, .28].

” [16, .45, .112].

” [16, .45, .115].

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” [16, .45, .120].

(1903), “ ”(1907) ?”

” [14, .108].

...” [6, .62].

” [16, .45, .311].

.” [16, .45, .441].

1990.- 114 .

6. // . - 2000. - 1. - .62-72.

7. 2004. - 232 .

8. , 1999. - .409-416.

9. // . - 1999. .1. - .7-20.

10. , 1941. - 112 .

11. . , 1987. - 128 .

12. : 23.00.01 / - . - ., 1996. - 33 .

13. 1. : - . - . : 2001. - .86.

14. () // . - 2002. - 12. - .106-119.

15. , 1997. - .68-73. : . - . : , 2005. - 180 .

16. : 50 . - . : , 1976 - 1986.

17. : 09.00.05 / - . - ., 2001. - 21 .

1. : 1956.- 412 .

2. // .106-119.

3. , 1997. - .68-73.

4. - .92-96.

5. : , 1993. - 120 .

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O.B. Bunchuk

**THE CATEGORIES OF FREEDOM AND EQUALITY IN I.FRANKO'S VIEWS
ON THE ORIGIN AND THE ESSENCE OF A STATE
Summary**

In the present paper the philosophic works by I.Franko are analyzed and on the basis of philosophical and legal generalization the conclusion about the evolution of the categories of freedom and equality in the author's views on the origin of a state is drawn. Using the hermeneutical and comparative method the author of the article has determined Franko's conception of the essence of a state on various stages of the historical development of the mankind.

... [4, c. 271], ... [10, . 476], ... [6, . 49], ... [6, . 49; 7], ... [5, .4-5], ... [1; 2; 3; 8].

[6, .49].

[9, .59-67].

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[12, . 51, 64].

13 “ ” [11].

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15 “ ” [11],

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[13, . 41].

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2. . . . // . -1976. - 2.
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S.H. Melenko

**ROLE OF CONSOLIDATION AS TO THE TYPE OF SYSTEMATIZATION
OF NORMATIVELY LEGAL ACTS IN THE PROCESS OF FORMING OF NORM OF LAW**

In this article probed problems of the use of consolidation in the process of forming of norms of right .

[9, .15],

[9, .17].

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” [12, .97].

[9, .16].

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. - 1991 . - 50. - . 701. 9. . . , -

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Y.V. Podyma

NATURALIZATION TO THE CITIZENSHIP OF UKRAINE THE PERSONS WHO HAVE PERFORMED GREAT SERVICES FOR UKRAINE, AND THE PERSONS, WHICH NATURALIZATION HAVE STATE INTEREST FOR UKRAINE

Summary

In this paper the problem naturalization to the citizenship of Ukraine the persons who have performed great services for Ukraine, and the persons, which n aturalization have state interest for Ukraine is examined, as the one of principle foundations of regulation the citizenship of Uk raine, including historical aspect of development, theoretical basis and problems of modern regulation, proposition for consideration the perspectives of future development to a question.

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” [17, .417].

[8, .258].

[15, .184].

[14, .130-131],

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.436].

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(. . . .) .

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[13, .78].

1. “ ”// . - 1996. - 8.
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26 2007 .
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N.M. Protskiv

ABOUT THE CONCEPT OF DISSOLUTION OF CIVIL LEGAL AGREEMENT

Summary

The concept of dissolution of agreement is related to the fact of partial or complete non-fulfillment of agreement. Dissolution of agreement is an action, directed on stopping of civil legal agreement, and obligations related with him.

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1. () . - 2006. - N 32. - .271.

2. () - 1991. - N 14 - .170.

3. 1991. - 21 . - .252.

4. () - 2003. - N 49-51 - .376.

5. « 18-1 »

<http://zakon.rada.gov.ua>

6. 922 05.07.2006 « 2009 » // <http://zakon.rada.gov.ua>

7. « 19 20 »

8. » // <http://zakon.rada.gov.ua>

9. 14 2007 219 « » // <http://zakon.rada.gov.ua>

10. 12 2007 716 « » // <http://zakon.rada.gov.ua>

10. .- 2007. - 5. //

I.G. Kozub

AS TO PROBLEM OF LAW REGULATION JOB ABOUT LACK POSSIBILITY PERSON
Summary

In this article the author analyzed the present situation of law regulation job with lack possibility persons. On basis of this analysis the author makes a propositions as to improving of law making according to this problem.

[4, . 52].

.2 . 166 , .2 [1, . 11].

.126), (.1 [5, . 219-236].

166 ,

16 12.06. 1998 (-) [5, .215-236].

[4, .53].

[7, . 7].

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[3, .85; 6, .41; 9, .36; 2,

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(.2 .177) . - 12.06.1998 . -

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7. : . - : , 2002. -

- 240 . -

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8. . , 1995.- 180 . -

9. . - . : , 2004.- 160 . -

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.- . : , 2005.- 293 . -

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L.A. Kondrat'eva

**THE NORMS AND RULES OF CIVIL PROCEDURAL LAW CONNECTING WITH
THE TRIALS OF YOUNG PARTICIPANTS**
Summary

In the article the author analyzes the family relations with underaged persons in a court and according to this underlines that judges should use both – the norms of civil procedural law and the procedural rules, which are situated in a Family Code of Ukraine. They make mutual influence to the development of the Ukrainian civil procedural law.

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 (.104). : « .1 . 100 -
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1. , 2006. - 384 .

2. / - , 1997. - 430 .

3. . - . , 1964.

4. « » - : , 2005. - 432 .

5. : - 2005. - 624 . // . - 2004. - 7. - C.89-94.

6. , 2001. - 240 .

7. // . - 2005. - 3. - . 117-119.

8. , 2002. - 480 .

9. : - , 2006. - 448 .

10. : :

26 2007 .
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I.J. Tatulych

THE ORDER TRIAL IN CIVIL COURTS

Summary

In the article the author makes a complex investigation of the questions, which are connected with the Order trials in Ukraine. Also the norms of civil procedural law about this kinds of cases are analyzed forward the formulation of the own position according to some procedural issues.

) [17, . 11;
: 18, . 67 - 70].
[13, .15; 21, .232].
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(-),
» [3, .27].
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[18, .67 – 70].
()
) [21, .232].
: 1) [3, .26].
; 2) [6, .9].
(1360 .)
1864 .
[22, .10].

[25, .80],

« (17.12.1998),

% [8, .14].

30-40 [13, .9; 3, .29], [14, .276], [9, .177; 11, .27 - 41], [15, .16 - 19],

– 15 30

([23, .2]. [12, .7],

[8, .15; 14, .276; 19, .43],

2003 ([7, .7 – 9; 17, .15].

5 , 52 46

: 4 , 13 10 [10, .2].

2005 2004 (437,2 [19, .43].

30,5 %); 21,3 % - (4 . 842

) 22 % (3 . 909,2 .) [16].

125 . 19

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 [17, .15]. (, , , -
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 [19, .44; , , -
 26, .15], , , -
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 [7, .7-9]. (-
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); 2) [20, .14]. -
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. - ., 2003. - 19 // -
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 . - .: , 1991. - 1998. - 9. - . 79 - 85. -
 239 . 26. . . -
 22. . . : . -
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 - ., 1999. - 33 . 2006. - 20 . -
 23. - 27. . -
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 1999. - 4. - . 2-6. . - 2004. - 1 (31). - . 99-103. -
 24. . . -

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A.S. Tsybuliak-Kustevych

THE PRINCIPLES OF THE UKRAINIAN COURT SYSTEM CONSTRUCTION AND THEIR INFLUENCE ON A JUSTICE ACCESSIBILITY

Summary

This article is devoted to the research of the constructive principles of the Ukrainian court system (territorial principle and principle of specialization). Primary attention in the article is concentrated on the examination of essence and purpose of the constructive principles of the Ukrainian judicial system; and on the criteria of the courts' differentiation, which provides the optimal construction of a judiciary and accessibility of the justice.

.61].

[1,

[2, .6, 13].

[2, .23].

()", [12, .159, 181; 13, .82, 88].

" : " [8, 146; 9, .126].

[10, .33-35].

" "" ;

2) ; 1) ; [14, .135].

3) (). [15, .171-177].

[11, .40-45].

() XIX [12, .158].

" [16, 188].

" 1927 [17, 1)]

2) " " ,

1929	[22, .231].
" [18, .170].	
106-107].	[19, .1874. - 648 .
" [20, .88],	», 2003. - 600
" [19, 16].	1 2: , 1891. -633 .
[21, c.76].	1. - , 1898. - 246 .
	6. . . .
	., 1902. - 240 .
	7. . . .
	1907-1908. - ..
	1908.-196 .
	8. (. . .
). - . 2- ,
	, 1907. - 546 .
	9. . . .
	(. . .
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	. - ., 1911.- 506 .

10.		Munchen, 2004. - 853 s.	
()	17.	//
3-	, 1915. - 409 .		
11.			. - 1927. - 63-65.
:	, 1911.-287 .	18.	
12.			. - X., 1929. - 417 .
	, 1914. - 333 .	19.	
13.			. - , 1949. - 308 .
	, 1922. - 236 .	20.	
14.			. - , 1959. - 184 .
	. - X., 1924. - 258 .	21.	
15.			. - , 1946. - 431 .
	. - X., 1925. - 331 .	22.	
16.	Hartmut Maurer Allgemeines	:	. - , 1999. - 736 .
Verwaltungsrecht. 15. Auflage. Verlag C.H- Beck,			

22 2007
« »

Y.S. Grycenko

**FROM AN ADMINISTRATIVE ORDER TO THE INDIVIDUAL ACT OF MANAGEMENT:
SOME QUESTIONS OF DEVELOPMENT OF ADMINISTRATIVE- LEGAL TERMINOLOGY**

Summary

For today the most widespread term „individual act of management” next to which sometimes used et al, for example, unnormative (individual) legal act of state administration. It costs to mark that the use of different legal terms for the decision of the the same legal phenomenon is impermissible, as it deprives science of administrative law of unity, testifies to the insufficient level of its concept vehicle, brings in a mess in the use of administrative - legal terminology. That is why expediently, to our opinion to pass to the use of the unique term which the acts of application of norms of administrative law would be determined by - „ administrative act”.

[18, .65-67].

() [6, .32-33].

[8, .10], [16, .102].

[17, [5, .62-64].

.122].

: 1) [14, .8-9].

; 2) [11, .227].

[4, .264].

[1, .1, .2, .3].

[1, .6,8 .1 .3, .1 .6. .2 .11, .1 .12, .13, .3-5, 7-9].

(,, ”) (),

[12, .91-92].

([1, .96].

[10, .96-99],

[16, .102].

[13, .6].

[19, .217]. [2, .361-372].

XX [7, .45].

XX

[15, :„

[8, .10]. .54].

„ [9, .24].

[12, .91-92].

[6, .30],

[3, .305].

... , 2005. - . 361 – 372.

3. ...

4. ... , 1960. – . 307.

5. ... , 1972. – 302 .

6. ... , 1965. – . 62 – 64.

7. ... , 1962. – 41 .

8. ...

9. ... , 2004. – 23 .

10. ... , 1967. – 119 .

11. ... , 2006. – 8. – .96-99.

12. ... , 2003. – 240 .

13. ... , 1969. – 248 .

14. ... , 1954. – 14 .

15. ... , 1979. – 21 .

16. ... , 1992. – . 62.

17. ... , 1985. – 192 .

18. ... , 1974. – 1. – . 122-126.

1. ... , 2005. – 128 .

2. ... 2004 18 – / 2004, 1 – 10/2004 50

3. ... , 1985. – 192 .

4. ... () //

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W.P. Taranuha

**THE LEGAL NATURE OF THE OBJECT OF ADMINISTRATIVE PROCEDURAL
RELATIONSHIPS ON THE COURT**

Summary

The scientific article is dedicated to the very actual problem – the object of administrative procedural relationships on the court. The importance of definition of the object as an element of the structure of legal procedural relationships is that it describes the purpose and behaviour of its subjects.

[3, .148].

[18, .15-16].

” 15 2005 658

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[6].

”[8, .9].

[19, .33-34].

[17, .10].

”[4, .238].

[2, .28],

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[15, .26-27].

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[10, .9-10; 13, .105-106; 16, .5].

[11, .118-119].

„public service“

[11, .118-119; 12, .25; 14 .1-3].

[9].

; 2) (- 1996 // 28
 30, .141. , 1996,
 2. " " 28.12.1994 //
 ; 3) - , 1995, 4, .28.
 3. " " 22.02.2000
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 ; 4) , 4. 19.06.2003 // " 966-IV //
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O.I. Grygora h

**PUBLIC SERVICES IN SPHERE OF STATE ADMINISTRATION:
CONCEPT AND TABLE OF CONTENTS**

Summary

Concept „public finances” are the extraordinarily difficult and many-sided phenomenon, for today there is a necessity to describe more fully all of existent approaches in relation to his understanding, that after on their to create basis one or a few, to produce operating conception of grant of public services, which can be stopped up in basis of the legal adjusting.

« ?», « ?» . . .

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« » [14, c.199].

« » (. . . .) » [14, c.199].

(. - . .) » ,
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 « » [25, c.25, 91]. « -
 « » (-
 . - . .) » [25, c.92]. » [22, c.137], -
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 (. - . .) , -
 [25, c.94]. » [22, c.135]? -
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 ?» - : «... -
 « » [15, c.51]. -
 ? , , -
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 (. - . .) , , , -
 [15, c.20]. , -
 » [22, c.138]. -
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 (. - . .) , -
 » [22, c.140]. « -
 (. - . .) - « -
 » [22, c.140], - » -
 . « - : , , ,

[28, c.9-108].

)

[28, c.109-160].

» [17, c.370],

« ».

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» [32, c.387].

[7, c.281]

[8, c.128]. «

[19, c.12-13], -

[18].

» [22, c.138].

[16, c.29-31; 15, c.86].

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[23, c.46].

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[3, c.78].

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[11, c.45-46].

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» [31, с.58 -59].

[6, с.82].

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[22, c.138-139].

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[22, c.139-140]. .17 -
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[22, c.141]. « »
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» [14, c.201].
» [15, c.59]. : «
» [15, c.25].
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» [15, c.20] (

» [9, c.63].

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» [9, c.62].

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» [9, c.55].

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(.1 .53)

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[9, c.59-60].

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» [3, c.38].

«...» 18 1997 . «...» ,

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» [4, c.76].

» [4, c.76-77].

» 28 1994 . ,

» [24, с.79].

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» [13, c.117] (

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. 12. – : «
», 1996. – .3.

4. «
» 21 1992 //
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« », 1996. – .76.

5. «
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2007 //
. – 5-6, 7-8. – 2008. – .78.

6. .. //

. 348:
, 2006. – .82.

7. /
/ . – :
NOTA BENE, 2000. – . 281.

8.	21.
: . - .128.	. 6 . .2.
9.	. - .: ,2004. - .512-513.
	22.
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2004. - 9. - .59-60.	,2005. - .138.
10.	23.
. . . - ., 1992. - .17-20.	.
11.	. - .: ,2007. - .46.
. - ., 1988. - .	24.
45-46.	. - .79.
12.	25.
. - .: ,1952. - .193.	. - .: ,
13.	2003. - .92-93.
/ .: -	26.
- . - .: //	/
2006. - .117.	. - ., 2002. - .436-437.
14.	27.
. - ., 2006. - .198.	. ,1963.
15.	28.
- .	2005)// . - 2005. - 18
. - .: . ,, (694).	. - .28.
2006. - .51.	29.
16.	. - .: .
: . - .: ,2003. - 272 .	30.
. - .: ,2004. - .29-31.	. - .: -
17.	,2001.
. . .: « - 2000», 2003. - .370.	31.
18.	. . .: « -
. - ., 2002. - .59-65.	»,
19.	« »
. . . - .: .: / . . . ,	. - .: -
2001. - .12-13.	,2006. - .58-59.
20.	32.
. . .1.	. 2006. - .387.
(2-). 1. - -	33.
: ,2002. - 665: . - .: .
	,2003. - .6-41.

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L.V. Vakaryuk

**SUBSTANCIONAL QUALITIES OF TYPICAL LEGAL CONSTRUCTION OF FINANCIAL LAW
Summary**

At the first in the article in post-soviet science of financial law on the basis of approach of the systems are analysed substancial properties of legal constructions of financial law, as a system and structure; shown out conformity to law of it a type, incident to the legal constructions of financial law, obruntovano laws of system separatism and optimum of structure.

[9, .29-30].

[1, .129].

1.
 2. ,2000. – 624 .
 3. ,1970. – 392 .
 4. 2001. – 517 .
 5. 11: , 3. - .
 ,1989. – 48 .

6. : , 2005. – 180 . . – 2007. 11. – . 81-84. //

7. . – : , 2005. – 152 . . 1998. - 3. – .29-30. //

8. . – . . . , 2001. – 352 .

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14 2007 .

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O.K. Chernovsky

PSYCHOLOGY OF THE ACCUSED IN THE JUDICIAL MEETING

Summary

In this article an author exposes some questions of psychological description of defendant, his conduct, in the judicial meeting, grounds the necessity of research of these problems for the guarantees of steady observance of rights and freedoms defendant as a participant of criminal process

[18, 252]

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() () [6, .112].

([7, .44].

[2, .227].

[15, 17].

：“... () ()” [4, .9].

[1, .169-170].

1. 1987. – 205 .

2. , 23-24 2005 . – .35.

3. , 1991. – 350 .

4. , 1998. – 432 .

5. , 1980.- .9. 1985. – 54 .

6. , 1989. – 53 .

7. , 1997. – 160 ;112

8. , 1987.- 141 .

9. , 2005. – 180 .

10. 1988. – 224 .

11. 2002. — .161: . — .102–106.

12. , 1991. – 350 .

13. , 2007. 11. – .81-84.

14. , 1999.- 1.- .102-103.

15. , 1985. – 54 .

16. , 1998. – 56 .

17. , 1999. – 98 .

18. , 1998. – 285 .

19. , 2001. – 352 .

14 2007 .

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V.Y. Marchak

POSSIBILITY COMPLEX JUDICIAL - EXAMINATIONS FOR ESTABLISHMENT OF THE LIMITED RESPONSIBILITY

Summary

In the article probed possibility complex judicial - examinations for establishment of the limited responsibility. The problems of application of criminal -legal concept are also reflected responsibility in practice. In work certainly approximate list of questions which can be put before complex judicial - psychiatric examination for establishment of the limited responsibility.

111-140], . . . [1, . 260-308], . . . [2, . 136-156]. [3, . 136-156].

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[4, . 359].

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4. ,2003.

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 , 2007. - 1: (598) 20 — 26 2006.
 5. - 6. 2007 / “
 ”. - 37 (666) 6-12 2007.
 22 2007 .
 « » . . .

A. . Boyko

POLITICAL FACTORS OF MODERN ECONOMIC CRIME IN UKRAINE

Summary

The nature of interconnection of such social institutions as political regime and economy and their influence on economic crime in Ukraine during the period of transition to market economy is analyzed in the article.

The author concentrates attention on the political factors which have determined the peculiarities of the transitional period and have an influence on structure formation of economic crime determination.

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2003 10 : 1) « »; 2) « »; 3) « »; 4) « »; 5) « »; 6) « »; 7) « »; 8) « »; 9) « »

2004 5 : 1) « »; 2) « »; 3) « »; 4) « »; 5) « »; 6) « »; 7) « »; 8) « »; 9) « »

2005-2007 1) « »; 2) « »; 3) « »; 4) « »; 5) « »; 6) « »; 7) « »; 8) « »; 9) « »

2002 - 2, 2003 - 1,8, 2004 - 2,6, 2005 - 1,8, 2006 - 3,9, 2007 - 4 (. 2). 4) « »; 5) « »; 6) « »; 7) « »; 8) « »; 9) « »

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	»; 6) «	-							
69	»; 2) 194-1 «	-							
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258-2 «	»; 5)	258-3 «	-	2004	2007	.	2004	-
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3	: 1)	197-1 «	-	«			,	-
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158 (,	-	,	: 1)	176 «			-
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	,	2002-2007	-		,	,		,
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18)	6	-	198 «	,	,		»; 4)
			-		,			-
		2007	.	-	209 «	()	-
							»; 5)	216 «
		2005-2007			,	,		-
- 84%.	2001-2003		16.					-
2.		,	,	-				-
		.			»; 6)	228 «		-
2003-2007		,	,				»; 7)	229 «
								-
	2003							-
XVI	,						»; 8)	333 «
158.	3							-
								-
2004	: 1)				»; 9)	361 «		-
c	153; 2)	c	231; 3)	-				-
	232.			(')	,	-
								-
		2005	: 1)			».	2004	-
		c	384; 2)		4	: 1)	298 «	-
		c	385.	,				-
								-
	2006	8.	-					-
		2007	- 10	-	»; 2)	361 «		-
	: 1)		-					-
176; 2)				(')	,	-
	177; 3)							»; 3)
-	229; 4)	305.	362 «					-
								-
	,	18	.	(')	,	-
								-

265

»; 4) 363 « 414. 11

('), , 17 .

6. 2002

361 .

2005 : 1) 127 « »; 2) 2003 259. 401.

203-1 « »; 3) 289 « »; 4) 2006 . ,

388 « , - 176, - 177, - 229. 2005

» . 5

2006 : 1) 149 « »; 2) 240 . 2007

157 « 201. -

»; 3) 158 7 , 55%

« , 7. 2006 .

»; 4) 159 « »; 5) 303 « 2) 331. 2006 2 : 1) 230; -

2007 - 321 « » . 1 69. 258 -

231 . 50%

33% - 2004 . 2006 ,

».

2002-2007 , 13 ,

23 , 2 - «

2003 - 40%. » (8) « -

2004, 2005 2006 » (1 69). -

- 17, 17, 22%.

5. 15 -

259 - « 5 -

296, » , « -

158, 306, » , « -

306, - , -

21 II - , » , « -

164 - , « -

165. » , « -

2006 , » . -

: 1) 176; 2) 176; 3) 3 : 1) V -

177; 4) 229; 5) « , » - 30%; 2)

229. 2007

VII «	-	3.	-
» - 22%; 3)	IX «	:	1)
» - 13%.	V	,	; 2)
,	,	,	; 3)
«	»	,	; 4)
158-1 159-1.	158	,	; 5)
,	,	,	4.
.	176 177.	18	, 1
-	157, 158, 159,	, 5	, 1
176, 177,		1	, 1
158,		, 15	, 5
164,		3	, 23
165,	176	, 10	, 10
,	158.	1	10
,		.	2
-	176 177	, 1	, 3
,	- 31.	- 102,	
		(108),	
VII «		463.	
».	203-1, 209-	5.	
1, 212-1, 232-1.	231 232		
	229	,	
	231 232,		
	203-1, 216, 228, 229		
	229	.	
	230	231,	
	201	1.	
	229	21.06.2001 . N2542-III.	
	- 23.	2.	6.06.1995 .
IX «		N213/95-	
»	258-1, 258-2, 258-3,	3.	
258-4, 265-1, 267-1,	265	16.01.2003 . N436-IV.	
		4.	
	259	6.11.1991 .	
	265.	5.	
	259	30.06.1983 . N5464-X.	
- ,	259	6.	
		25.10.2001 . N2768-III.	
	2002-2007	7.	
		6.07.2005 . N2747-IV.	
		8.	
1.		10.12.1971 . N 322-VIII.	
		9.	
2001-2007		23.051995 . N176/95-	
		10.	
2.		7.12.1984p. N8074-10.	
	2003	11.	
		27.07.1994 . N132/94-	
		12.	
2007		5.04.2001 . N2341-III.	

13.	-	-	«	-
11.07.2003	. N1129-IV.		» N744-IV	15.05.2003p.
14.	-	30.	«	-
28.12.1960	.			-
15.				» N850-IV
21.01.1994	. N3852-XII.	22.05.2003p.		
16.		31.	«	-
11.07.2002	. N92-IV.			-
17.				
4.05.1993	. N3167-XII.		» N908-IV	05.06.2003p.
18.	10.01.2002 .	32.	«	-
N 2947-III.			«	-
19.				»
16.01.2003	. N435-IV.	N1098-IV	10.07.2003p.	
20.		33.	«	-
18.03.2004	. N1618-IV.			» N1130-IV
21.		11.07.2003p.		-
		34.	«	-
			» N1626-IV	18.03.2004p.
	()	35.	«	-
69	()			» N1723-IV
2	2004 N15- /2004.	18.05.2004p.		
22.	«	36.	«	-
				-
				-
				-
	» N2953-III	17.01.2002p.		-
23.	«		» N2252-IV	-
		16.12.2004p.		
		37.	«	-
		153		»
» N3075-III	07.03.2002p.	N2276-IV	21.12.2004p.	
24.	«	38.	«	-
	» N430-IV	16.01.2003p.		» N2289-IV
25.	«	39.	«	23.12.2004p.
		240		»
		N2308-IV	11.01.2005p.	
	()	40.	«	-
26.	» N485-IV	06.02.2003p.		()
	«			-
		«		,
	» N662-IV			,
03.04.2003p.)»
27.	«	N2322-IV	12.01.2005p.	
333		41.	«	-
N668-IV	03.04.2003p.			» N2456-IV
28.	«	03.03.2005p.		-
		42.	«	-
	» N669-IV	03.04.2003p.		
29.	«			
		» N2598-IV	31.05.2005p.	

43.	«	(	-	52.	«	-
	,	,	,			»
	,			N170-V	21.09.2006p.	
	)» N2734-IV	06.07.2005p.	-	53.	«	» N527-
44.	«			69		
289			»	V	22.12.2006p.	
N2903-IV	22.09.2005p.			54.	«	-
45.	«	(	-		» N534-V	22.12.2006p.
	)» N2984-IV	18.10.2005p.		55.	«	-
46.	«	,				-
	«		-		» N578-V	11.01.2007p.
		» N3108-		56.	«	
IV	17.11.2005p.				» N698-V	22.02.2007p.
47.	«			57.	«	-
			-			-
			-			»
	» N3169-IV	01.12.2005p.		N875-V	05.04.2007p.	
48.	«		-	58.	«	-
						-
		» N3316-IV				-
12.01.2006p.						-
49.	«			» N966-V	19.04.2007p.	
				59.	«	-
		» N3423-IV				-
09.02.2006p.						-
50.	«					-
	» N3480-IV	23.02.2006p.				-
51.	«			» N1071-V	24.05.2007p.	
			-	60.	«	-
			-			-
			-			-
	» N3504-IV	23.02.2006p.		» N1111-V	31.05.2007p.	

31 2007

« »

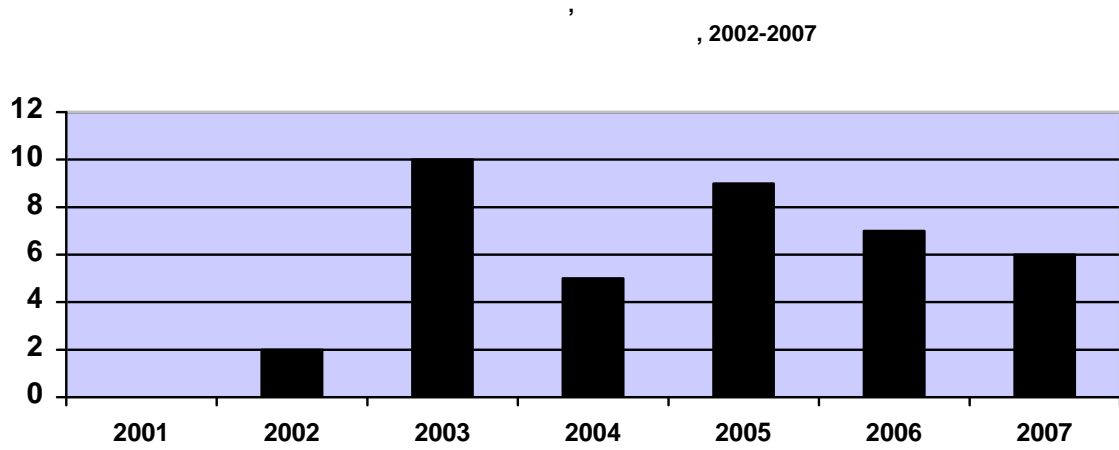
S.I. Nezhurbida

CHANGES AND ADDITIONS TO CRIMINAL CODE OF UKRAINE: QUANTITATIVE ANALYSIS

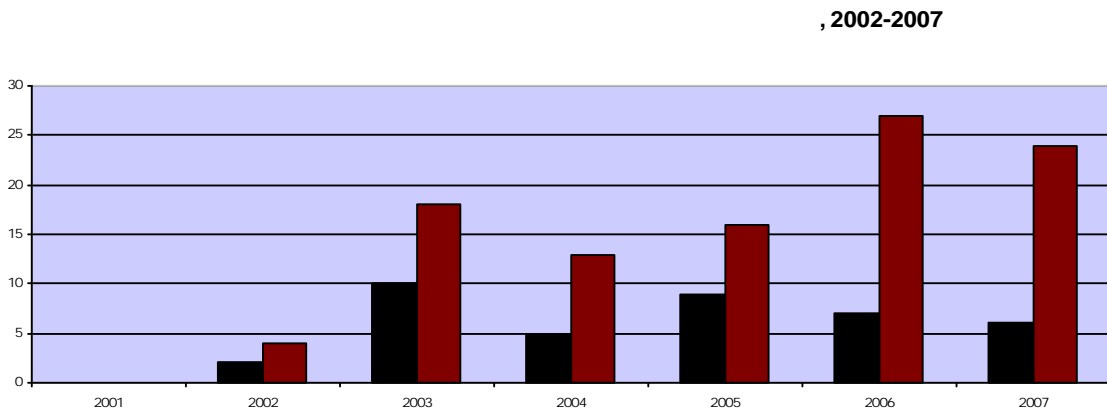
Summary

In this article the author makes an attempt to provide the quantitative analysis of changes and additions to Criminal Code of Ukraine, on the ground of texts of the 20th Codes of Ukraine, Decision of Constitutional Court of Ukraine and the 39th Laws of Ukraine. Some results are presented in Tables and Diagrams.

1							
, 2001-2007							
2001	2002	2003	2004	2005	2006	2007	
1.	1.	1.	1.	1.	1.	1.	1.
2.	2.	2.	2.	2.	2.	2.	2.
3.	3.	3.	3.	3.	3.	3.	3.

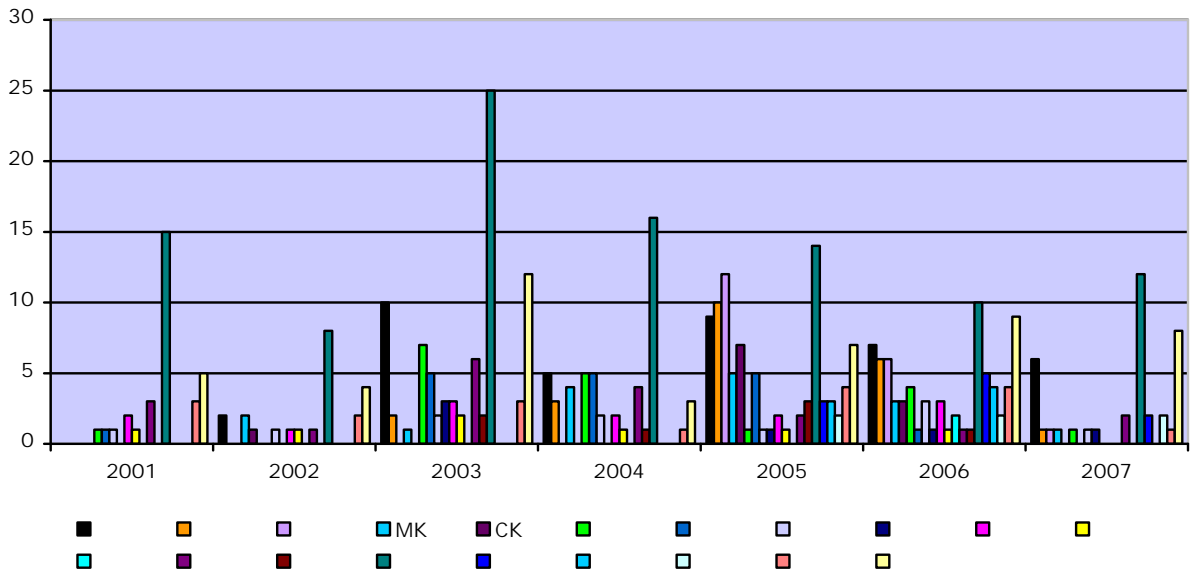


1



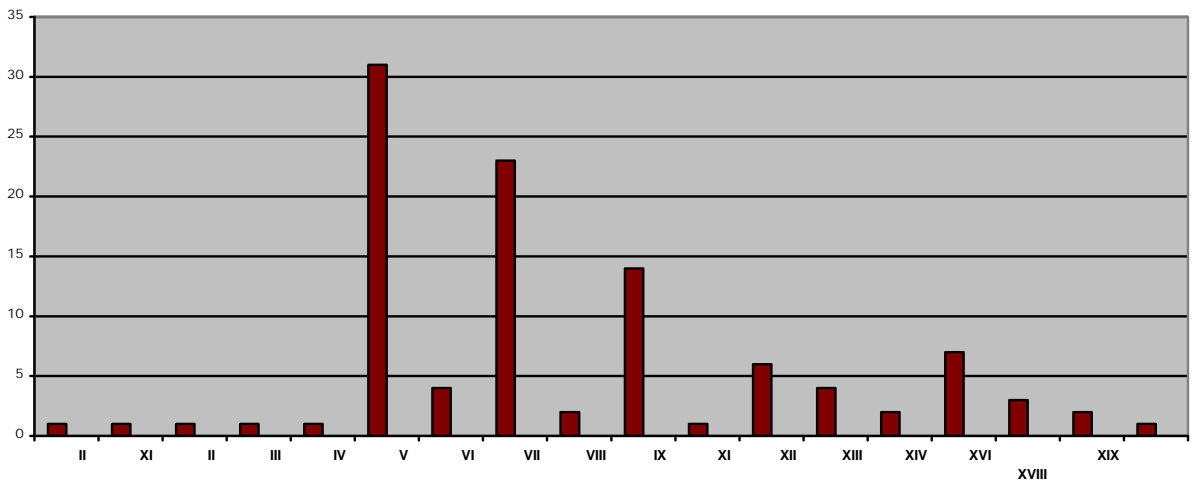
2

2001-2007



3

, 2002-2007



4

.53; 3, .106; 9, .18].

[10,

“+”

[6, .200].

: 1)

()

); 2)

() [1, .173; 4, .270-271; 5, .187-188; 6, .199-202].

()

, .4 .3

[5, .187].

.4 .3 , .5 .27

[1, .154;

3, .159].

.5 .27

.187

“ ”

...” [2, .149, 879].

”[3, .163].

“ ” ()

() () “ ”?

[1, .177].

...”[8, .106].

1960 .

(.213)

;) , - , , -
 “ ” , - , , -
 . 1. - , - ” ,
 , -
 () - 1. . . :
 , - , 1986. - 279 .
 - 2. / -
 2. , : « » , 2002. - 1440 .
 :) - 3. . . -
) : , 1999. - 200 .
 , - 4. . . . -
 , / ,
 , , - . - ,, 1997. - 512 .
 , , - 5. . . . -
 : / , 2002.
 - 432 .
 ; , , - 6.
 ; , - . - . , 2001. - 414 .
 ; - 7. . . . -
 . - ,, , 1954.-
 3. - 138 .
 .5 .27 : 8. . . . -
 “ , , - . : , 1941. - 160 .
 , - 9. . . . -
 , 1999. - 45 .
 10. . . . -
 , , , 1958. - 98 .
 31 2007 .
 « »

H.P. Zharovska

**CRIMINOLOGICAL CHARACTERISTICS OF FUNCTIONAL
 ROLE OF ACCESSORY OF CRIME
 Summary**

In this article the author has investigated the legal nature of an accessory's crime activity and has analyzed the efficiency of legal-criminal norms, regulating his responsibility. It is offered to mean intentional, systematical not promised in advance the concealing of a criminal, crime, implement or means of it's committing as method of accessory.

1.

1.1.3

1.2.

1.3.

1.4.

1.5.

1.6.

1.7.

1.8.

1.9.

2.

2.1.

0,5

2.2.

2.3.

2.4.

2.6.

2.7.

2.7.1.

•

2.7.2.

•

2.7.3.

