

renovation of the society and the state, acts as an objective and therefore fundamental condition and significant factor of the process of democratic reforms in our country, and pursues the global goal of establishing a democratic, legal and social state. This objectivation has been caused, firstly, by the fact that all Ukrainian citizens are involved in local self-government as they are residents of certain administrative-territorial entities, and, secondly, all the reforms being accomplished in Ukraine (political and economic ones) either directly are performed locally or having access to the local level. It means that, the local self-governments reflecting political, geographical, socio-economical, national and cultural features of different territorial entities contribute to their own identity re-enforce their affiliation to a certain territorial community and are of strategic importance in the process of social integration and political mobilization of the society.

This research gives the possibility to fill the voids in legal science of local democracy evolution in Ukraine and, based upon this, to reach the main objective of establishing impartial and intrinsic picture of Ukrainian society and state development, integral historical, legal and comparative experience of local self-government national systems along with solving their actual problems of engaging wide population strata in decision making process on the local level.

**Keywords:** legal identity; territorial community; local self-government; constitutional and legal status of territorial community.

UDK 342.72/.73

*Mykola Huralnyk* – Post-Graduate  
Student of Kyiv University of Tourism,  
Economics and Law

## **PROBLEMS OF DETERMINING CONSTITUTIONAL AND LEGAL STATUS OF THE OFFICE HOLDERS IN LOCAL PUBLIC AUTHORITIES IN UKRAINE**

In the article the author considers main conceptual approaches to the subject of constitutional and legal status of the office holders in local public authorities in Ukraine. It is noted that this status is the key feature enabling fundamental study of the nature and purpose of such authorities and office holders, as well as examination of their functions in the context of constitutional reforms in Ukraine.

The substantial modification of the tools of public authorities has not only touched the issues of transforming relationships in the sphere of public authorities but has also fostered setting up conditions for organizing a modern, democratic and effective system of public authority upon local and regional levels able to meet international standards and to realize integration processes in our country.

These constitutional regulations stipulated relevant requirements to organization and functioning of the public authority institutions in Ukraine as well as strengthening and provision of the rights and freedoms of a person and citizen.

In actual practice the constitutional and legal status of the office holders in local public authorities attains the perception of ambiguity, and the difference between legal and factual statuses causes some serious legal conflicts. At the same time, current Ukrainian legislation does not contain a firm list of matters for impeaching the head of respective local state administration by district and regional councils.

One more significant matter of such approach is that the Constitution of Ukraine contains a number of contradicting regulations that in practice cause constitutional and legal conflicts. This, in turn, causes the dualism in constitutional and legal status of a head of local state administration. That means that a heads of local state administrations are appointed and dismissed by the President of Ukraine after submission of the Cabinet of Ministers of Ukraine and at the same time they are responsible to the Cabinet and are supervised by the executive authorities of the higher level.

**Keywords:** constitutional and legal status; subject of constitutional and legal relationships; public authority; subjects of local self-government.