

## ABSTRACTS

**Volkov V.D.** *The legal status of the Mayor: the European experience.* — P. 29.

The article examines the place of the highest official in the local government system. Attention is paid to the foreign experience of municipal authorities organization in such countries as the USA, France, Germany, Russia, which greatly influenced on formation and development of local self-government in Ukraine.

**Zaharchenko N.A., Timofeev T.N.** *Legal support of the political parties' participation in the formation of election commissions.* — P. 37.

The article examines problems of the legal political parties' participation in the formation of election commissions on Presidential elections in Ukraine, people's deputies of Ukraine, deputies of local councils, rural township and city mayors. Based on a comparative analysis of existing legislation suggestions for improving the legal participation of political parties in the formation of election commissions are grounded.

**Kulakova E.V.** *The region in a system of local self-government in Ukraine.* — P. 43.

This article analyzes the relationship and the concepts of «area», «region». Analyzes the historical development of the regional government, the current state and development of legislation. Some suggestions to improve the system of local self-government are formulated.

**Nikolskaya O.V.** *The legal nature of property and legal properties the Ukraine Constitutional Court acts.* — P. 53.

The article critically analyzes the various scientific approaches to the definition of the legal nature of the e Constitutional Court acts. It also discusses the legal acts properties of a single body of constitutional jurisdiction in Ukraine. Particular attention is paid to the legal provisions that secure the finality of decisions of the Constitutional Court of Ukraine and the prospects for their improvement.

**Turchenko O.G.** *On the identification of categories of «interest» and «national interest» as the objects ensuring safety.* — P. 61.

The article provides a variety of scientific approaches to understanding the categories of «interest» and «national interest» as objects ensuring safety, the results of which prompted the author's concept of national interests, revealed their essence.

**Schebetun I.S.** *Model of local self-government: the concept, the relationship with the concept and system of local self-government.* — P. 67.

The article deals with the content of the concept «model of local self-government», examines the basis of their classification and content of certain types of models, it turns out the relationship between the concept and model of the system of local government.

**Bobkova A.G., Serebriakova Y.A.** *The guarantee payment as a way to ensure the execution of lease agreements.* — P. 79.

The actual problems of application of the guarantee payment as a way to enforce lease agreements are examined. The Court Practice of guarantee payment qualification is analyzed. The signs of deposit and pledge identified on practice as guarantee payment are studied. The legal nature of the guarantee payment by lease agreements is clarified. It is proposed to enshrine the guarantee payment as an independent way of enforcement of lease agreements.

**Titova E.V.** *On the bankruptcy of state enterprises and enterprises with state shares.* — P. 91.

Some innovations in the field of bankruptcy of state enterprises, which were introduced by the Law of Ukraine of 22.12.2011 «On Amending the Law of Ukraine «On the reconstruction of the debtor's solvency or declaring bankruptcy» are considered. It is examined

the provisions on participation in the meeting of creditors and the committee of creditors representatives of the body authorized to manage state property, and the appointment of trustee in the event of commencement of the bankruptcy of state enterprises, or enterprise the registered capital of which the share of state ownership exceeds 50 percent. Proposals for the improvement of relevant legislation are substantiated.

**Trofunenko N.V.** *Certification of executives in the construction industry.* — P. 97.

This article analyzes the provisions of the current legislation of Ukraine concerning the order of qualifications of architects, engineers, planners, engineers, technical experts and supervision. On the basis of legal practice concludes the feasibility of establishing a specific list of persons for whom the certification is mandatory, the selection order of specialization, the examination and assessment of knowledge of construction methods.

**Cherkaskaya N.V., Tregub A.A.** *The limitation, the temporary ban (suspension) and the termination of power facilities as sanctions for violation of environmental laws.* — P. 103.

The scientific approaches for the limitation, a temporary ban (suspension) and the termination of electric power facilities are concretized. The form of legal liability, which belongs to the sanctions, is clarified. The range of powers and authorities for a decision on the limitation, a temporary ban (suspension) and the power facilities termination is investigated, and the ways to overcome the problems are identified. The necessity of making changes to the base application of these sanctions, is grounded.

**Shcherbinina E.V.** *The artel in the Ukrainian lands of the Russian Empire: the evolution of legal status.* — P. 121.

The article traces the evolution of the legal status of the artel in the Ukrainian lands of the Russian Empire. The analysis of the historical and theoretical aspects forming the legal status of a modern form of production cooperatives in Ukraine is made. The different types of artel formations created in the Ukrainian lands are described. The artel property peculiarities are revealed. The evolution of its legal regime is traced.

**Slavova N.A.** *Anthropocentrism as a principle of law-making.* — P. 134.

The principles of law-making as key requirements, rules of creation, adoption laws and regulations are considered. Emphasis is placed on the principle of anthropocentrism, which is fundamental in the law-making and the functioning of legal system.

**Antoniuk E.I.** *Refund policy on legal assistance in civil proceedings.* — P. 151.

Problematic aspects of cost recovery for legal aid in civil proceedings in Ukraine are examined. Analyzed the appeal and cassation court practice in terms of compensation of such costs, as well as proof of their measure. Based on the analysis of legislation, decisions of the Constitutional Court of Ukraine, Court Practices and scientific literature the conditions of reimbursement of expenses on legal aid are identified, as well as their right to compensation in the case of legal assistance given by specialist in the field of law in the procedural status of the representative.

**Krasitskaya L.V.** *Determination of motherhood and the recognition of motherhood as a means of protecting family rights of mother and child.* — P. 159.

The article defines the legal regulation peculiarities of relations to establish the existence of maternity and motherhood recognition by the court. It is concluded that the finding of motherhood and the recognition of motherhood are ways to protect family rights of the mother and child set entirely by law and can not be specified by agreement between the parties. It is proposed to expand the range of persons who may apply to the court for recognition of motherhood by the court.

**Moiseyev A.M., Legostayev A.A.** *Experimental study of forensic expert's distance examination.* — P. 174.

The information component of the expert's interrogation by videoconference is investigated. The method of the experiment used. It is modeled with the help of master's degree studies and reports before the members of the Commission via Internet. Speeches were heard in a specially equipped laboratory in the presence of students and teachers. Head of the experiment served as moderator, carried out the remedial order of expert interrogation, changed videoconferencing channels, managed cameras and screen location. The experiment results in confirmation of perspective implementation of forensic expert's distance examination. It is noted that the main drawback of remote interrogation is due to the limited transmission of non-verbal component of oral communications, as well as due to the subjective attitude of the researcher to the results obtained. Special training recommendations for the judges and experts how to participate in the distance proceedings are formulated. It puts more emphasis on the need for explication frankness and confidence of expert in the results of the examination.

**Samojlenko E.A.** *Background of development for forensic techniques of investigating crimes committed on the Internet.* — P. 181.

The article investigates the objective conditions of development techniques to investigate of crimes committed on the Internet. The article provides theoretical propositions formulated by the analysis of research and practical experience of law-enforcement agencies in the fight against computer and traditional crimes. It is noted that for the purpose of developing investigation methods of crimes committed on the Internet, it is possible to identify such objective conditions of its development: individual tactical bases of the methods due to the transnational nature of the technology crime; the methodology must offer new and improve existing tactical electronic means of collecting evidence of origin; applying the methodology to solve a specific list of general theoretical issues of construction of forensic techniques. It is proved that the typification of mechanism for such crimes is directly related to the content of service or agreements given or entered into by entities that have suffered from criminal acts, as well as the type of information and communication technologies, with which an event has occurred on the Internet.

**Sednev V.V.** *Understanding the genesis of special knowledge.* — P. 186.

The genesis of understanding of specialized knowledge is studied. The article is an analysis of the influence of the basic premises of judicial expertise on the structure of its theory and function. The dialectic concept of competence is considered. The basic contradictions of the judicial examination, asked a shift of scientific paradigm are Identified and described.

**Semykin N.V.** *The subject of terrorist crimes.* — P. 195.

The article analyzes the characteristics of the subject of terrorist crimes as one of the essential elements of the offense and the evidence of a crime, distinguishes between the «perpetrator» and «subject of responsibility for the crime». Suggestions for improving the criminal law on these issues are made.

**Valitov S.S.** *Competition advocacy by competition authorities.* — P. 207.

The article discusses the contents of competition advocacy by competition authorities, in particular the assessing of government decisions impact on economic competition.

**Kostenko Y.A.** *On the order of organizing of the desk audit.* — P. 216.

The article investigates a form of fiscal control — tax audit. Basing on the analysis of regulations and the scientific literature the features of tax audit organization and holding are substantiate. Particular emphasis is also given to the allocation of problematic issues. The author justifies and proposes directions of legislation improvement, namely: the timing of desk

audits is determined, the procedure of claiming tax information at the time of its signing and procedures are specified.

**Synkova E.M.** *Organizational and legal support for strategic audit at the executive authorities.* — P. 222.

Examines the features of the organizational and legal support of strategic audit in the public sector. To improve the organizational and legal support of the strategic audit the author substantiates the need for consolidation of the comprehensive system for efficiency assessment of executive powers that are institutions for target programs. The author also proposes how to implement a package of measures for improving the institutional, regulatory and methodological support of strategic audit at the executive authorities.

**Tregubets N.A.** *On legal regulation of arranging inspections by antimonopoly authorities.* — P. 228.

The article deals with peculiarities of legal regulation of arranging of inspections by antimonopoly authorities regarding compliance with the legislation in the sphere of the protection of economic competition, the grounds for unscheduled inspections are considered. In the process of study substantiates the necessity of expanding the grounds for the verification of compliance with Competition Law. Proposals developed for amendments to the existing legislation on a clear definition of the circumstances under which unscheduled checks may be carried out by territorial divisions, namely, on its own initiative, the Antimonopoly Committee of Ukraine and at the request of Prosecutor's Office, which will implement control functions antimonopoly authorities of Ukraine in full.

**Queer Y.V.** *On the relation between the concepts of the business name, brand name, the name of the legal entity.* — P. 271.

This article analyzes the concept of the business name, its functions. Investigated the relationship between the concepts business name, brand name, name of the legal entity. It is proved that the concept of brand name and business name are synonymous, but the use of two concepts complicates the application of law.

**Pravdichenko A.A.** *On the order agreement between the financing fund manager and developer.* — P. 280.

The article analyzes the order contract between the financing fund manager and developer. Purpose, object, the order of execution and termination of the contract, the legal consequences of its implementation are studied. The comparative analysis of order agreement under the Civil Code of Ukraine on the specified criteria is made.

**Terovanesov A.M.** *Historical and legal background of introducing a system of health insurance in Ukraine.* — P. 286.

The article examines the social, economic and legal preconditions of formation for health insurance in the Ukrainian lands in the XIX — early XX century. The factors that led to their formation. A classification of legal conditions, which will determine the ways of the development of the health insurance system in modern Ukraine and improve its legal framework, is suggested.

**Chubarova E.A.** *On the concept of constitutional responsibility of local bodies and officials.* — P. 293.

The article examines the concept of constitutional responsibility of local bodies and officials. In this case, liability issues are discussed in a "positive" and «negative» aspects. Based on consideration of the general theoretical concepts of legal and constitutional responsibility the constitutional responsibility of local bodies and officials is defined.