

ABSTRACTS

Zeldina E.R., Todua T.L. *The development history of legislation on commercial mediation.* — P. 5.

The paper analyzes the stages of development law of commercial mediation. This paper presents analysis of Soviet legislation concerning the subject. Highlights the peculiarities of legal regulation of mediation in this period. The authors show that the relationship of mediation existed before the adoption of the Commercial Code of Ukraine. The theoretical aspect of the issue is examined.

To systematize the legislation in the sphere of legal regulation of commercial mediation it is proposed a classification of these stages.

Kutsurubova-Shevchenko O.V. *Economic and legal aspects of scientific parks functioning.* — P. 11.

The process of development of the legislation which regulates activity of scientific parks is investigated in article. Their place among participants of innovative infrastructure becomes clear. Own vision of their possible organizational and legal forms (as economic society, authorized or contractual economic association) are offered and suggestions for improvement of the legislation regulating activity of scientific parks are given.

Lyashenko S.V. *On the legal means of state support of small business.* — P. 20.

The author analyzes the concept, framework and priorities for the use of legal means of state support of small business, paying attention to their complex legal nature.

Legal means of state support for small businesses — is a specific system of legal means «associations in some areas of legal regulation of small business in unique modes and mechanisms to ensure effective problem solving for small business. In general terms, they are complex legal phenomena, which are reflected in the instruments (regulations, installation) and acts (ies) in which the interests of the sub *zadovilnyayutsya*» objects rights ensured harmonization of private and public interests and the optimal mix of private and public purposes of government support small business.

The author considers the legal basis for the use of state support of small business, paying attention to their complex legal nature; concludes that the comprehensive use of legal means of state support of small business, coupled with economic means, provided that certain «legalization» will promote the development of small business and create the necessary conditions for this.

Shapovalova O.V. *Interpretation of the economic risks associated with public-private partnership.* — P. 27.

Economic risks associated with the public — private partnership, have a dual economy-legal nature. In this article, they are studied in their perception of the object of control. This view regarding the interpretation of the study of economic risks that accompany the contractual relationship PPP provides cohesive unity of theoretical — conceptual apparatus. In consequence of it, requirements of law and the legal framework of economic use of state and municipal property, natural resources and other forms of wealth of the people of Ukraine become more clear and understandable.

The analysis of legal issues dealing with identification of the risks associated with public-private partnerships and prevention of legal problems of state and government undue interference in business activities of the private partner during the detection procedure is conducted.

Zhurba A.I. *The hierarchy of the focus of the criminal justice Ukraine.* — P. 34.

The article describes the main categories for orientation of Ukraine as a criminal justice system. We have studied the basic theoretical principles that determine the result of the criminal proceedings. Attention is paid to the content of the goals, objectives and purpose of the criminal proceedings in Ukraine. Based on the study of the state of modern scientific thought the author offers three levels of directional signs of the criminal justice system. An indication of the highest level is proposed that the purpose of criminal proceedings, which shall include the meaning, society's expectations of this legal industry, the overall result. The second level has to absorb the content (possibly consisting of several elements) the purpose of criminal proceedings in the form of an equitable solution, re- convicted or technology without purpose, etc. Invited to the third level, which should be identified with the objectives of the criminal justice and comply with the provisions the implementation of which would achieve a certain goal. Attention is drawn to the fact that the conclusions of the work are the initial character and completeness of these elements should be studied separately in future studies.

Ryadinskaya V.A. *The evolution of the universality principle of taxation and its implementation in the taxation of natural person's income at the modern stage in Ukraine.* — P. 41

The paper considers the evolution of the principle of universality of taxation as the main principle of the tax system. The author analyzes the theoretical approach to its definition at the main stages and determines the specificity inherent in the definition of this principle in the eighteenth, nineteenth and twentieth centuries, and at this stage in Ukraine. It is concluded that as a result of financial thought the principle of universality of fixing the duty of every person in the country to pay taxes and duties evolved to determine the general obligation resident individuals who receive income from a source in Ukraine and foreign income and non-resident individuals who receive income from a source in Ukraine to pay statutory taxes and fees subject to the provisions of international agreements (treaties, conventions, covenants, etc.) to avoid double taxation of the income taxation of non-residents using the social benefits and tax exemption from personal income taxation of non-resident, having diplomatic privileges and immunities established by an international treaty of Ukraine.

Shishov O.O. *Theoretical and legal foundation to protect the rights of taxpayers.* — P. 48.

A concept and essence of protection of rights for the payers of taxes open up in the article. An author is advance arguments in behalf on differentiation of concept «Protection of rights» from another, theoretical constructions closely associated with him. Certain attention is spared to the analysis of normatively-legal acts, qualificatory bases of institute of protection of rights for citizens. Position yields to criticism in relation to fixing of right of defence through a category physical person, but not through the common concept of taxpayer. An analysis over of the folded general-theoretical conceptions is brought in relation to this question.

On the basis of analysis of the different going near maintenance and determination of protection of rights determination of concept «Protection of rights for the payers of taxes» is set forth.

Gudima T.S. *Changing of emphasis public policy in the field of venture capital investment.* — P. 55.

The relations of venture funds and banks concerning formation and implementation of the state investment policy, practical activities of bodies of the state on its realization, and also influence of the last on contents of the investment legislation, program and conceptual documents are investigated in article. Modern problem questions of legal support of effective

realization of investment policy of the state in a field of activity on venture investment are allocated. Such legal support imperfect is recognized and ways of its change are offered.

Expediency of change of accents in definition of the bases for granting the state guarantees in the sphere of venture investment is proved. The necessity to encourage banks to venture capital by providing government guarantees, but not as a subject of venture capital relationships, and as their participant (venture capital fund) is proved. Granting the state guarantees to venture institutional investors with allocation of qualification signs of an investment of such investor which existence grants the right to a guarantee of its protection is offered.

Kushch L.I. *On the issue of the legal status of entities operating in the sphere of health care.* — P. 65.

The article considers the provisions of prospective legislation defining the status of the entities that carry out activities in health care. During the study was the necessity of clarifying some provisions regarding definitions of basic concepts, the division of budgetary institutions and state (municipal) enterprises in this sector of economy additions to the classification of health care institutions, the establishment of restrictions concerning the creation of public (municipal) non-profit companies in the sphere of medical care. Proposals on perfecting the perspective of the legislation defining the status of the entities that carry out activities in health care.

Selivanova I.A. *Legal status and types of the joint-stock companies in which the state is a shareholder.* — P. 72.

The article considers the problems of legal status of the joint-stock companies in which the state is a shareholder, types of such companies and the problems of legal regime of property thereof. Based on a comparative analysis of the legislation governing the issues raised in the article the author grounds the proposals on improving the mechanism of legal regulation of such joint-stock companies' activity.

Sokolov M.V. *On the improvement of the legal framework of entities' material and technical supply.* — P. 80.

The article is devoted to research of legal framework of material-supply of business entities with a purpose ground of the proper directions of its development.

It ascertained that a material supply is carried out on identical bases in all spheres of economy, and substantive provisions for his realizations must be fastened exactly in the Economic code of Ukraine. In this connection, it grounded fixing in it the concept, contractual forms and stages of material supply. On the basis of analysis of practice argued of acceptance of new position about supplying of capital goods and fixing in it the bases of establishment of the protracted economic relations and long-term contracts of delivery. It introduced suggestion instatement of new instructions about the order of acceptance of products in quality and to the amount on the basis of operating instructions P-6 and P-7 by an exception from them of out-of-date norms. Realization of the suggestions will be instrumental in the improvement of legal framework of material-supply and providing of business entities physical resources on the whole.

Chukhraev D.A. *Improving the procedural status of the guarantor to be employed during the pretrial criminal proceedings in Ukraine.* — P. 88.

The article deals with the rights and obligations of third parties during the use of personal guarantees. The author proposed the definition of the term « third party ». Indicated that the main requirements that apply to a third party which is drawn to the pre-trial restraint must not only trust, but a real opportunity to ensure the proper conduct of the suspect or the accused. The

necessity to differentiate and clearly define the status of the person who just wants to Bat by a third party and one that has gained him in accordance with the decision of the subject, the criminal proceedings or decision of the investigating judge. Expressed by the author of the proposal regarding the rights and obligations of the guarantor will contribute to the improvement of its procedural status, which in turn will provide the basis for the realization of his procedural rights. Also, the system of rights sponsor will ensure the effectiveness of its participation in criminal proceedings.

Bulatov E.V. *Legal qualification of the form of ownership of non-commercial organizations.* — P. 95.

The article is devoted to substantiation of determining the place of non-profit economy sector organisations in the system of property forms and types. The topicality of this problem is that non-profit organizations in terms of the current legislation of Ukraine certainly can not be attributed to any known forms of ownership. In addition, these organizations are in the border zone between two main types of ownership – the type of private property and the type of public property. This problem is compounded by the fact that since 2007 in Ukraine the official statistical classification of ownership forms has been cancelled.

Basing on the current legislation it is argued that two groups of non-governmental non-profit organizations can be defined within the non-profit sector of the economy. The first group includes non-commercial organizations with economic form of activity (called «market»), and the second one comprises non-profit organizations set up to perform social functions (they are called «non-market»). It is proved that the non-profit organizations of the first group tend to be the type of private property by their nature, introducing an independent form of ownership in its frames along with such forms as corporate (property of economic societies), cooperative (the property of production and consumer cooperatives) and private (civilian property). Non-profit organizations of the second group (which includes public associations, political parties, religious and charitable organizations, in particular) tend, on the contrary, to be the type of public property, also introducing in its frames a separate form of ownership along with the state and communal property.

In such a manner, the article shows that there are both economic and legal grounds for extensive understanding of the range of subjects of public property. Namely, the latter may well be attributed to above mentioned non-profit organizations of social orientation. The degree of proximity of the legal regime of property of various kinds of these organizations to the legal regime of state and communal forms of ownership is different; however this does not impede the unification of such organizations in the framework of an independent form of public property.

Krestyannikova O.A., Romenskiy A.A. *On the implementation of the incentive function of taxes.* — P. 101.

The article deals with the research of one of the tax functions incentive one. A few forms of its realization is the establishment of tax deductions and introduction of the alternative systems of taxation are in-process reasonable. The special attention is spared to the analysis of the legal adjusting of the simplified system of taxation for small business entities, that shows up in form the united tax. The features of his collection are distinguished, positive parties of application are described.

The problems of legal regulation of alternative systems of taxation in Ukraine are investigated in the work. The peculiarities of consolidated tax liability of alternative taxpayers are singled out in the first chapter as well as the criteria of defining the small business subjects

as taxpayers are analyzed here too. Researching the nature of unitary and fixed taxes the author defines them as the special tax regime.

Levendarenko O.A., Kondratenko V.I. *The realization of principle of the rule of law in the right of suspect to his own opinion choose defender in the criminal procedure of Ukraine.* — P. 106.

We have considered the right of a fair trial, namely that everyone charged with a criminal offence has rights to defend himself through legal assistance of his own choosing. We have analyzed the laws and regulations changes on this issue. A special attention has been paid to the participants of representative defence side. New Criminal Procedure Code of Ukraine has limited the choice of those participants establishing that the criminal defence lawyer should belong to the National Association of advocates, that included in the Unified Register of Advocates of Ukraine. This kind of change may reduce suspect's rights to choose a defender by himself. We have grounded the opinion requiring changes to the articles of the Criminal Procedure Code concerning this question. Our position is based on the results of analyzing the European Court of Human Rights cases, judgments adopted by the Constitutional Court of Ukraine, international experience and minds of scientists. Providing the principles of the rule of law and the right of a fair trial are substantiated by such cases as the proceedings in European Court's of Human Rights, which admitted that Ukraine commits the human rights guaranteed by the Article 6 of the European Convention. And decisions of The Constitutional Court of Ukraine, which legitimized the possibility «everyone's right to choose his defender in his own opinion». In accordance with these decisions, positive international experience and minds of science, the criminal procedure legislation should be improved right. We suggest that domestic legislation had to be brought in compliance with the principle of the rule of law and the right to a fair trial.

Slobodyan O.A. *Civil legal description of asset management relations in joint investment.* — P. 116.

The article considers the management of property collective investment institutions. The main attention is paid to the subjects, the legal and factual content and features of the legal implementation of collective investment management. The author proves a civil nature of these relationships. When managing a collective investment there is a system of civil law relations, which combines two independent and interdependent group relations («internal» and «external» relationship). «Internal» relationship with the management of investment funds reflect the relationships that exist between equals and property separate subjects of civil law — parties to collective investment undertakings and asset management company. The author concludes that the management of the investment fund is a kind of property management with its inherent differences, due to the legal regulation of collective investment.

Albul S.V., Kuznichenko S.A. *Raiding: the issue of the development of the National Strategy of resistance.* — P. 122.

The thesis is one of the first complex monographic researches in the local legal science concerning problems of establishment and development of the anti-raider toward public programs of Ukraine which finds out its essence and features, and also offers scientifically proved recommendations for its improvement and emphasizes its connection with raiding in Ukraine.

This article focuses on the actual problem of development of public measures against raiding in Ukraine. The essence and basic factors of raidership exposed, the scale and rate of raidership in Ukraine determined, the means of take-overs and acquisitions and negative

consequences of raidership defined, the basic ways of overcoming raidership in Ukraine developed.

The article defines the institutional and legal framework for the development of the State strategy against raiding in Ukraine. The authors have reviewed the existing points of view, the global and domestic anti-raiding practices express their own vision of the problem and offer a qualitatively new approaches to the development of anti-raider toward public programs.

Bogatyryova O.I. *Public participation in the process of correction and resocialization condemned, under registration criminal and executive inspection.* — P. 129.

In the article an author considers public participation in the process of correction and resocialization condemned, subregistration to the criminally-executive inspection.

It is established that the public role in condemned life which are under registration of criminal and executive inspection, unfortunately, has no system and effective character which not absolutely answers the principles proclaimed in the Criminal and executive code of Ukraine. Thus, functioning of the supervisory commissions creates real conditions for public participation in the process of correction and resocialization condemned and implementation of public control over observance of human rights both during serving of criminal punishment, and during the post-penitentiary period. It is noted that it is worth involving surely representatives of the non-state organizations, and also any members of human rights organizations for the supervisory commissions.

It is offered to raise a role of the public and to improve its interaction with criminal and executive inspection for ensuring observance of the rights and freedoms of the person and the citizen, carrying out educational actions, prevention of commission of new crimes by persons, subregistration to the criminally-executive inspection, and also assistance in social adaptation of the persons which have been conditionally ahead of schedule exempted from serving of punishment by creation of body of a probation with large legal and social powers which would carry out social work and exercised supervision of persons who are now under registration of criminal and executive inspection, instead of the last.

Butkevych S.A. *Money Laundering and Corruption: Real and Potential Threats.* — P. 135.

The thesis is one of the first complex monographic researches in the local legal science concerning problems of establishment and development of the anti-money laundering system of Ukraine which finds out its essence and features, and also offers scientifically proved recommendations for its improvement and emphasizes its connection with corruption and corruption-related offences.

In article the organizational, legal and tactical framework for prevention and counteraction to legalization (laundering) of incomes received in criminal way and corruption are determined in details; also its interdependence, relationship and interrelation are investigated. Methodological bases of anti-legalization and anti-correctional legislation of Ukraine are investigated, sources of legal regulation anti-legalization systems in particular are determined, social, economic and political value of financial monitoring is established.

On the basis of summarizing the recommendations of international organizations and positive experience in this field developed proposals for improving the mechanism to combat to its essential components of economic crime. The basic attention is given to prospects of the further development of financial monitoring, first of all to improvement of the mechanism of interaction of subjects of financial monitoring with law-enforcement and other state bodies, and also optimization of the international cooperation in this sphere.

Yemets O.N. *Legal aspects of the international cooperation law enforcement agencies.* — P. 142.

The questions of legal support of the international cooperation in combating crimes are considered in the article. The analysis of scientific literature sources on the topic, and also opinions of scientists and practical workers in this sphere is carried out. Provisions of the United Nations Convention Against Transnational Organized Crime which regulate cooperation of law enforcement agencies in the world are studied. Progressive forms of cooperation of law enforcement agencies which gradually take root into practical activities according to international legal acts are considered. The condition of implementation of these rules of law in Ukraine is investigated. The analysis of the national legislation in this sphere, in particular separate articles of the Criminal procedural code of Ukraine, and also comparison between it and separate provisions of international legal acts is carried out. The conclusions display author's opinion on further improvement of legal support of the international cooperation of law enforcement agencies.

Rozgon O.V. *Features tab order property rights on shares.* — P. 149.

The paper deals with the transfer of rights to uncertificated securities, including shares in the offer application assignment, endorsement, transfer, determine the time of the conclusion and execution of the contract of sale of shares. The authors proved that in respect of the right of ownership of shares and interests of the authorized subjects in civil law establishes basic criteria for civil transfer of ownership of shares. The study examined procedural aspects determine ownership of the share, grounded on the belief that the shares in uncertificated form is a group of securities with an independent, inherent way of transfer of rights. And as the action itself, as an object of property rights arises from the moment of the account owner of record of shares of enrollment, therefore, the shareholder may enter into a contract of sale of shares, which were issued in non-documentary form, only after transfer of these shares to his personal account, outdoor keeper. The author has shown that the transfer and payment of securities, even if they coincide with the timing of imprisonment and execution of the contract of sale of uncertificated securities, including shares, means the fact of performance of this contract properly.

Pilipenko A.N. *Evaluation competent experts.* — P. 159.

Appraisal criteria of expert evidence are investigated in terms of procedural equality principle and criminal proceedings of adversarial parties. It is pointed to the problematic positions of the Criminal Procedure Code of Ukraine concerning the understanding of the key issues of forensic examination, in particular, the procedural expert position, the procedure of his involvement by the parties, criteria for expert evidence assessment. The expert competence is understood as a characteristic of the requirements for a person which allow him to become competent in the examination activities. The reasonability of self-assessment techniques application in the proceedings and expert evidence peer assessment is examined. The issue of the production «legal» examinations is raised. It is proposed to fix the understanding of the expert competence limits in the relevant legal acts. During court expert attracting the parties of criminal proceedings are recommended to pay attention not only to the data, which are enshrined in the Register of forensic experts (position, academic degree and rank, seniority, etc.), but also rely on the data obtained by peer assessment technique, i.e. by other professionals in this sphere relatively to a particular expert.

Myshchak I. M. *United Nations Normative Instruments on the Right to Education and Their Implementation in Ukraine.* — P. 164.

The article analyzes the main UN legal acts that ensure the right to education and their implementation in Ukraine.

The right to education is recognized by the United Nations as one of the fundamental human rights and is established in core legal instruments of the organization. According to the Article 2 of the Universal declaration of human rights adopted on December 10, 1948, everyone is entitled to all the rights and freedoms set forth in this Declaration. According to the Article 26 of the Declaration everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages, and the elementary education shall be compulsory. Ukraine is a party to the UN Convention against Discrimination in Education adopted on December 14, 1960.

In order to avoid discrimination in education, the states-parties have committed primarily to abolish all legal acts that may lead to discrimination in education and to adopt necessary acts to eliminate discrimination.

Key documents of the United Nations related to the protection of the right to education are the Declaration of the Rights of the Child of November 20, 1959, and the Convention on the Rights of the Child of November 20, 1989. The Convention on the Rights of the Child is binding for Ukraine as it was ratified by the Regulation of the Verkhovna Rada of Ukraine No. 789-XII on February 27, 1991.

It is noteworthy that Ukraine has chosen the protection of the rights of the child as a priority line of its activities. Our country is an active member of almost all UN activities related to the protection of the rights of the child and the right to education.

The international standards are implemented into Ukrainian legislation, in particular in Art. 53 of the Constitution of Ukraine, Law on education, Law on preschool education, Law on secondary education, Law on vocational training, Law on higher education etc. Ukraine develops its national legislation and makes use of the binding as well as non-binding legal acts of the United Nations aiming to ensure the right to education and the corresponding international standards.

Nazarenko J.O. *The legal basis for the regulation of relations connected with trade secrets: a comparative legal analysis.* — P. 172.

Possession of information that constitutes a trade secret, in a market environment is an essential factor in the competitiveness of business entities. The manufacturer who has the monopoly right for commercial information stimulates the efficiency of its activity, development of innovations and the introduction of new ideas providing finally the receipt by the latter economic benefits from putting such information into the economic turnover. Recognition of information as a commercial secret and use of the legal abilities for its protection increases the investment attractiveness of the national economy. On the basis of the analysis of legislation and research findings of leading scientists carried out a systematic comparative legal analysis of international and national experience of legal regulation of trade secrets. Taking into account the economic and legal nature of the relationship in trade secrets as a result of the analysis of the proposed further development of this institution in the Commercial Code of Ukraine.

Oliynyk A.R. *Tax pledge and ensuring execution of the tax obligation: comparative characteristic of the legislation of Ukraine and Republic Georgia.* — P. 180.

Are investigated tax pledge in Ukraine and ensuring execution of the tax obligation of the Republic Georgia. The issue of clear industrial belonging of the relations which arise in the course of realization of tax mortgage is debatable both in the theory and in the practice. Upon

this the latter can be relegated to the relations of organization and production of the rights and duties between economic agents and bodies of State Tax Service by tax mortgage.

The norms of current legislation regulating the mechanism of tax pledge using by State tax service agencies are analyzed. Problems of the legal settlement of tax mortgage in Ukraine, development of scientifically grounded conclusions and suggestions in relation to improvement of national legislation in this sphere to increase the efficiency of functioning of taxation system in Ukraine. The article is dedicated to analyses of correspondence of obligation and duty in tax law in Ukraine and Republic Georgia. The author makes conclusion that The Code on Taxation of Ukraine is based on the concept of tax duty. The amendments of current legislation are offered.

Grygorchuk E.V. *The procedural nature of the participants in the proceedings, a supporting role in the criminal trial of Ukraine.* — P. 186.

The article is devoted to the procedural status of subjects of criminal justice in Ukraine, has a supporting role. The author of the series reveals the content of the concept of an auxiliary function, defined criteria for the distribution of its members with the same interests and the specific functions performed. In conclusion, noted that the main criterion for selection of the auxiliary function and the participants in the criminal process, is a specific procedure to create and ensure a particular interest in the subject. These participants interest should be divided into three groups: the first group of Procedure of interest is due to the procedural responsibilities, activities of the second group is based on the job description, the interest of the third group is mixed, and is based on combining features of the two previous groups. On the specifics of the functional areas of subjects performing an auxiliary function, they should be divided into those that provide a process of organizational — technical direction and those that contribute to the evidentiary information.

Zharikova E.A. *Evolution of legislation on business activity of economic agents-natural persons.* — P. 191.

The article analyzes the evolution of laws on business activity of economic agents-natural persons. Peculiarities of the legal groundwork for economic agents-natural persons' business activity at various stages of historical development are investigated. The development stages of legislation on business activity of economic agents-natural persons are classified. In particular, the division into six stages of its development starting with the tenth century till nowadays is justified. The features specific to each of these stages are outlined. Special attention is focused on the role of the Commercial Code of Ukraine that was the first to legislate the status of economic agents-natural persons as participants in economic relations.

Prichodko C.V. *The object and purpose of judicial review at the stage of preliminary investigation.* — P. 199.

The article is devoted to determining the object and purpose of judicial review. In the content of the article examines the state of scientific research on the content and purpose of the subject of judicial review at the stage of preliminary investigation. End concludes that the subject of judicial review appropriate to consider the level of restrictions on the rights, freedoms and legitimate interests of the persons determined by the ability of the objectives of the criminal proceedings, and the availability of factual basis for the decision on abstentions. Under judicial control is proposed to realize its result in the form of security by the investigating judge of due process. To complete understanding of the new system of judicial review in criminal proceedings, it is recommended further research on the basis of the provisions of the purpose and subject to pay attention to other components of the investigative judge, what are the means, methods, goals, etc.

Sorokina T.B. *Legal basis of catering trade. — P. 207.*

The article examines the legal regulation of realizing the activity by business entities in the sphere of the catering trade in Ukraine. Legal basis is considered through the documentary form of positive law, that's why it is allotted significance of normative legal acts of economic legislation in the sphere of catering trade.

At the same time it is pointing out that activity of business entities in the sphere of catering trade in our country primarily is precisely regulated by economic legislation. It is indicated that given assertion follows from a legal definition of the catering trade and attributing it to the forms of economic-trade activity. That's why a special place in the regulation of relations in the sphere of the catering trade takes Commercial Code of Ukraine (Economic Code of Ukraine). Its also emphasized that Commercial (Economic) Code of Ukraine, as well as the others acts of economic legislation, of course shouldn't contradict to Constitution of Ukraine as the organic law of the country.

Except of Constitution of Ukraine and Commercial (Economic) Code of Ukraine, among the list of normative legal acts on regulation of catering trade are allotted laws of Ukraine, by-law normative legal acts, and the others normative acts. However, today normative legal documentary basis of catering trade is focused on the level of by-law acts. That's why through the list of normative legal acts on regulation of catering trade are distinguished by-law documents, which set out the rules of catering trade. It is analyzed their interrelation both among themselves and with other acts of economic legislation, Commercial (Economic) Code of Ukraine primarily. On the level of by-law acts such interaction in regulation is provided by legal correlation of trade activity an catering trade. As a result is indicated that exactly complex, common use of by-law normative legal acts in the sphere of catering trade allows to establish legal requirements to business entities in this sphere of commercial activity in the fuller size. It is also indicated on the necessity of matching norms of economic legislation among themselves in the sphere of catering trade.

Moreover, it is emphasized that legal basis of catering trade isn't limited by normative legal acts of documentary form of positive law exactly. It is also represented by the others sources of law, that can be considered as a further subject of science research of catering trade aspects.

Benitsky A.S. *The development of the legislation of the Russian Empire's on criminal responsibility for the crime and the implication of complicity in the crime during the reign of Catherine II. — P. 215.*

The article deals with the study of the outstanding historical and legal monuments of the second half of the XVIII century. The sources of the criminal law, which were applied on the territory of the Russian Empire during the reign of Catherine II. The history of development and formation of the legislation of the reign of Catherine II about criminal responsibility for the implication in the crime and the complicity in the crime. Analyzed the criminal provisions of the Order of Catherine II the Commission on the drafting of the new Code project 1767, The Statute of the discipline of the police 1782, as well as other legalisation of Catherine II, which included responsibility for concealment of a criminal failure to report a crime, the connivance of the crime and the complicity in the crime. Aspects of the offence, with signs implications for the crime. Set of legal instruments adopted by Catherine II, for the development of such institutions of the criminal law, as the implication in the crime and the complicity in the crime.

Krutova L.A, Ribalko V.A. *Realisation of social and economic function of Ukrainian state in the sphere of industrial production (1921-1928). — P. 221.*

Characterizing development of new tendencies in the sphere of industrial production during the period of a new economic policy, the authors of the article have viewed social and economic function of the Ukrainian Soviet state. This kind of state was fulfilling its social and economic function in the sphere of industrial production even partially giving up its sovereignty due to historically defined peculiarities, being a part of all-union Soviet state. That is why the main directions and forms of activity of Ukrainian state in the sphere of industrial production and social spheres reflected a content of social and economic function in the all-union state.

Nuzhny S. S. *Position of the former state peasants in Ukrainian provinces of the Russian empire in post-reform period.* — P. 229.

The article concerns with the legal position of the former state peasants in Ukrainian provinces of the Russian empire in post-reform period. Scientific process taking reconstruction at the turn of 50-60s XIX century basal regulatory legal acts of the reform state peasants in their work leads to the fact that their class legal status as free rural inhabitants did not radically change their position in the post-reform society. It is also analyzed the construction of legal regulation in territorial relationships with peasants of different state categories and about the process of their equalization in civil rights and transformation into free rural inhabitants.

Despite the different mechanisms of legal regulation of land relations in the proclamation of the state peasants law principle of «land ownership» actually meant granting public land to the peasants almost the same conditions as the temporarily.

Agrarian question which arose in the society in the XIX century - has acted as a conscious society legitimacy of ownership of land. Radical questioning of the legitimacy of traditional forms of land ownership almost inevitably occurs during the transition from an agrarian society (with its egalitarian values) to industrial (with the dominant values of utilitarianism, efficiency and individualism). So there is a fundamental contradiction of the general population notions of justice and law, new forms of private fixing economic relations.

The author brings us to a large number of conclusions, but the main of them, based on a historical experience says that land distribution among land users demands differentiated approach in each particular case which has to be taken according national, historical, social and economic factors.

Prus V.Z. *The central government bodies of the Russian Empire in the second half of the XIX century.* — P. 235.

The article deals with the historical and legal analysis of the organization and activities of the state apparatus of the Russian Empire in the second half of the XIX century, within which was a large part of the territory of modern Ukraine.

This article presents a framework, and the establishment of the major central bodies of the state management of the Russian Empire in the XIX century. The basic functions of these authorities, their competence and their place in the state apparatus are briefly summarized. The lack of independence of the central government in the implementation of their functions and their dependence on the will of the Emperor of the Russian state are mentioned, that confirms the existence of the absolute autocracy in the Russian Empire in the second half of the XIX century.

Also a link between the organization of the State apparatus of the Russian Empire and modern Ukraine is found.