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Article is dedicated to problems of evolution institute of private property, its place and roles in the system of socio-economic relations.

The author comes to the conclusion that the implementation of the main provisions of the concept of private property is the basic condition for the implementation of the freedom of the individual.

Keywords: *economic activities, property, human rights, private property.*

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The attempts of antidemocratic state and legal ideas evolutionary process observation and their influence determination on totalitarian ideologies development are represented in the article in the end of th – beginning of the centuries.

Keywords: ideologies, totalitarianism, eurasianism, society, state and legal type.

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The paper explores the feasibility and effectiveness of the death penalty. An analysis of the experience of some foreign countries on the application of the penalty of death.

Keywords: *punishment, the death penalty, murder moratorium.*

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In article problems of law enforcement of standards of the Criminal procedural code of Ukraine are defined. Ways on their improvement are offered by through joint efforts of the legislator and science of a riminal procedural law.

Keywords: *criminal procedural legislation, the Criminal procedure code of Ukraine, law enforcement, standard settlement.*

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In the article the meaning and subject of victimology. Defined object victimology. A generalization of the research of victims of crime. We consider the following categories as

viktymnist, victimization and victimization situation. The conditions of fair treatment of victims of crimes and carried out comparative evaluation of the treatment of victims in the world.

Keywords: kryminolohiya, victimology, viktymnist, victimization, victim.

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The article focuses on the defects of legislative technique by the example of the qualified corpus delicti. The author concluded that the use of some of the wording in most cases is not necessary and causes difficulties in the work of justice.

Keywords: legislative technique, the qualified corpus delicti, criminal qualifications.

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The current Ukrainian criminal lawful regulation of the human trafficking resistance is analyzed in the article. The retrospective analysis of certain legal base is made with the aim to concretize the objective reasons of this crime and creation of the national mechanism of cooperation in the sphere of the human trafficking resistance in combination with foreign experiences. The attention is also paid to the judicial practice of bringing offenders criminally responsible for committing this type of crime.

Keywords: legal criminal regulation, legal act, criminal responsibility, human rights, human trafficking, human trafficking resistance.

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The article analyzes the characteristics of the criminal law offenses related to illegal transplantation of organs and other anatomic human materials, consideration of objective and subjective elements of the crime, as well as highlighting the causes and conditions that contribute to illegal organ transplantation. Also in the article the content of criminal liability for committing a socially dangerous acts that infringe on such objects.

Keywords: *illegal transplantation of organs, anatomical materials criminal responsibility.*

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The author notes in particular the absence of guidelines against which the law is socially dangerous encroachments permissible self-defense, the uncertainty of timing of protection. Attention is drawn to the improved regulation of the use of weapons and so on.

Keywords: *socially dangerous encroachment, self-defense, environment protection, armed person violent invasion.*

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In the article the features, characteristics and types of legal liability, which is envisaged by the legislation of Ukraine for corruption and corruption-related offenses. That article of the Criminal Code and the Code of Ukraine on Administrative Offences, which provide for liability for corruption and corruption-related offenses and demarcated basic and additional penalties applicable to such persons.

Keywords: law, corruption, offense, offense, responsibility.

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LEGISLATIVE SUPPORT OF CRIMINOLOGICAL IMPACT ON NEGATIVE FACTORS OF FAMILY RELATIONS IN UKRAINE

This article is related to the new branch of the family criminology such as child abuse. Violence against minor and other family members is a necessary condition of criminal responsibility. The criminological legislative branch of criminal impact on negative factors of family relations is also needed to be developed.

The legislative support of criminal impact on family relations develops as a part of the common law of Criminology. It is included to the housing, family and other laws.

Keywords: *criminology, family relations, crime.*

The main issue of this article is a research of necessity in developing special criminological legislative branch. Using foreign and domestic experiences allows us to answer next questions:

1) Family courts (family courts that have slightly different functions then in Ukraine, e.g. Austria, Poland, USA, Japan), that consider criminal cases of internal family crimes, all crimes of minors, as well as all related to family relations civil cases;

2) Special types of exemption from criminal liability and probation with a condition of passage paid by convicted course of psychotherapy;

3) Taking Austrians family courts as an example, to predict the intermediaries usage to resolve conflicts between family members that is used as an alternative of criminal responsibility;

4) Establishing an administrative penalty of a fine, arrest and re-applied in the case of family violence within the family violence and causing light damage to health;

5) Improving the state system of crime statistics through the inclusion of the index of family connection between the person who committed the crime, and victims;

6) To record statistic of the criminogenic parent families as well as internally crime family. [1]

The legislation and legal practice of some foreign countries solve related issues to the withdrawal of the right to inviolability of the home and freedom of movement. As well as, issuing of temporary orders by the courts, which may include a ban on the entry of a dwelling in which living family members are exposed to violence. Also including children and, as in Netherlands, the appearance of nearby homes (the so-called street's ban) [1]. The issues of family violence deserve special attention in criminal law.

Due to the internal problems of family crimes the international criminal law has the following factors:

- 1) the nomination of personal integrity as a new object of criminal protection;
- 2) inclusion of specific offenses together with the crimes committed against the family environment in the criminal law;
- 3) expanding the notion of psychological violence, which entails criminal liability;
- 4) the desire to replace a provision of criminal law-crime of internal family problem with the issue of violence against women;
- 5) the offers to strengthen accountability for crimes committed in the circumstances typical for domestic violence;
- 6) exemption from conviction, combined with solving of family conflict;
- 7) conditional non-application of penalties associated with a course of psychological adjustment;
- 8) parole the convict from punishment of imprisonment considering them successfully passed the previous course of psychological adaptation.

In the studies of family crimes occurs assertion that in the last decade of XX century in connection with this problem in criminal law appears new object of legal protection: person's immunity ("integrity"). The Criminal Code of Sweden (Ch. 4, § 4a) formulated the offense on the basis of the object formulated offense, which focused on "serious violation of health (self) identity through hard violating its integrity".

Regulation that a personal integrity generic object forms crimes that infringe on the individual has no objections. Personality should be inviolable, it must be protected, including by the means of criminal law. It is known that attack exposed to different sides of human existence, which act as direct crime objects, such as his/her dignity, sexual self-determination, freedom, health, life. That is led to the need for appropriate differentiation crimes law with allocation of murder, injury, unlawful imprisonment, rape and so on. Inviolability of the person behind these particular objects is a kind of abstraction. The use of abstraction in the definition of law of a crime as its direct object, perhaps unreasonable, as the duplication creates so-called ideal set of crimes in which the same act is regarded as the two offenses, among other things, causes difficulty in choosing the appropriate punishment [2].

Nowadays the criminal legislation includes special warehouses violent crimes committed against family environment, difficult personal integrity violations (Sweden); domestic violence (Spain); violence in the family (Germany); neglect of minors' education (Russia) and the murder of a newborn baby by mother. Some authors (Fitzpatrick, 1994) support the adoption of the UN Declaration, which defines the composition of such a crime.

According to the paragraph of 1 § 4a ch. 4 of the Criminal Code of Sweden is set: "Who will do to the close person or close before the former person offense under Chapter 3, 4 or 6, because every single act is part of a recurring images and personalities associated with severely impaired health because it severely impaired immunity, sentenced ranging from six months to six years in prison."

Article 153 of the Spanish Penal Code provides: "Whoever usually commits physical or mental violence against anyone who is, or was her man, or against a person who lasted close to him emotionally connected way in or was bounded or against their own children or the children of her husband or children roommate or against the wards, descendants or incapacitated, who with him live or subordinate his authority, guardianship, care or actual care or adopted them into the house, were sentenced from six months to three years in prison ... ". Usual means the consumption

committed a number of violent acts that are only temporary in proximity, regardless of whether these actions in the past have been the subject of a sentence within a single process.

§ 225 German Criminal Code “Ward’s abuse” contains the following crime: abusing, torturing or injuring by intentionally neglecting the duty to care about the person who is under eighteen years old or defenceless because of illness or helplessness, that 1) shall be under the care of the offender, 2) belongs to his home environment, 3) he is in charge of taking care of, 4) is subordinated according to his work or work relations, the punishment of which is a imprisonment penalty from six months to ten years.

These offences vary. For example, according to the Spanish and German law (simple, not qualified offence), there are no consequences. Swedish includes “the severe health violations of the victim through the violation of personal integrity.”

There are differences in international law and in the way circle of victims is outlined. According to the Criminal Code of Germany, they only included wards, as well as those assigned to the family (co-residents) persons under the age of 18 or who are defenceless because of physical disabilities or illness. For example, this offence does not cover some kinds of violence, in particular, violence against a man who is not under guardianship.

In all three codes, the domestic family crimes are described as repeated interdependent acts. The most important common feature of these compositions, perhaps, is that described violent acts are at the same time included in other crimes (causing varying degrees of injury, torture, etc.). The responsibility for these crimes is envisaged by the same codes, which makes special criminal liability for violence inside the family meaningful.

Violence against a minor is a necessary condition of criminal liability. This crime that is different from the mentioned above just the way it represented the victim may have the same critic. The responsibility for the violence has set the general rules on crimes against personal integrity, so there is no need to create special rules that protect children.

The world family criminology discusses the further criminalization of acts related to mental violence. This is interpreted more widely than threats of harm to those who suffer from bullying. The subject of discussion was the following acts, such as locking a child for a long time in the basement, where she undergoes the same fear. The Criminal Code of Spain, as noted above, provides mental violence, without giving it definition. Thus, the question of the responsibility in specific cases is left to the court, which is unjustified.

Apparently, the responsibility for psychological violence can still be provided for criminal law, but subject to two conditions. Firstly, the law must include general rule that criminal liability is causing injury to person referred to in the section on crimes against life and health (murder, injury, etc.), with effects on her mental state, and in certain cases create real risk of occurrence of such harm using the psychological impact on the individual (e.g. victims implementation of committing suicide or a substantial deviation in the development of a minor). Secondly, it is necessary to specify what actions the legislator refers to those involving criminal consequences of mental influence to include the number of them, as well as the injection of fear [2].

The motion for the adoption of laws about prevention of domestic violence in the United States and some other countries as well as the development of international instruments often shifted exceptionally towards violence against women. This issue is in the criminal law occurs when the wording of the crime of domestic violence, particularly in Spain, where it has been negatively resolved. Swedish legislator, after all, failed to completely avoid inclusion of such crime

in the Criminal Code. According to the Criminal Code in the above-mentioned § 4a Ch. 4 of violations of personal integrity, the 2nd paragraph said that, if provided in the 1st paragraph actions are committed by a man against a woman, whom he married or has been married or with whom resides or resided, it is subject to severe violations of personal integrity condemned to the same punishment [2].

In sum, appropriate innovations of the world's criminal law of family internal crimes are those that mitigate the responsibility to resolve the conflict without a conviction of the perpetrator. Also were introduced probation and parole from punishment.

Thus, for the court hearing on the preliminary decision, the US law provides to send a person accused of a violent crime against a member of his family to pass on "special counselling program." Such decision is taken on the basis of the bargain with the accused. The program is carried out on the basis of psychological methods of training course, that are held in groups consisting of 15-18 people for 4 to 12 months under the supervision of a specialist. The probation officer supervises the program. The program takes place at the expense of the accused on the basis of a flexible pricing scale that takes into account his financial situation. If the defendant successfully completed the program, the charge can be removed or mitigated; If he avoids passing the program, the procedure of his criminal prosecution is going to be resumed [3]. The combination of probation with the "treatment" individuals who commit violent acts, has the advantage that if probation is passing the observation when the therapeutic course is active control [3].

The advantage of American programs is that the mediator - a specialist in conflict resolution - is not the only one, but with both parties to the conflict, taking into account known truth: when two quarrels, both are wrong.

According to Ukrainian law, the person who first committed a minor offence may be released from criminal responsibility if a person reconciled with the victim and compensated the victim caused damages. This rule applies regarding domestic violence in fact only crimes such as intentional infliction of harm, assault, threats of murder or causing grievous bodily harm, causing severe or moderate injury by exceeding the limits of necessary defence. It appears that it applied to inner crime family based widely varied intimacy and relationships between members, argues, and could be extended, covering as torture and intentional infliction of moderate bodily harm. It would be appropriate to make additions to the Criminal Code of Ukraine.

The use of special psychological assistance for solving criminogenic family conflicts long ago was put in a Russian family criminology [4]. Western, particularly American experience of its practical application indicates that it is quite productive against violence renovation [4].

In the US, most of the court decisions on forwarding perpetrators of violent crime in the family are to take special preventive program instead of serving them actual punishment, so it is taken as a conviction. [4] E. Hondolf notes that the study of problems in family violent crime has had a significant impact on the justice system in the United States. It is based on research, that argues that the most effective means of preventing violence in families is not repressive measures (which include, for example, arrests) and appointed by the courts as an alternative to criminal punishment program training for persons who have committed violent acts. According to these programs, which are used extensively today, opens the prospect of "therapeutic" justice.

Programs psychological training used by family courts in the United States, were widely used in the 90s. An example is an Advisory centre on issues of domestic violence (Bass) of Pittsburgh. Special family court sends the perpetrators to undergo this program. The duration of it – four

months; classes are held once a week. These classes are taught how to confront their own violence and aggression. The attendance of the program is controlled by the court and in the case of refusal from the courses, it applies penalties. The government of Finances reported that the program demonstrates a significant increase in a number of people who have successfully completed the program, and reduction of the cases of renovation violence in the family [4].

Thus, according to Ukrainian legislation, the court imposing sentence probation may require the Probation perform certain duties listed in the law. It is also includes the implementation of financial support of the family, medical treatment for alcoholism, drug addiction or substance abuse. The court may order the probation to other duties that contribute to correct offender's behavior. The list of responsibilities is desirable to supplement the treatment with psychological assistance. This duty is imposed on convicted under terms of their consent.

Considering the above mentioned and guided research results, it can be said that the most effective means of preventing violence in families is not repressive measures (which include, for example, arrests). Perhaps, it would be better to determine punishment by the court as an alternative to criminal punishment program training for people who have committed violent acts. According to these programs, that are actively used abroad today, there is a prospect of "therapeutic" justice and significant improve family well-being.

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The procedure of carrying out a number of investigative (search) actions in the Criminal procedure code of Ukraine is examined in the article. Attention is drawn to the ratio of the procedural order and the tactics of the conduct in question investigative (search) actions to the shortcomings of their procedural regulation.

Keywords: criminal proceedings, investigative (search) action, procedure, tactic, tactical decision.

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In this article problematic areas were discussed, such as informing about your suspicion about a person who is participating in the anti terrorist operation, or in the currently occupied Ukrainian territory, as well as proposing solutions for solving the above problems.

Keywords: *informing about your suspicion, calling, suspect, occupied territory, anti terrorist operation.*

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This article provides an analysis of formation of legal positions and forms of realization of the judiciary in criminal proceedings procedural Ukraine. and focuses attention on the conditions and risks of the process. Enough detail specific examples described the circumstances that necessitated the formation of such legal positions HSCU.

Keywords: legal opinion of the court, the judiciary, the source, right.

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The article is devoted to consideration of issues related to guarantees of non-interference in private and family life and problems of their implementation in the criminal proceedings of Ukraine taking into account the universally recognized principles and norms of international law.

Keywords: *criminal procedural safeguards, rights and freedoms, private life, family life.*

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In article types of crimes which are committed in information space are considered. The international practice in fight against these crimes is analyzed. Problems and the directions of enhancement of effective fight against information terrorism and a cyber-terrorism are determined.

Keywords: *information space, information terrorism, cyber-terrorism, information society, cyber attacks, information and communication technologies.*

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In article legal and organizational aspects of activities of jury trial in the foreign states are considered. On the basis of comparative experience it is offered to make changes to the Ukrainian legislation on enhancement of activities of jurors.

Keywords: *institute of jurors, foreign experience, optimization, criminal proceeding, court of sheffen.*

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SOME ASPECTS OF PROCEEDINGS I N THE CRIMINAL PROCEEDINGS THAT NEEDS INTERNATIONAL COOPERATION

This article is dedicated to the features of suspicion in criminal proceedings during international cooperation. The question of the consistency and performance of procedural actions in the context of international cooperation had been considered, with drawing special attention to the specifics of the procedures needed for suspension of the pre-trial investigation, which requires international cooperation.

Keywords: *international cooperation, extradition of an individual, criminal proceedings, suspension of the pre-trial investigation.*

International cooperation in the field of criminal proceedings is an integral part of the proper performance of its tasks. The value of such cooperation is difficult to overestimate, as only through joint actions of the various member states of the international community the inevitability of punishment the perpetrator of a criminal offense can be ensured [7].

The issue of extradition was explored by such scientists such as A. Abashidze, M. Bassiuni, S. Bedi, A. Boitsov, R. Valeyev, G. Vasilyev, S. Vyhryst, C. Wyngaert, L. Halenska, V. Grebenyuk, G. Gilbert, N. Zelinsky, A. Cassese, N. Kostenko, S. Kravchuk, S. Lyhova, I. Lukashuk, M. Pashkovskiy, M. Svystulenko, M. Smirnov, N. Safarov, M. Plachta, K. Poulet and others.

Institutes of extradition are governed by Chapter 44 of the CPC of Ukraine "Surrender of Persons Who Have Committed Criminal Offense." According to the CPC of Ukraine, during the process of extradition competent authorities of particular countries enter international relations, which factual basis can the extradition crime, committed by a citizen of one of these states, the international treaty. In other cases, the international relations can be based on reciprocity. The independence of this institution is caused by the peculiarities of subjects entering the international relations concerning the issues of extradition. In Ukraine, these subjects are the General Prosecutor's Office and the Ministry of Justice.

Considering the issues related to the procedure of surrender of persons who have committed criminal offense, which are topical due to the of international and national crime growth, it should be noted that that these issues are regulated by multilateral conventions, including the 1993 Minsk Convention on Legal Aid and legal relations in civil, family and criminal cases; 1957 European Convention on Extradition [1]; Model Treaty on Extradition, adopted by General Assembly

Resolution 45/116 on December 14th 1990; bilateral and also bilateral agreements on legal assistance from Ukraine. Similar issues relating to extradition are present in the conventions on combating certain forms of crime. For example, in the 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances [2], the 1979 International Convention against the Taking of Hostages [8], the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[3], the 1994 Convention on the Safety of United Nations and Associated Personnel [4] and others. If there is no treaty on legal assistance or extradition between Ukraine and a foreign country, cooperation issues are resolved on the principles of international law through international comity and reciprocity. Multilateral conventions and bilateral agreements that have a broader subject of regulation and specific provisions which govern the issuing entity can serve as the legal basis for extradition. Bilateral conventions concluded under the protection of the United Nations (the 2000 UN International Convention against Transnational Organized Crime) may be taken as an example.

Based on the analysis of international law and national legislation, the national and federal relations specialist Vyacheslav Mikhailov identified the following characteristics of the extradition institute: first, in his opinion, this institution is complex because it is based on the interaction of the rules of two separate legal systems – international and domestic law; secondly, it applies only to private individuals who have committed a criminal offense; third, it is applied in the relations of cooperating states, or for prosecuting persons who have committed a criminal offense, or for applying court-appointed criminal penalties to them; Fourth, it includes not only the direct transfer of the offender from one state to another, but also check of grounds for extradition, detention and arrest of the offender (and, where appropriate, the previous investigation) prior to act of transferring in the procedural fashion; Fifthly, it is established and implemented when the specific states as the main subjects of international law and sovereign entities consider the use of this institution acceptable in the fight against international and national criminal offenses [9, p. 304].

Some aspects of Mikhailov's definition of extradition institute's traits should be taken into account, as the extradition institute provides certainty of punishment and allows implementing it on an international level, despite the territorial delimitation and jurisdictions of different states.

Is worth paying attention to the consistency and execution of proceedings within the international cooperation, particularly, relying on Chapter 22 "Suspension of pre-trial investigation", it should be noted that before forming and sending a request for extradition of the individual, notifying him/her officially about suspicion and conducting an appropriate pre-trial investigation is obligatory, because it is the driving factor that allows performing all official proceedings against the offender. By notifying a person about suspicion we automatically have the right to apply all the proceedings to him/her, but with regard to the question that we raise, the extradition request may be composed with violation of the law. We try to say that when we have a potential suspect, we do not have the right to form a request for extradition against him/her without sufficient evidence. Regarding the timing, there is also an important point missed.

Thus, according to article 278 of the CPC of Ukraine, the notification of suspicion is handed over to a suspect on the day of its drafting by an investigator or prosecutor, and in the case of failure of its delivery, it must be handed over in the manner prescribed in the CPC of Ukraine. Written notification about suspicion is handed over to a detainee within twenty-four hours since detention [5]. In other words, if the person has not received a notification about suspicion after twenty-four hours of detention, he/she has to be immediately released.

The date and time of notifying the suspect about suspicion and the legal qualification of the criminal offense, in the commission of which this person is suspected, are promptly added to the Unified Register of pre-trial investigations by the investigator or prosecutor, with the indication of a correspondent article from the CPC of Ukraine.

If the law enforcement authorities have only twenty-four hours for the objective investigation of criminal offenses and notifying a person about suspicion, what gives us the ability to continue operating within our laws? Can we form the extradition request against this person? An important element of our question is a notification about suspicion itself. If we are talking about a criminal offense which does not require international cooperation and fits into the framework of our laws, then the question of a criminal offense that took place in our country, with an offender fleeing abroad, creates a certain discomfort in the conducting of procedural actions. Namely, the timing of notification about suspicion becomes an issue. When forming a written request for extradition to Ukraine, there has to be a certificate pointing at a criminal offense that was committed by this person, or a certificate of proof, which confirms the guilt of this person. But the fact remains that until a person is not officially notified about suspicion, such actions are considered unacceptable because this leads to a violation of our national legislation and international principles.

In this case, it is necessary to determine if there is a legal aid treaty (agreement) with this country, whether this country collaborates with Interpol, how to contact this country (or should we address the General Prosecutor's Office to establish contacts for the purpose of investigation in another country, or such issue must be solved with the help of both General Prosecutor's Office and the Ministry of Justice in case of reciprocity, within the framework of so-called international politeness). According to the CPC of Ukraine, the contacts are established via both General Prosecutor's Office and Interpol Bureau to duplicate and accelerate the execution of the request [8, p. 20].

In the same way, the questions of sending of international requests (orders) for extradition are solved. However, it should be noted that the right of extradition is the sovereign right of each state and the amount of soluble organizational and legal issues (obligation of extradition, the boundaries of prosecution, procedural order of extradition, transit of individuals, etc.) is much broader than in the case of sending of international requests (letters) and orders [10, p. 304].

When considering our question it is appropriate to draw attention to the suspension of the pre-trial investigation, which requires international cooperation.

According to part 1, article 280 "Reasons for and procedure of suspension of pre-trial investigation" of the CPC of Ukraine, the pre-trial investigation may be suspended after a person has been notified about suspicion in the following cases:

- 1) If the suspect falls seriously ill, which precludes him from participating in criminal proceedings, provided his illness is confirmed by the corresponding medical report;
- 2) If the suspect absconds (hides from the investigation and judicial bodies) with the view of avoiding criminal liability, and his whereabouts are unknown;
- 3) If there is a necessity to carry out procedural actions within the framework of international cooperation [5].

Paragraph 3 of part 1, article 280 of the CPC of Ukraine introduces a new reason for suspension of the pre-trial investigation, which has not been used in the national criminal procedural law before, the suspension of the pre-trial investigation in the case of an execution of proceedings within the framework of the international cooperation.

Suspension of investigation on this basis is possible under the following conditions:

- a) The person must be notified about suspicion;
- b) If the execution of proceedings within the international cooperation is necessary.

According to the article 542 of the CPC of Ukraine, International cooperation in criminal proceedings shall be the taking of measures necessary in order to provide international legal assistance through serving documents, conducting certain procedural actions, extradition of individuals who have committed criminal offences, provisional transfer of persons, taking over of criminal prosecution, transfer of sentenced persons, and enforcement of sentences. An international treaty of Ukraine may provide for other forms of cooperation in criminal proceedings than are specified in this Code.

The position of the General Prosecutor's Office concerning this article is quite laconic: "The conduction of proceedings within the international cooperation provides addressing the foreign competent authority with a request for legal assistance and has no relation to the process of extradition of individuals".

The position of the Ministry of Justice of Ukraine on this issue is broader and more justified. In particular, in a letter to the Ministry of Justice it is stated that the issue of international cooperation in criminal proceedings are governed by Section IX of the CPC of Ukraine, the article 542 of which stipulates that international cooperation in criminal proceedings lies in taking the necessary measures to provide international legal assistance through handing over of documents, performance of certain procedural actions, extradition of individuals who have committed criminal offenses, temporary extradition of persons taking over the criminal prosecution, transfer of sentenced persons and execution of sentences.

Thus, according to paragraph 2 part 1 of article 541 of the CPC of Ukraine, extradition – the surrender of a person to a state the competent authorities of which search for this person for prosecuting or serving a sentence.

Extradition includes: 1) sending official request for establishing whereabouts of the person sought in the territory of the requested state and for surrender of such person; 2) verification of circumstances which are likely to hinder the surrender; 3) taking decision on the request; actual transfer of such person into jurisdiction of the requesting State.

The position of the General Prosecutor's Office adheres to many scientists, according to which the decision to suspend the investigation can be taken only when the foreign competent authority in accordance with Article 552 CCP Ukraine sent a request for legal proceedings. This opinion is shared by the authors of the scientific comments of the CPC of Ukraine. In their view, in accordance with paragraph 3 of part 1 of Article 280 CPC of Ukraine, the pre-trial investigation may be suspended if there is a necessity to carry out procedural actions within the framework of international cooperation. We are speaking about execution proceedings within the framework of international legal assistance. Under Article 541 CCP Ukraine, international legal assistance is conducting procedural actions by competent authorities of one State, execution of which is required for pre-trial investigation, trial or enforcement of sentence delivered by a court of another State or an international judicial institution.

However, the suspension of the pre-trial investigation on this point is not possible in case of extradition of an individual. The decision to suspend the investigation can be taken only when the foreign competent authority sent a request to conduct proceedings according to article 552 of the CPC of Ukraine.

It can be noted that the question of extradition is decided via the combination of territorial principle (the place of the criminal offense and the location of the offender) and nationality of the person, but the decisive factor for extradition is a nationality principle, when not territorial, but personal responsibility principle is implemented.

So, in conclusion, we propose to supplement the list of documents required for forming a request to extradite the requested person that will have a positive effect on the process of extradition. We also consider it appropriate to extend the term of notification about suspicion, the pre-trial investigation of which requires international cooperation, from twenty-four hours to seventy-two hours, which will allow law enforcement to make a proper assessment of the evidence and form a request for sending to competent authorities.

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The article is devoted to the determination of the effectiveness of the tax procedural norms in the Ukrainian legislation. The authors reviewed the approaches and international experience to determine of the effectiveness of the law. Necessity of providing a qualitative assessment of the effectiveness of existing procedural tax norms are grounded. The authors suggest to authorize State Fiscal Service of Ukraine to assess the efficiency of tax procedural norms in the Ukrainian legislation.

Keywords: procedural norms of tax law, the effectiveness of the rules, legal security.

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This article analyzes the key stages of the legal regulation of the international double taxation prevention with a view to strengthening the processes of globalization. The evolution of tax agreements concluded with a view to harmonizing tax legislation in the field of action to eliminate double taxation.

Keywords: *double taxation, globalization, fiscal jurisdiction, tax convention.*

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The article is devoted to covering the main directions of interaction between the state authorities and internal audit units. The effectiveness of such cooperation with the financial control bodies in the process of use of the results of internal financial control was also analyzed.

Keywords: *interaction, internal audit unit, internal financial control.*

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The article is devoted to the issues of gaps in the current legislation that directly regulates the functioning of secondary schools. It contains the Proposals to the Law of Ukraine “On Education” and “On General Secondary Education” and it is proposed to create on the website of the Ministry of Education and Science of Ukraine a single systematic list of all legislation concerning the regulation of educational activities including the funding of constant updating.

Keywords: secondary education, financing, budget decentralization, regulation of financing.

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The article deals with the research of the European integration processes' influence on the improvement of legal forms of the Ukrainian tax policy realization. In particular, the certain aspects of approximation of domestic tax legislation to the EU legislation are analyzed. The short review of the system of institutional providing the tax legislation approximation is carried out.

The legal forms of Ukraine - D tax cooperation are considered.

Keywords: legal forms of the public tax policy realization, EU, D, approximation of tax legislation, taxation.

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In the article the theoretical position of financial and administrative law, fiscal legislation to separation and consolidation of finance theory a new method of financial activity of the state as "management".

Keywords: *management, finance law, administrative law, financial activity of the state, methods of financial activity of the state.*

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The article deals with issues including the sources of law in Ukraine judicial precedent. Work consecrated analysis of the legal nature of judicial precedent and its impact on social relations. It has been suggested some of the Supreme Court of Ukraine and the Constitutional Court of Ukraine considered as legal precedents. On this basis, the proposed change scientific approach to the system of sources of law in Ukraine.

Keywords: *judicial precedent, jurisprudence, judicial decisions, sources of law.*

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The article analyzes the causes tortious conduct medical staff in carrying out their professional duties. Ways of reducing crime through comprehensive prevention measures and amendments to legislation.

Keywords: *tortious behavior, administrative offense.*

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In the article the foreign experience of legal regulation of licensing. The author analyzes of international experience, including the scope of licensing in general, the powers of licensing, professional licensing, financial sanctions and coercive administrative measures not related to administrative responsibility.

Keywords: *international experience, administrative regulation, licensing, licensing authorities, license revocation.*

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In the article the problem of the rule of law by state and local government and the ways of increasing their responsibility for the damage inflicted on the subjects of civil relations.

Keywords: *legitimacy, responsibility, subjects of civil relations.*

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■

The article presents the analysis of the legislation of Ukraine concerning the provision of state social payments, benefits and other guarantees for single mothers identified deficiencies in its enforcement. Highlighted areas of improvement of legislation of Ukraine concerning the provision of state social payments, benefits and other guarantees to single mothers taking into account positive foreign experience. Proved the feasibility of the conceptual approach to formation of system of state social benefits and benefits.

Key words: *lonely mothers, social defense, social help, social services, privileges.*

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In the conditions of proclamation in the present civil legislation of ability of legal entities to have any civil laws (of general civil legal capacity) in the article the analysis of possibility of proclamation of general civil legal capacity in relation to the group of organizations of aim, namely in relation to nonenterprise legal entities has been presented. A feature of such organizations is in that in relation to them the obligatory to implementation aim of their creation and activity, which is fastened not only by their constituent documents, but also on the level of the special laws.

Arguments for proclamation of general civil legal capacity of nonenterprise organizations have been brought. The civil legal consequences of nonpurpose activity of nonenterprise organizations are not envisaged presently, both in a civil legislation and in the special legislation in relation to nonenterprise legal entities. A duty as a necessity of realization of purpose activity of nonenterprise organizations refers exceptionally these organizations (their organs) and it must not influence the rights and interests of partners as to the agreements of these organizations (invalidity of unstatutory regulation is out of the question).

Key words: legal entities, civil legal capacity, illegal agreements, unenterprise organizations.

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The article is devoted to definition of a starting scientific concept of understanding of the rule of law in civil proceedings for the purpose of further disclosure of the correlation of this principle with the principle of legality when administering justice in civil cases.

Key words: rule of law, legality, justice, litigation, court, civil process.

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In this publication the author draws attention to the imperfection of the regulatory part in determining the size of zonal coefficient normative monetary valuation of the land. The article investigates the circumstances of an increase in the value of the test ratio, and reached the

conclusion that these should be consolidated in departmental normative legal act or in the methodological literature.

In addition, the author believes that a clear size or algorithm for calculating zonal coefficient (Km2) should be fixed at the normative level. This will avoid situations, the controlled adjustment of the normative value of the land, and to minimize the influence of the subjective factor in the calculations. At the same time, the appeal provisions of this normative monetary valuation of the land will be extremely difficult.

Keywords: normative monetary valuation of land, rent factors, the regional factor, zonal coefficient, local coefficient.

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The article is devoted to problems of credit relationship in Ukraine between banking institutions and business entities in the modern conditions of their work.

Keywords: *credit, credit relationship, signs of credit relationship, elements of credit relationship.*

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