

ADMINISTRATIVE AND LEGAL REGULATION OF E-GOVERNMENT IN THE ECONOMIC ACTIVITY SPHERE

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The article is devoted to the identify issues that need administrative and legal regulation in the context of the introduction of e-government in the economic activity sphere. Defining the main tasks for ensuring the development of e-government in the basic sectors of Ukraine, the economy, economic policy or industry is not at all isolated and not specified is established in the article.

Whereas the introduction of such a form of state governance in the economic activity sphere entails the establishment of their, separately defined, tasks, which is conditioned by the specific gravity of administrative and legal relations with the participation of economic entities in the implementation of e-government.

It has been established that the functioning of the subjects of power authorities in the process of deregulation of economic activity should be aimed at the realization, first of all, of the economic function of the state and be carried out systematically - with the performance of all state governance functions. Implementation of e-government should covered all of the last.

This will be facilitated by the proper administrative and legal support for the implementation of e-government tasks in a particular area.

The author notes that the digital economy and e-government envisage a digital transformation of requirements enshrined in the legislative framework for the administrative and legal regulation of relevant relations. Before carrying out such activity, it is necessary to create appropriate content relevant mechanism of administrative and legal regulation of state governance in the economic activity sphere. It is can take electronic forms. The article also highlights some features of such a mechanism.

The administrative and legal regulation of e-government in the economic activity sphere on a digital economy should ensure the solution of the tasks of implementation of e-government in the relevant sphere, information security, protection of the rights and legitimate interests of economic entities and consumers; monitoring the implementation of business activities and stimulating the introduction of information and communication technologies in the activities of economic entities and subjects of power authorities.

TYPES AND FEATURES OF SOURCES OF FAMILY LAW ACTING ON THE UKRAINIAN LANDS INCLUDED IN THE AUSTRO-HUNGARIAN EMPIRE

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The scientific article is devoted to the study of the types and features of sources of family law that operated on the Ukrainian lands during their entry into the Austro-Hungarian Empire. In particular, it was determined that from 1797 to 1811 on the territory of Galicia and Bukovina a draft code of civil law of the Austrian Empire was introduced to regulate civil and family relations. Subsequently, in 1811, the Austrian Civil Code, which operated on these lands until 1934, when the Code of Obligations of the Polish Republic came into force, became effective on the Western lands that were part of the Austrian Empire, as well as on the whole territory of the Empire. Transcarpathia and Northern Bukovina – before their joining Ukraine in 1945 and 1940 respectively. This codification, unlike the similar drafts of codifications of civil and family law in the territory of Dnieper Ukraine, did not consider local customs (as stated in the document, the application to legal relations of customs and local statutes was only possible in cases expressly provided by the Code). As a whole, it was part of a pan-European process of reforming civil and family law that began with the Napoleonic Code. At the same time, it was based mainly on the norms of Roman law (pandekt law), German law (Prussian Provincial Code, provincial law of Austrian territories), rather than local customs. Other sources of family law were of a derivative nature, had to comply with the rules of the Austrian Civil Code or to close the gaps in law. At this time, the role of contractual norms that could regulate the property relations of the spouse is increasing. This period was characterized by the predominant position of the husband in marriage, the restriction of parental authority only during the period of minor age, the clear establishment of obstacles to marriage and the grounds for marriage invalidity in the legislation, as well as the extension of the rights of illegitimate children in terms of securing the right to parental maintenance.

NATIONAL ANTI-CORRUPTION STRATEGIES IN THE SYSTEM OF PREVENTION OF CORRUPTION OF UKRAINE

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In the article, based on the analysis of scientific as well as regulatory and legal sources, the scientific analysis of national anti-corruption strategies in the system of corruption prevention in Ukraine is made. It is noted that the issue of anti-corruption activity, regardless of its spheres of existence in modern legal science, is at the stage of discussion. The introduction of such an important tool as the Anti-Corruption Strategy at the level of the law is a testament to the state's recognition of the existence of a corruption problem and the need to take measures to prevent and counteract this phenomenon. A comparative analysis of the strategies implemented in the past has revealed a partial implementation of these strategies, which instead speaks of gradual

and systemic anti-corruption progress, which may not be as rapid as required by society, but is gradually integrating new anti-corruption practices into different spheres of life. The formulation of a new Anti-Corruption Strategy should take into account the opinion of the expert community, the public, international experts, as well as on the basis of terminological certainty, absolute assurance of observance of human rights and the rule of law, taking into account previous achievements and shortcomings. An anti-corruption strategy is a normative-oriented benchmark that is specified by a specific period of time, outlined by the problem and the projected result. However, this document is a declarative act of the state which does not foresee negative consequences for its non-implementation, which causes its neglect or improper implementation. Therefore, it is necessary to provide for safeguards for its proper implementation, including accountability measures, and to define mechanisms for proper control in this area when formulating the Anti-Corruption Strategy. Forming an anti-corruption strategy is not identical to forming an anti-corruption policy, since the latter is a broader category and, among other things, involves the creation of strategic documents and mechanisms for their implementation. Anti-corruption policy should be considered as a set of established and normative mechanisms, tools and methods aimed at ensuring public interest caused by the need to reduce the phenomenon of corruption through the use of instruments of prevention, counteraction, and accountability. In this case, the Anti-Corruption Strategy is one element of the formalization of anti-corruption policy, which in turn is important, and to some extent, crucial.

INTERNATIONAL LAW OF STATE RESPONSIBILITY AND THE ECHR: SYMBIOSIS OR ESTRANGEMENT?

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Although the question of the relationship between international law and the ECHR can be a full dissertation topic of its own, this section does not aim to provide a comprehensive analysis but rather a brief outline of their relationship with the focus on the specific context of determination and attribution of State responsibility.

The purpose of the article is to analyze the issue of State responsibility under the ECHR which has revealed the underlying complexity and ambiguity behind the laws and legal principles involved in attribution of conduct of unrecognized armed groups to a State.

This article offers an inductive analysis of the ECtHR's jurisprudence with regards State responsibility in the contested regions which aims to identify a clear pattern based on the Court's reasoning. The article makes reference to the relevant rules under international law of State responsibility and briefly examines their interplay with the ECHR. Particular regard is also given to relevant legal literature, specifically, generalist and Convention-specific authors that have examined similar questions in their contributions. The analysis delineates between salient legal issues such as the position of general international law and its relationship with the ECHR. The article offers an overview of the relevant case law and inductive analysis of the approach taken by the Court. One of the main takeaways of the article is that the framework of ARISWA is relevant to the ECHR in so far as it covers the gaps in the Convention as was demonstrated in the analysis of the relevant case-law. Additionally, it appears that the Court has decided to develop its own distinct jurisprudence on State responsibility that in many aspects substantially differs from what is envisaged under ARISWA. The interconnected nature yet distinctly separate function of the frequently confused legal concepts has often resulted in a misunderstanding of the approach adopted by the Court.

THE MODERN CONCEPT OF INTERNATIONAL LEGAL RESPONSIBILITY

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International responsibility is a type of legal responsibility. The source of international responsibility is the consent of states to adhere to the rules of the international community, which nature is very similar to other types of positive legal liability.

The concept of international responsibility is a key one in international law. It is a logical link between a norm and a sanction for its failure, which is directly related to the effectiveness of international law and its authority. The issue of international responsibility is very complex and debatable in science of international law connected the nature of the subjects of international law.

The purpose of the article is to study the modern concept of international responsibility and its tendency of development.

The institute of responsibility, despite its extreme importance, is the least researched in international law. Its history dates back to the roots of the Ancient World. The state and international organizations in the current concept of responsibility are defined by the subjects of international law. According to the

modern concept of responsibility, it arises regardless of the damage or guilt caused by the violation of the norm. It is this concept that underpins the Responsibility of States for Internationally Wrongful Acts developed by the CIL UN. The issues of responsibility of international organizations and the succession of states in the area of responsibility are of particular importance today.

The author attempts to explore the features of the modern concept of international responsibility in the article. The historical basis of the emergence and formation of the institution of responsibility, current trends in its development are analyzed. The development of the concept of international responsibility from its emergence to the concept of objective responsibility, which formed the basis of the Articles on States' Responsibility for International and Unlawful Actions, developed by the CIL are explored. The modern institute of international responsibility is developing very fast and is being actively codified and emphasized. The current areas of its codification and research are the responsibility of international organizations and succession to the responsibility of states.

RONALD DVORKIN'S POLITICAL AND LEGAL IDEAS – GENERAL-CIVILIZATION STANDARD OF LEGAL LIFE

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In this article the basic legal ideas of Ronald Dworkin are reflected. An analysis of the scientific works of the innovator of the law is carried out. The relation of the scientist to other philosophical and legal concepts is clarified and on this basis his definitive approaches to the basic categories of legal matter are distinguished. The article outlines the basic political and legal views of the scientist, who form the civilization standard of legal life. In particular, the scientist's views on the correlation of law with morality, politics, economy, and religion were evaluated. The article reflects four stages of R. Dworkin's scientific work and states that the work of the innovator was directly and indirectly influenced by the works of many scientists of the time, including Herbert Garth, John Rawls, Isaiah Berlin.

The authors' main conclusions are as follows: first, the Ronald Dworkin doctrine is characterized by three main areas of scientific exploration: the concept of law, the doctrine of justice, the theory of values. Definition of vectors of scientific researches of a scientist is directly connected with the essential socio-cultural processes that have occurred during his activity. Second, Ronald Dworkin has based his theory in each of these areas most often on the basis of counter-argumentation against other theorists. The ideological inheritance united in a single general concept is subordinated to uniform principles. Third, when analyzing and evaluating the theoretical work of Ronald Dworkin, it should be noted that most of his publications were not originally intended as independent works, but were collections of previously published journal articles. The scientist has often rethought his ideas earlier, bringing new meaning to them. His legal ideas went beyond law; he considered it expedient and useful to be able to judge the law, taking into account the content and nature of politics and morality.

FEATURES OF INTERNATIONAL RELATIONSHIP OF HETMAN P. SKOROPADSKYI

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The basic directions of the foreign policy of Hetman Pavlo Skoropadskyi are reflected in the article. Conducted analysis of establishment and development of diplomatic relations of Ukrainian State with European countries and with the Fourth Alliance and the Entente in particular. The attitude of Pavlo Skoropadskyi about relations with Bolshevik Russia was found out, and there were identified severe attempts to avoid the impact of Russian-Bolshevik aggression. The conclusions about the main mistakes of the Hetmanate are substantiated. In particular, an analogy with the current state of Ukraine's international relations have been conducted, to prevent errors by present political leaders, in international relations and, moreover, the loss of sovereignty, independence and the state itself.

The authors concluded that the activities of the Ukrainian diplomatic service in the days of the Ukrainian State Hetman P. Skoropadsky made a powerful contribution

to the development of interstate relations in the priority and most important direction of the foreign policy course of the country at that time - towards the Central Powers, headed by Germany. It is thanks to the efforts of the government, the foreign ministries and the diplomatic missions that close links and business cooperation with European countries have been established. Ukraine has achieved some success in harnessing the power and influence of European countries to solve important problems of state-building: international recognition, independence, protection of fairly agreed borders, taking into account the unification of ethnic Ukrainian lands.

However, despite all the achievements, there were more failures, because it was not possible to save the state. The mistakes made by the then head of the country, both in terms of internal consolidation and prioritization, as well as from the point of view of international activity and building strong external relations, should in no way be repeated. That is why the period of P. Skoropadsky's Hetmanate should become a real lesson for modern politicians who have assumed responsibility for the preservation and development of a modern and independent Ukraine.

GENERAL PRINCIPLES FOR ENSURING THE AVAILABILITY OF PROTECTION IN A JUDICIAL PROCESS

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The nature of ensuring the availability of protection through complaints to the proper jurisdictions is a complex mechanism, a process involving a wide range of participants with numerous factors and factors of individual and objective origin. Principles of accessibility of justice are of interest not only in the stability and uniformity of regulating such a spectrum of relations. They have a cross-sectoral effect on the whole system of legal protection. However, if the principles of accessibility of justice have a cross-sectoral content, the principles of accessibility of administrative and jurisdictional protection are specific, because they are close to the nature of the relations of public administration.

In order to establish the place of the accessibility law principles in jurisdictional protection, a logical chain of linkage between principles "from concrete to general" are built.

Firstly, the principle of accessibility to administrative justice is an element of the principle of jurisdictional protection, which, in turn, is the principle of administrative law. Secondly, the principles of administrative law are aimed at the realization of the right of the individual to protection in relations with the authorities. The right to defense is a fundamental constitutional principle enshrined in Art. 55 of the Constitution of Ukraine. Thirdly, the right to defense is the guiding principle of the rule of law and a guarantee of the realization of another principle - the rule of law.

Therefore, it can be argued that the availability of administrative and jurisdictional protection is an element of the mechanism of action of law as a universal value.

The general principles of law are determined by the effect of the phenomenon of the rule of law as a tool for regulating public relations. The general law principles of ensuring the availability of administrative and judicial protection include the following: free legal aid; procedural equality and competitiveness of the parties; procedural affiliation (accessibility) and admissibility of the procedure; the permissible limit; the admissibility of the complaint.

As the phenomenon of accessibility goes through the whole process of filing, reviewing and resolving a complaint, the general law principles of ensuring the accessibility of protection apply at all stages and procedures of protection, such as: accessibility, which ensures the smooth submission of a complaint; accessibility that accompanies the merits of the case; availability that ensures the enforcement of a court (administrative) decision.

CONCEPT OF INFORMATION ACTIVITY OF LAW ENFORCEMENT BODIES

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The article analyzes information support of law enforcement agencies activity. It is proved that in our country it is necessary to improve the interdepartmental system of information provision in accordance with the requirements of international standards. The directions of solving the problems of modern information provision in the organs of internal affairs of Ukraine are proposed.

Law enforcement information support is an up-to-date not only for Ukraine, but also for many foreign countries, where much attention is paid to creating and the use of information systems for police activity. Police structures of different countries are everything interact more often, in particular in the permanent counteraction to international crime, terrorism etc. Law enforcement agencies also cooperate with United Nations peacekeeping missions, bilateral agreements between countries and multilateral agreements concluded by international organizations. This allows police officers from different countries to share information and experience, combining the results of their activities.

The relevance of the use of information technologies is increasing due to the intensive implementation of by engaging computer technology in law enforcement activities. This process affects the organization investigation of criminal offenses, methodological support of national police officers, and also the introduction of automated systems search information about any objects (persons, objects, events)

promotes scientific and organizational work, optimizes the collection, storage, systematization and analysis of evidence the implementation of investigative measures has now gained considerable experience in applying advanced technologies in the process crime prevention and investigation, search for suspect, forensic examination.

The tasks of modern information support should be achieved within the the implementation of a unified information security policy; creating multi-purpose information ATS subsystems; improvement of organizational and personnel support of information units; integration and systematization of ATS information records at all levels; building information network; creation of conditions for effective functioning of information records, ensuring them completeness, reliability, relevance and security; re-equipment of information units with modern computer hardware; expanding the network of computer jobs for users of information subsystems; further computerization of information records; establishing police interaction with the public in developing effective ways of providing this; introduction of new forms and methods ATS information support; legal education through the media; improvement legislation.

PECULIARITIES OF RENEWAL OF PROCEDURAL TERMS IN CASES IN WHICH PARTIES ARE ASYLUM SEEKERS

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In the article analyzes the rights of refugees or persons who need of additional protection in the context of the right to renew procedural time limits. Proposals to improve the protection of the rights of asylum seekers and their families to renew the procedural time limits are substantiated.

The author also provides recent research on the legal status of refugees or persons in need of additional protection. The analysis of the main international and national normative legal acts in the field of ensuring the rights of asylum seekers and their families to renew the procedural terms are made.

The judicial practice connected with the renewal of procedural time-limits in cases of claims of asylum seekers in Ukraine to the State Migration Service of Ukraine for recognition as illegal and the cancellation of decisions refusing to recognize them as refugees or persons in need of additional protection is analyzed. The basic problems of observance of the rights of the asylum seekers to the renewal of the procedural terms are presented.

In the article analyzes that the European Court of Human Rights adheres to the position that the right to judicial protection is more important than the procedural features of the exercise of that right by a state. The author cites a number of judgments of the European Court of Human Rights on the subject under study.

The author concludes that the court, when considering cases involving the asylum seekers, including the consideration of requests for renewal of procedural time limits to appeal against decisions of the State Migration Service of Ukraine to refuse recognition of their refugees or persons in need of additional protection, has to clarify the circumstances of the case as a whole, in the court decision to rely on all the evidence added to the request, to fully and objectively examine the case file, since, violation of these requirements entails the right of the asylum seeker to seek reopening spare their rights in the European Court of Human Rights. It is important for the courts of Ukraine to apply the positive case law of the European Court of Human Rights on similar issues to resolve the issue of renewed procedural time limits for appealing against decisions of the State Migration Service of Ukraine to refuse recognition of asylum seekers or persons who need of additional protection.

INSTITUTE OF PRIVATE ENFORCEMENT AGENTS IN THE CONTEXT OF PROTECTION OF RIGHTS AND LEGAL INTERESTS OF BUSINESS ENTITIES

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The article analyzes the key aspects of the functioning of the Institute of Private Performers in Ukraine, and finds out the influence of private performers on ensuring the protection of the rights and legitimate interests of economic entities in the enforcement of court decisions. As a rule, the institution of Private Performers is sufficiently mature today, which establishes the procedure for qualification selection, legal status, state policy of controlling the activities of private performers, requirements for the workplace, responsibility of that. The formation of the private executives is another important and additional guarantee of the protection of the rights and legitimate interests of business entities to ensure the real execution of court decisions made in their favor. The author analyzes the provisions of the current legislation on the regulation of the activities of private performers, information provision, guarantees of their activities. The author proves the existence of a positive impact on the protection of the rights and legitimate interests of business entities of the Institute of Private Entrepreneurs. The author substantiates that the private performers have incentives to really ensure the real execution of the court decision. It is argued that the main task of a private executors is to find enough assets of the debtor under the relevant court in order to recover from it debts and basic

remuneration. In the article, a distinction was made between certain features of activity of private and state executives in the context of guarantees of ensuring the rights of collectors - business entities. It is proved that there are certain advantages of involving business entities of private performers in co-operation with court decisions made in their favor. The author substantiates the financially-motivational and qualification aspect of the activities of private performers as a basis for increasing the effectiveness of enforcement of court decisions. It is proposed to amend the current legislation, namely, Article. 5 of the Law of Ukraine "On Enforcement Proceedings".

General characteristics of certain subjects of administrative and legal relations in the field of urban planning

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The article describes the general characteristics of certain subjects of administrative and legal relations in the field of urban development. There also has been made a historical excursion of the activities of individual subjects. The concepts of "construction", "urban planning" have been analyzed in the normative legal acts and special literature. They have been distinguished.

The positions of scientists of construction as a separate industry, a separate component industry, a sub-branch or an institute have been considered.

The system of subjects in urban planning is analyzed, through the separation of powers the Ministry of Regional Development, Construction and Housing and Communal Services of Ukraine, State Architectural and Construction Inspectorate of Ukraine, State Environmental Inspection, State Service of Ukraine for Food Safety and Consumer Protection of Ukraine of geodesy, cartography and cadastre, State Inspectorate of Agriculture of Ukraine, Inspection of State Geodetic Surveillance of the Main Directorate geodesy, cartography and cadastre of Ukraine.

Particular emphasis has been placed on the powers of local governments. It has been determined that the administrative and legal regulation of urban development by local self-government bodies is a system of actions and operations

carried out by local self-government bodies in the established forms with the help of certain methods and with the use of legal means aimed at ensuring the purposeful activity of the entities of urban legal relations in organizing the most an enabling space for people's lives.

FEATURES OF THE LEGAL STATUS OF PERSONS, DETERMINING NO SAFE

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In the article the authors separately analyze the conceptual apparatus in the studied direction. The definitions of "missing person", "missing person", "deceased individual" are clarified.

It was found that the definition of the term "missing person" for a long period of time did not have proper consolidation. In the scientific literature and in the legislation it was possible to find close to this formulation. For the first time the statutory wording of the "missing person" is disclosed in the current Law of Ukraine "On the Legal Status of Missing Persons", adopted on July 12, 2018.

The authors in the article identify the difference between "missing person" and "missing person" because the concepts are at first glance similar. Attention is drawn to the fact that a person's unknown absence is established by a court decision, and such a decision is not required to recognize a missing person.

The authors found that acquiring the status of missing person allows her to subsequently acquire, through a court decision, the status of missing or declared deceased. According to the authors, the concept of "missing person", "missing person", "deceased person" are not identical, so the article offers their clarification definitions of these concepts.

It has been determined that a person may disappear under different circumstances. The article states that the current legislation identifies special types of "missing persons, taking into account the circumstances in which they may have disappeared." The authors conclude that the legislation should take into account all circumstances in which persons may disappear. For example, a person may disappear

due to their arrears, due to an exacerbation of a person's mental, psychological illness, memory loss, and more.

The authors, analyzing the legal status of the missing person, indicate that it acquires the missing status from the moment the applicant submits a statement about the disappearance of the unknown person and his search or by court order. The statement on the fact of disappearance of the person of the unknown and his search shall be submitted to the relevant territorial body of the National Police of Ukraine. The article states that the bodies authorized for the search of persons who have been missing are the National Police of Ukraine and the units carrying out operational search activities, defined by the Law of Ukraine "On Operative Investigation Activity".

The authors selectively analyze the experience of some countries on the legal status of the missing person and conclude that international experience is useful for its use in Ukraine.

The authors of the article determined that national legislation did not catch the attention of foreigners and stateless persons. It is established that their acquisition of the status of missing person, if they have resided permanently or mainly in the territory of Ukraine, will be regulated by Ukrainian legislation.

The article establishes that the conclusion of international treaties by Ukraine allows to regulate important interstate relations in order to determine the procedure for acquiring a status of a missing person, since acquiring such status is required not only by citizens of Ukraine within our country or another, but also by foreigners residing in the territory of Ukraine.

CURRENT STATUS AND DEVELOPMENT PROSPECTS OF THE PUBLIC ADMINISTRATION FOR THE PROVISION OF ADMINISTRATIVE SERVICES

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The article explores the activities of public administration in the context of improving administrative service delivery practices.

The content of the categories "public administration" and "administrative service" in the theory of administrative law is analyzed. Public administration is interpreted as the activity of public administration in the realization of public interest aimed at ensuring the constitutional rights, freedoms and interests of a person in public-legal relations, and public administration is defined as a system of state executive bodies, local self-government bodies, which, according to the legislation of Ukraine, administrative functions in public-legal relations, first and foremost in relations for the provision of administrative services for the implementation of public interest.

It is noted that in Ukraine the system of public administration bodies is formed not only by executive bodies, but also by local self-government bodies, which, taking into account regulatory and administrative status, functioning at the central and local levels, make up the system of executive bodies. activity.

It was pointed out that the activity of the executive bodies as a component of the mechanism of public administration, first of all, is focused on the realization of procedural rights of citizens, in particular the rights related to property, social needs, which led the local executive authorities and local self-government bodies to improve standards and provision of administrative services.

The ways of improvement of certain directions of service activity of public administration bodies are suggested. It is stated that the current state of administrative services in Ukraine testifies to the conditionality of improvement of certain directions of service activity of public administration bodies. In our opinion, the relevant areas include: first, the interaction and coordination of the executive and local self-government bodies in implementing the “one-stop shop” principle; second, the delegation of powers from local executive bodies to local self-government in relation to the implementation of registration procedures (with the exception of registration of regulatory acts); third, the extension of the ability to provide administrative services online by developing a single digital signature for the bodies of all public administration bodies; fourth, ensuring the organization of the operation of mobile transport-modular groups in rural inaccessible areas.

Practices of providing administrative services in the areas of state registration are examined, as an example of the activity of Uzhgorod city council on registration of civil status acts.

PERIODIZATION OF FORMATION PROCESS OF UKRAINIAN MARITIME LEGISLATION IN CONDITIONS OF ITS BRINGING TO THE INTERNATIONAL MARITIME LAW STANDARDS.

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The topic of the study is actual since Ukraine is a maritime state and has undertaken to make the norms implementation of international maritime law in the current legislation. Therefore, the article outlines the author's vision of periodization of the formation process of Ukrainian maritime legislation. The time interval during which the study was conducted, the author conditionally divided into three stages. In the course of the characteristics of each identified stage, the main organizational and legal measures by various levels of government were analyzed. It is established that the first stage was characterized by the creation of a normative base on the basis of

such principles as universality, democracy, anti-discrimination. At the second stage, the formation process of Ukrainian maritime law was marked by the factors: creation of the bill, which laid the essential provisions of major international maritime acts; the program of international law adaptation into the Ukrainian legislation were created and implemented; Ukraine has received its own jurisprudence regarding the resolution of international maritime disputes. The third stage is characterized by activation of activities of the Verkhovna Rada of Ukraine, executive bodies for the implementation of the Ukrainian maritime legislation of international norms and their application in order to regulate the territorial sea exploitation, coastal structures, sea vessels and the implementation of maritime security measures. The article formulates the conclusions in which the author summarized the following: specificity of Ukraine's implementation of international maritime law norms is to recognize the mechanism of governing the international community's relations on the World Ocean; Ukraine has taken an inevitable course towards the implementation of international maritime standards in the current legislation; It is noted that the legislative work and practice of law enforcement bodies of all state power branches is essential for the formation process of the Ukrainian maritime legislation, but it has not yet acquired the appearance of a consistent system; in the course of implementing measures to update the Ukrainian maritime legislation, the President's participation is minimized. The author believes the proposed periodization to serve for systematization of the Ukrainian maritime legislation in the future.

CIVIL JUSTICE AS A GUARANTEE OF LAW AND ORDER IN THE STATE

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The current jurisprudence is increasingly drawn to the philosophical study of social relations and the law as a mechanism to resolve them. Many aspects of the problem have been highlighted in publications of V. Babkin H. Baliuk V. Kopieichikov, A. Kryzhanovskyi Ye. Nazarenko V. Oksamytnyi M. Orzikh, V. Korobka P. Rabynovych S. Slyvka and other authors, however, some significant issues – among them the questions of the definition of public relations, the legal form of social relations, the role of law in the settlement and stabilization of social relations, - are still being the subject of discussion and require further study. For this reason, the outlined issue is relevant to each of us and needs research.

The article analyzes the philosophical aspects of social relations; Theoretical features of the formation of civil justice and its influence on the establishment of law and order in the state are considered; the theories of the origin of law and order are analyzed and the mechanisms of law order formation through synthesis of legal

values and norms of law are argued; Possibilities and ways of influence of legal culture and justice on formation of law and order in the state are characterized.

The study concluded that the problem of legal regulation of social relations in the state is in the field of values of social life, which is characterized by a continuous process of gradual increase in the objective value of legal law. In this sense, an important role for legal socialization of an individual that takes place mainly through his appropriation of the principles of legal consciousness and legal traditions of the culture of society.

SPECIFICS OF SUBSIDIARY OBLIGATIONS' FULFILMENT

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The article is devoted to the study of issues related to the fulfillment of subsidiary obligations. The author describes the basis, procedure of involving the subsidiary debtor in the performance of the obligation, as well as the consequences of such performance for the parties to the obligation.

The purpose of subsidiary obligations is to ensure the stability of civil legal relations, to protect the interests of their participants, as well as to share the risks in the event of non-performance or improper performance of obligations. There are two subjects on the debtor's side in a subsidiary obligation to whom a claim can be made.

The fulfillment of a subsidiary obligation must be carried out in accordance with a strict procedure established by law. However, individual terms and conditions may be agreed by the parties in a contractual manner.

The creditor, demanding fulfillment of the obligation to the subsidiary debtor, must determine the amount of performance. At the same time, the amount of performance is limited by the amount of the principal debtor's obligation in a subsidiary obligation.

The subsidiary debtor has the right to raise against the creditor's claims any objection that the principal debtor might have made to the creditor, in particular, to refer to the absence of his guilt in default.

The subsidiary debtor who has fulfilled the obligation is entitled to recourse to the principal debtor. However, the right to recourse to a subsidiary debtor does not arise in all cases. In particular, in the case of parental responsibility for the harm caused by minors, the right to recourse against the parents does not arise.

In performing a subsidiary obligation, the interests of both the creditor and the subsidiary debtor must be taken into account. The protection of the interests of the creditor is ensured by fulfilling his requirements by an additional debtor. With respect to the interests of the additional debtor, his obligations should be clearly defined either by the contract between him and the principal debtor or a legal act, and the rights are guaranteed by granting the right to recourse to the principal debtor whose obligation to the creditor fulfilled the additional debtor.

FOREIGN PRACTICE PROVIDING OF THE TRANSPARENCY PRINCIPLE IN PUBLIC ADMINISTRATION ACTIVITIES

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The article attempts to cover a number of elements related to transparency, as a principle, phenomena and requirements of public authority, as well as in the practice of public authorities. The author places the principle of transparency in the second place after the rule of law in the system of public administration. In fact, both of these principles have an extensive system of elements that together form the foundation for effective public administration. If transparency determines the approach to the proper construction of public administration, the rule of law, due to its focus on protecting natural human rights against state influence, has a negative connotation on protecting certain human rights against the requirements of the principle of transparency. From the standpoint of scientific criticism, it is noted that the broad interpretation of the features and elements of transparency (openness, transparency, accessibility, accountability, publicity, publicity, access to public information and community participation in public affairs), through their partial overlapping, undermines the administrative integrity of the concept, used in the approaches of foreign authors.

The implementation of the principle of transparency in the activities of public administration is one of the key places in the modern principles of organization and functioning of government. The elaboration of international organizations' approaches to the implementation of the principle of transparency in public administration has clearly demonstrated the correlation of this principle with the approaches of good governance and the prevention of corruption, as well as its broad interpretation as one that combines the principles of accountability, transparency and public participation. This places transparency in the second place after the rule of law in the system of public administration.

THE FORMS OF REALIZATION OF CONSTITUTIONAL AND LEGAL POLICY: THEORETICAL AND METHODOLOGICAL ANALYSIS

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Constitutional and legal policy, which is one of the most strategic types of national legal policy, has important significance for the process of state-building, development of constitutionalism and democracy in Ukraine. Constitutional and legal policy is a complex of legal ideas, produced by state and local self-government bodies with participation of civil society institutions and embodied in the specific programs of improvement of mechanism of constitutional and legal regulation of social relations.

The article is dedicated to the research of legal nature of the juridical category «constitutional and legal policy» and forms of its realization. Substantiation of a necessity of introducing a new category “constitutional and legal policy” into the system of the science of constitutional law, which forms of realization have not only theoretical but also practical significance for jurisprudence, is the purpose of this investigation.

Successful realization of legal policy in practice, that is achievement of the goals and implementation of the tasks set by the state, requires its embodiment in the appropriate forms. The notion “form of realization of legal policy” is analyzed, which is considered not in the sense “source” by analogy with the form of law, but in the sense of the directions of its realization. Such basic, interdependent and close stipulated, forms of legal policy as doctrinal, law-making, law-enforcement, law-interpreting, law-educating are defined.

The inconsistency of the constitutional and legal reforms’ results, that have taken place over the past two decades, with the public expectations induces to revise the principles and forms of state policy production, including in the field of law. The formation and realization of the constitutional and legal policy of Ukraine requires, unlike other types of legal policy, not only the qualified practical activity of state and local self-government bodies, but also the active participation of civil society institutions.

It is concluded that the formation of the qualitative constitutional and legal policy and its effective realization in the process of constitutional construction are conditioned by fruitful cooperation of the subjects of legal policy during a successive transition from one form of legal policy to another one.

The theoretical foundations of the mechanism of realization of each form of legal policy should be provided both at the general theoretical and sectoral level. Thus, the development of all the above-mentioned directions of realization of legal

policy, which should have theoretical and applied character, is the immediate task of the science of constitutional law.

MEMBERS OF LEGAL RELATIONSHIPS OF POLYGRAPH CHECKING

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In the article the author investigates the relations that arise during conducting polygraph checking in state authorities. The author identifies the main subjects of legal structure of administrative legal relations carrying out polygraph interview. Among other things, the author analyzes the terms used in the administrative attitude of polygraph checking and identifies some deficiencies of normative regulation. According to the results of the study, is substantiated that lack of regulation does not allow reflect the managerial influence on polygraph checking relations in administrative law.

The subjects of administrative relations for conducting polygraph surveys are the actual holders of the rights, duties and powers in the sphere of providing the functions of public authority, which are accompanied by the receipt of indicative information with the use of a special technical means - a computer polygraph.

Legislative unregulation of relations on conducting psychophysiological surveys with the use of polygraph determines the systemic errors and the hopelessness of departmental norm designing.

Summarizing the terminology, it can be noted that the rule-maker mostly determines not the intrinsic features of the parties of the polygraphic relations, but rather, the compliance with the criteria for the persons who are testing and interviewed. In most cases, two categories of subjects are interviewed: candidates for the department and current employees. The obligatory requirement for the respondent is to provide voluntary consent (without emphasizing the written form) and the absence of medical contraindications.