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ЗАХОДИ ЗАБЕЗПЕЧЕННЯ ПРОВАДЖЕННЯ У СПРАВАХ ПРО АДМІНІСТРАТИВНІ ПРАВОПОРУШЕННЯ У СИСТЕМІ ЗАХОДІВ АДМІНІСТРАТИВНОГО ПРИМУСУ

Анотація. Розглянуто питання заходів забезпечення провадження у справах про адміністративні правопорушення в системі заходів адміністративного примусу. Проаналізовано адміністративний примус як різновид державного примусу. Розкрито класифікацію заходів адміністративного примусу в певні періоди розвитку адміністративного законодавства та їх місце в системі адміністративного примусу. Обґрунтовано необхідність у дослідженні заходів забезпечення провадження у справах про адміністративні правопорушення у сфері охорони державного кордону, розробленні пропозицій, спрямованих на вдосконалення правозастосовної діяльності. Заходи забезпечення провадження у справах про адміністративні правопорушення специфічні. Виокремлено ознаки, що дають змогу вирізнити їх у самостійній групі, зокрема: функції, що виконуються заходами забезпечення провадження у справах про адміністративні правопорушення, підстави – нормативні та процесуальні, цілі та правові наслідки застосування, порядок оскарження актів застосування заходів забезпечення провадження у справах про адміністративні правопорушення.

Ключові поняття: адміністративне правопорушення, адміністративний примус, державний примус, заходи забезпечення, правопорядок.

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MEASURES TO ENSURE PROCEEDINGS IN CASES OF ADMINISTRATIVE OFFENSES IN THE SYSTEM OF MEASURES OF ADMINISTRATIVE COERCION

Abstract. The article considers the issue of measures to ensure proceedings in cases of administrative offenses in the system of measures of administrative coercion. The administrative coercion as a kind of state coercion is analyzed. The classification of measures of administrative coercion in certain periods of development of administrative legislation, and their place in the system of administrative coercion is revealed. The necessity of researching measures to ensure proceedings in cases of administrative offenses in the field of state border protection, development of proposals aimed at improving law enforcement activities is substantiated. Measures to ensure proceedings in cases of administrative offenses are specific. The features that allow them to be separated into an independent group are singled out, including the functions performed by measures to ensure proceedings in cases of administrative offenses, grounds - regulatory and procedural, purposes and legal consequences of application, the procedure for appealing acts of measures to ensure proceedings in cases of administrative offenses. State coercion acts as a method of legal influence based on organized force and legal norms, and is carried out to protect state, public or personal interests. In a state governed by the rule of law, state coercion is a necessary and effective means of administration. Cessation of administrative offenses, being a kind of state coercion, is a system consisting of certain elements – measures of administrative coercion.

Key concepts: administrative offense, administrative coercion, state coercion, measures of ensuring, law and order.

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Introduction

Measures of ensuring proceedings in cases of administrative offenses are an effective public administrative instrument aimed primarily at protecting citizens from unlawful encroachments by offenders. However, in order to prevent excessive intrusion into the constitutional rights of citizens by state bodies, the restriction of these rights should be as regulated and understandable as possible for those who apply the law.

Due to the implementation of the Agreement on the Association between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their Member States, on the other hand, there is a tendency to adapt national legislation to European require-

ments in the field of human and civil rights and freedoms, that for sure, will affect the legal regulation of measures to ensure proceedings in cases of administrative offenses. Law enforcement practice indicates its insufficient legal regulation. In this regard, there is a need to study measures of ensuring proceedings in cases of administrative offenses in the field of state border protection, development of proposals aimed at improving law enforcement activity.

The issues of administrative coercion and its measures are the subject of research by well-known representatives of the legal science of law, in particular, these issues were considered by: V. B. Averianov, O. F. Andriyko, O. M. Bandurka, Yu. P. Bytiak, N. P. Bortnyk, V. M. Harashchuk, I. P. Holosnichenko, S. T. Honcharuk, M. P. Hurkovskyi, S. S. Yesimov, R. A. Kalyuzhnyi, A. T. Komzyuk, T. O. Kolomoyets, V. K. Kolpakov, V. Ya. Nastyuk, O. I. Ostapenko, V. L. Ortynskyi, V. K. Shkarupa and others.

The purpose of this article is to reveal the issues of measures to ensure the proceedings in cases of administrative offenses.

1. Administrative coercion as a kind of state coercion

According to the Constitution of Ukraine, the rule of law provides for the recognition, observance, protection of human and civil rights and freedoms. Observance of human and civil rights and freedoms presupposes, in particular, strict regulation of the application of measures of administrative influence to offenders. However, the problem of applying measures of administrative coercion to various types of offenders remains relevant today.

The majority of offenses committed by both citizens and legal entities belong to the sphere of relations governed by administrative law. The state, exercising regulation in the field of administration, has the right to apply to persons who have violated the rules of administrative law, measures of state coercion. Among them are measures of administrative warning, termination, provision and punishment.

As a component of the system of measures of administrative coercion, measures of ensuring proceedings in cases of administrative offenses (hereinafter - measures of ensuring proceedings), however, are specific. Their special role is emphasized by the legislator. Measures of ensuring proceedings are allocated in a separate Chapter 20 of the Code of Ukraine on Administrative Offenses [1].

Currently, there is no single approach to the interpretation of the definitions of state and administrative coercion in administrative and administrative procedure law. One cannot agree that state coercion is a primary property of law, embodying stimulating and restrictive potential. Even ancient philosophers justified the need for the use of force by the state to achieve the common good, peace, security of the state, the rule of justice.

Consideration of the of scientists' positions on this issue shows the existence of an ambiguous understanding of state coercion.

According to S. D. Pryputen, coercive measures are statutory methods, techniques and means of influencing personal, property and organizational nature, which allow to force a person to perform legal duties and comply with legal prohibitions which consist of legal restrictions, wanderings, encumbrances, appropriate actions that entail the occurrence of legal damage, causing moral, material and physical harm [2, p. 21].

V. V. Karelin defines state-legal coercion as state-legal influence, regulated by substantive and procedural law and exercised by authorized authorities (officials) by restricting the rights and freedoms of coercive entities in order to organize the absolute compliance with legal requirements [3, p. 91].

These authors believe that state coercion is carried out by force, by restricting the rights and freedoms of citizens.

Proponents of a different approach to the definition of state coercion consider it as a method of legal influence on public relations used to protect human and civil rights and freedoms, ensure law and order and security. There are other approaches to the interpretation of the term state coercion.

We are closer to the position of L. I. Kalienichenko, who defined the concept of state coercion as a method of state influence on the subjects of law, which is to impose legal restrictions through the application of statutory coercive measures in connection with the offense (or effective and illegal act that contains signs of an offense) or in connection with state necessity [4, p. 12].

The analysis of the above definitions shows that, on the one hand, state coercion acts as a method of legal influence based on organized force and legal norms, and on the other - state coercion is carried out to protect state, public or personal interests.

The functioning and development of social relations, the emergence of certain failures in these processes and negative consequences (social conflicts, offenses, exacerbation of terrorism, the spread of coercion in international relations), the need to overcome them, force to resort to coercion not as a means of repression and violence but as one of the effective means of management, along with persuasion and stimulation. Even in a state governed by the rule of law, state coercion is a necessary, reliable, effective means of administration.

An administrative coercion is a type of state coercion, which has its characteristic features, but in contrast to the first, is governed by the rules of administrative and administrative procedure law. Administrative coercion has been analyzed by legal scholars for several decades as a category and as an institution, and during this time, as in the interpretation of the concept of state coercion, many views and opinions have been formed.

Some scholars consider this definition as administrative coercion, and others - as administrative and legal coercion.

A. O. Polishchuk understands administrative coercion as a method of state influence on subjects of law, which consists in imposing legal restrictions in the form of application of measures directly provided by the norms of administrative law in connection with the offense (or objectively illegal act containing signs of the offense) or in connection with another state necessity by imposing on the subjects of law by an individual legal act of management of additional legal obligation or deprivation, restriction on the use of existing rights [5, p. 57].

The definition of administrative coercion proposed by M. I. Kurochka deserves attention. Termination of administrative offences is a set of preventive measures, precautionary measures, measures to ensure proceedings in cases of administrative offenses and measures of administrative punishment, applied mainly by executive authorities, courts to violators of administrative legislation to maintain proper relations in the field of public administration [6, p. 113].

Such an interpretation is interesting in that it includes four groups of measures of administrative coercion, considered as a set, defining administrative coercion as a system consisting of elements which are represented by measures of administrative coercion. Measures of administrative coercion, taken in unity and interconnectedness, form a holistic system consisting of several separate groups (types). It is very important in the process of departmental rule-making not to allow cases of regulation in departmental regulations of the grounds and procedure for the application of coercive measures, when these issues are not regulated by law. Everything concerning the rights and responsibilities of citizens should be regulated exclusively by law [7, p. 174].

It seems appropriate to consider administrative coercion as a set of means of ensuring public safety and law and order, used by authorized public authorities and their officials in order to prevent and stop administrative offenses.

Agreeing with the statement that the external manifestation of administrative coercion is an administrative coercive measure, it is necessary to indicate the following. The cessation of administrative offenses, as a system, consists of a set of elements – measures of administrative coercion, which, depending on the situation, can be implemented by authorized state bodies or officials. Despite the diversity, the measures of administrative coercion are interconnected; they have a certain order and integrity. It is important to emphasize that measures of ensuring proceedings in cases of administrative offenses are part of the system of administrative coercion as an independent type of administrative influence.

2. Ensuring proceedings in cases of administrative offenses as a separate type of classification of measures of administrative coercion

The problem of classifying measures of administrative coercion in the legal literature has been discussed for a long time, but not all scholars have included in their classification measures to ensure proceedings in cases of administrative offenses as a separate type. For example, back in the 1940s-1950s, scientists considered a two-member classification, according to which measures of administrative coercion were divided into: administrative penalties and other measures of administrative coercion [8, p. 175].

Later, M. I. Yeropkin proposed a three-member classification of coercive measures, in which he identified: administrative penalties, measures of administrative termination, administrative precautionary measures [9, p. 122].

Three types of measures of administrative coercion are distinguished by some modern scientists: O. I. Ostapenko, Z. R. Kisil, M. V. Kovaliv, R. V. Kisil, who distinguish between: administrative and preventive measures; measures of administrative termination; administrative and punitive measures [10, p. 98].

Yu. O. Soshnikova proposes to divide the measures of administrative coercion into: administrative-preventive; administrative termination; administrative-procedural coercion, measures of administrative responsibility [11, p. 64].

At the same time, in recent years, many experts have allocated to an independent group of measures to ensure the proceedings in cases of administrative offenses. This position is held by S. L. Dembitska, who classifies measures of administrative coercion into four types: measures of administrative warning; measures of administrative termination; measures of administrative responsibility; measures to ensure proceedings in the case of an administrative offense [12, p. 72–73].

As can be seen, the classification of administrative coercive measures is still controversial. It is quite reasonable to allocate measures of ensuring

the proceedings in cases of administrative offenses in an independent group of measures of administrative coercion. Such measures play a special role in ensuring the proceedings in the case of an administrative offense, as they contribute to the identification and consolidation of evidence.

In order to understand the specifics and place of measures to ensure the proceedings in cases of administrative offenses in the system of administrative coercion, it is necessary to clearly distinguish this type of measures of administrative coercion from others.

Administrative precautionary measures and measures to ensure proceedings in cases of administrative offenses are similar to precautionary measures in the manner of implementation, form of expression, nature of legal restrictions, measures to ensure proceedings in cases of administrative offenses are applied on other grounds. This is an offense (actual or presumed). Their use does not prevent violations. These measures may not be applied due to exceptional circumstances and are not intended to prevent harmful effects. The application of these measures only creates conditions for the implementation of other types of administrative coercion, that is limited to procedural purposes.

Measures to ensure proceedings in cases of administrative offenses have much in common with measures of administrative termination; however, the procedure for their implementation emphasizes the heterogeneity of these categories of administrative influence and allows them to be divided into independent classification groups.

The similarity of these measures is due to the general factual basis of application, which is an offense, or rather, its features (for the application of administrative termination and measures of administrative coercion does not require full establishment of the violation). This similarity of termination measures with enforcement measures leads to Proponents of the traditional three-tier system (distinguish three types of measures of administrative coercion: administrative precautionary measures, measures of administrative termination and measures of administrative responsibility), consider measures to ensure proceedings as part of precautionary measures, and some scholars completely identify these measures.

We believe that measures of administrative termination can be distinguished from measures of ensuring proceedings in cases of administrative offenses on the following grounds.

First, the application of measures to ensure the proceedings in cases of administrative offenses is based on the security function, in contrast to the function of termination of the violation, which is the basis for termination measures. Precautionary measures help to ensure the normal course of proceedings in cases of administrative offenses that is serve it, and cannot be applied outside the proceedings in cases of administrative offenses.

Secondly, measures to ensure the proceedings are applied only in the presence of an administrative offense; the application is possible during the commission of an administrative offense and after the commission, in contrast to the measures of administrative termination, which can be applied before the commission of an administrative offense.

Third, measures to ensure proceedings, in contrast to precautionary measures and other measures of administrative coercion, are applied in a certain, legally established procedural order. According to the Code of Administrative Offenses, a person who is brought to administrative responsibility may not be subjected to measures to ensure the proceedings in the case of an administrative offense other than on the grounds and in the manner prescribed by law.

Fourth, in contrast to the measures of administrative termination of the application of measures to ensure proceedings in cases of administrative offenses does not have an independent direct impact on the development of the offense, does not affect its dynamics as significantly and directly as the application of precautionary measures.

The exercise of many of the rights and freedoms proclaimed by the Constitution and other normative acts can be achieved only through the application of the relevant legal norm, during which the police establish the existence of rights and obligations, determine the moment of action or termination of subjective rights and obligations, exercise control over the correctness of the acquisition of rights and responsibilities [13, p. 174].

Conclusions

Examining the measures of ensuring the proceedings in cases of administrative offenses in the system of measures of administrative coercion, it is appropriate to indicate the following.

In the educational and scientific legal literature of recent years there is a point of view, according to which measures to ensure proceedings in cases of administrative offenses are considered as a system.

It is worth mentioning that a system is a holistic entity that has new qualitative characteristics that are not contained in the constituent components, a set of objects whose interaction causes the emergence of new, integrative qualities that are not inherent in the individual components of the system.

This approach seems rational and reasonable, as it allows to get the most complete and holistic

view of the measures to ensure the proceedings in cases of administrative offenses.

The presence of common features, essential features that are manifested in the whole variety of forms of measures of ensuring proceedings in cases of administrative offenses, determines the specifics of this type of administrative coercion among other groups of coercive measures. The advantages of this approach include the fact that the consideration of security measures from the standpoint of the system makes it possible to develop a single and most rational approach to the application of security measures by different law enforcement agencies.

Analysis of different approaches to understanding state coercion shows that, on the one hand, state coercion acts as a method of legal influence based on organized force and legal norms, and on the other - state coercion is carried out to protect state, public or personal interests. In a state governed by the rule of law, state coercion is a necessary and effective means of administration. Cessation of administrative offenses, being a kind of state coercion, is a system consisting of certain elements – measures of administrative coercion.

Measures of administrative coercion can be classified into the following groups: measures of administrative warning; measures of administrative termination; measures to ensure proceedings in cases of administrative offenses; measures of administrative punishment; administrative and restorative measures. Measures to ensure proceedings in cases of administrative offenses are specific. They have features that allow to distinguish into an independent group, including the functions performed by measures to ensure proceedings in administrative offenses, grounds - regulatory and procedural, purposes and legal consequences of application, the procedure for appealing acts of enforcement measures in administrative offenses.

Список використаних джерел

1. Кодекс України про адміністративні правопорушення : Закон України від 07.12.1984 р. № 8073-X. *Відомості Верховної Ради Української РСР*. 1984. Додаток до № 51. Ст. 1122.
2. Припутень Д. С. Примус у службовому праві: теорія, досвід та практика реалізації : автореф. дис. на здобуття наук. ступеня д-ра юрид. наук: спец. 12.00.07. Запоріжжя, 2019. 38 с.
3. Карелін В. Заходи адміністративного примусу та особливості їх застосування у сфері організації виконання покарань. *Підприємництво, господарство і право.* 2019. № 1. 90–94.
4. Калєніченко Л. В. Характерні риси державно-правового примусу в змісті юридичної відповідальності. *Держава і регіони*. 2018. № 1 (59). С. 11–16.
5. Поліщук А. О. Забезпечення прав людини під час застосування заходів адміністративного примусу поліцією : дис. … канд. юрид. наук : 12.00.07. Київ, 2017. 178 с.
6. Курочка М. І. Адміністративний примус, обумовлений необхідністю припинення правопорушення. *Форум права*. 2015. № 4. С. 133–138.
7. Гурковський М. П., Єсімов С. С. Основні принципи діяльності поліції щодо забезпечення конституційних прав і свобод людини та громадянина в Україні. *Науковий вісник Львівського державного університету внутрішніх справ. Серія юридична.* 2017. № 1. С. 171–184.
8. Ямпольская Ц. А. Об убеждении и принуждении в советском административном праве. *Вопросы советского административного и финансового права: сборник статей*. Москва : Издательство АН СССР, 1952. С. 156–181.
9. Еропкин М. И. Управление в области охраны общественного порядка. Москва : Юридическая литература, 1965. 215 с.
10. Адміністративне право : навч. посіб. / О. І. Остапенко, З. Р. Кісіль, М. В. Ковалів, Р. В. Кісіль. Київ : Всеукраїнська асоціація видавців «Правова єдність», 2008. 533 с.
11. Сошнікова Ю. О. Адміністративний примус як вид державного (публічного) примусу. *Науковий вісник Херсонського державного університету.* 2013. Т. 2. Вип. 2. С. 61–66.
12. Дембіцька С. Л. Класифікація адміністративних заходів у системі адміністративного примусу. *Держава і регіони*. 2018. № 1 (59). С. 71–76.
13. Гурковський М. П., Єсімов С. С. Основні форми та методи діяльності поліції у сфері забезпечення конституційних прав і свобод людини та громадянина України. *Науковий вісник Львівського державного університету внутрішніх справ. Серія юридична.* 2016. № 4. С. 171–186.

References

1. Kodeks Ukrayiny pro administratyvni pravoporushennya: Zakon Ukrayiny vid 07.12.1984 r. № 8073-X [Code of Ukraine on Administrative Offenses: Law of Ukraine of December 7, 1984 № 8073-X]. *Vidomosti Verxovnoyi Rady Ukrayins`koyi RSR (Information from the Verkhovna Rada of Ukrainian SSR).* 1984. Dodatok do № 51. St 1122 [in Ukr.].

2. Pryputen`, D. S. (2019). Prymus u sluzhbovomu pravi: teoriya, dosvid ta praktyka realizaciyi [Coercion in official law: theory, experience and practice of implementation]. Zaporizhzhya [in Ukr.].
3. Karelin, V. (2019). Zaxody administratyvnogo prymusu ta osoblyvosti yix zastosuvannya u sferi organizaciyi vykonannya pokaran` [Measures of administrative coercion and features of their application in the field of organization of execution of punishments]. *Pidpryyemny`cztvo, gospodarstvo i pravo (Entrepreneurship, Economy and Law),* 1, 90–94 [in Ukr.].
4. Kalyenichenko, L. V. (2018). Xarakterni rysy derzhavno-pravogo prymusu v zmisti yurydychnoyi vidpovidal`nosti [Characteristic features of state coercion in the content of legal liability]. *Derzhava i regiony (State and regions),* 1 (59), 11–16 [in Ukr.].
5. Polishhuk, A. O. (2017). Zabezpechennya prav lyudyny pid chas zastosuvannya zaxodiv administratyvnogo prymusu policiyeyu [Ensuring human rights when applying administrative coercion by the police]. Ky`yiv [in Ukr.].
6. Kurochka, M. I. (2015). Administratyvnyj prymus obumovleny`j neobxidnistyu prypynennya pravoporushennya [Administrative coercion is due to the need to stop the offense]. *Forum prava (Law Forum),* 4. 133–138 [in Ukr.].
7. Hurkovs`kyi, M. P., & Yesimov, S. S. (2017). Osnovni pryncypy diyal`nosti policiyi shhodo zabezpechennya konstytucijnyx prav i svobod lyudyny ta gromadyanyna v Ukrayini [Basic principles of police activity to ensure the constitutional rights and freedoms of man and citizen in Ukraine]. *Naukovyj visnyk L`vivs`kogo derzhavnogo universytetu vnutrishnix sprav. Seriya yurydychna (Scientific herald of Lviv State University of Internal Affairs. Legal Series),* 1, 171–184 [in Ukr.].
8. Yampol`skaya, Cz. A. (1952). Ob ubezhdenyy y` pry`nuzhdeny`y` v sovetskom admy`ny`straty`vnom prave [On persuasion and coercion in Soviet administrative law]. *Voprosy sovetskogo admy`ny`straty`vnogo y` fy`nansovogo prava. Sborny`k statej (Questions of Soviet administrative and financial law. Articles digest).* Moskva: Y`zdatel`stvo AN SSSR [in Russ.].
9. Eropky`n, M. Y`.(1965). Upravleny`e v oblasty`oxrany obshhestvennogo poryadka [Administration in Public Order Protection]. Moskva: Yury`dy`cheskaya ly`teratura [in Russ.].
10. Ostapenko, O. I., Kisil`, Z. R. , Kovaliv, M. V., & Kisil`, R. V. (2008). Administraty`vne pravo [Administrative Law]. Ky`yiv: Vseukrayins`ka asociaciya vy`davciv «Pravova yednist`» [in Ukr.].
11. Soshnikova, Yu. O. (2013). Administraty`vny`j pry`mus yak vy`d derzhavnogo (publichnogo) pry`musu [Administrative coercion as a type of state (public) coercion]. *Naukovy`j visny`k Xersons`kogo derzhavnogo universy`tetu (Scientific Bulletin of Kherson State University),* 2, 2, 61–66 [in Ukr.].
12. Dembicz`ka, S. L. (2018). Klasy`fikaciya administraty`vny`x zaxodiv u sy`stemi administraty`vnogo pry`musu [Classification of administrative measures in the system of administrative coercion]. *Derzhava i regiony`(State and regions),* 1 (59), 71–76 [in Ukr.].
13. Hurkovs`ky`j, M. P., & Yesimov, S. S. (2016). Osnovni formy` ta metody` diyal`nosti policiyi u sferi zabezpechennya konsty`tucijny`x prav i svobod lyudy`ny` ta gromadyany`na Ukrayiny`[The main forms and methods of police activity in the field of ensuring the constitutional rights and freedoms of man and citizen of Ukraine]. *Naukovy`j visny`k L`vivs`kogo derzhavnogo universy`tetu vnutrishnix sprav. Seriya yury`dy`chna (Scientific herald of Lviv State University of Internal Affairs. Legal Series),* 4, 171–186 [in Ukr.].

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