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Department of Foreign Languages for Humanities
TESOL-UKRAINE RESEARCH ACADEMY

**KNOWLEDGE TRANSFER
IN THE GLOBAL ACADEMIC ENVIRONMENT.
Terminological Basis of
Modern Research in Humanities**

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МІНІСТЕРСТВО ОСВІТИ І НАУКИ УКРАЇНИ
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CONSTITUTIONAL AND LEGAL MECHANISMS OF INTERACTION OF STATE AUTHORITIES WITH LOCAL SELF-GOVERNMENT BODIES

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The public bodies, we are going to analyze, have diverse legal status, ways of formation and competencies. However, they are united by a common aim to act in the interests of the Ukrainian people, fulfilling the tasks and goals assigned to them as representatives of these people.

The purpose of the research is to explore in national legislation the current separation of powers between two systems of public power – public authorities and local governments, as well as to determine ways of their interaction, its pros and cons, prospects for its improvement.

We have studied such a complex issue as local self-government in several aspects to reveal the importance of its understanding for both legal amendment and development of civil society. Firstly, local self-government is the right of a territorial community to solve local problems within a certain settlement or administrative unit [1]. Secondly, it is a system of bodies and officials elected by a particular community to ensure its well-being. Thirdly, it is the constitutional and legal institution of local democracy. Finally, it is the basis of the constitutional order. Analyzing the current Constitution, we can note the autonomy of local governments. However, it is not complete due to one of the main principles of local self-government is the combination of local and state interests. Then such form of interaction between public authorities and local governments as delegated powers is inquired into. Scrutinizing the principles of regulating the above-mentioned institution in the law of Ukraine, it should be noted that

the legislator mistakenly identifies the concept of delegated and powers originally granted by law. In addition, we agree with the opinion of Novak A. O. that it is necessary to enable the body to extend its authority by issuing the relevant act within its competence, which will provide flexibility and accessibility in coping with social problems [3]. The next aspect of the investigation is the state control over the local self-government which includes the system of legal bodies authorized to exercise control, the rules of law that establish the limits of this control, as well as public control of citizens. Due to the inconsistent implementation of reforms in Ukraine, there is no monitoring of the legality of decisions of local governments now [2]. Thus, we paid attention to the experience of other countries in this field, such as Poland, Slovakia, Georgia, Finland, and others.

To sum up, we are convinced that the lack of accuracy in the legal regulation of public relations is one of the main downsides of our legislation. It seems that clear delineation of spheres of influence of various bodies, based on coordination and cooperation, leads to joint actions in guaranteeing rights and freedoms, more efficient solution of complex problems and consistent development of all areas of public life. Yet, although current legislation provides for a list of issues that fall within the competence of local governments, in practice conflicts often arise. For that reason, the division of spheres of regulation should be transferred from laws to bylaws.

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THE IMPACT OF GLOBALIZATION PROCESSES ON THE LEGAL REGULATION OF LABOR RELATIONS IN UKRAINE

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Labour relations play an important role in legal system of each state, especially in social and economic aspects. Ensuring the proper level of labour rights and interests of workers is important not only on national level, but also globally. It reduces social tensions and also is a guarantee of peace and stability. Given these circumstances, labor legal relations are regulated by both national and international norms of labour law. They are contained in bilateral and multilateral interstate agreements.

The complex process of market economy formation in Ukraine is accompanied by crises in the decline in production, reduced investment activity, reduction of employment, reduction of living standards of the majority of population. Transformations of labour relations are radical shifts in the structure of employment, which are characterized by both positive and negative trends. Formation of the labor market in Ukraine as a subsystem of a market economy is under the influence of globalization, as well as patterns of its development at the stage of transformation and specific domestic laws.

Since independence, Ukraine has made significant strides forward in introduction of the system of the so-called dualistic regulation of labour - legal relations. There is some coordination between legislation of Ukraine and international labour standards,

the work on unification of EU labour standards with national labor legislation is also in process.

Today, harmonization processes in Ukrainian law and legislation in general are inconsistent, and global trends towards adoption of fundamental rights of employees are reflected only partly. Global reforms must be accompanied by shifting priorities in legal regulation, i. e. to increase the requirements for working conditions, increase social guarantees, pay more attention to the regulation of labour of socially vulnerable groups of population, in the revision of current international labour legislation.

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THREATS OF INTERNATIONAL TERRORISM

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According to the US State Department's National Terrorism Consortium, 11,774 terrorist attacks were reported worldwide in 2015, 28,300 people were killed and 35,300 were unjured. Also, 12,000 people have been abducted or taken prisoner during this time. In 2015, terrorist acts took place in 92 countries around the world. However, they were geographically concentrated in certain regions.

What characterizes modern terrorism? If in the past individual or group terrorism was geographically localized, now there is a kind of globalization. Also, representatives of different nationalities and different countries began to unite in terrorist groups, these groups operate both in the territory of the host state, and far beyond its borders. Modern terrorism is characterized by high organization and the existence of a single control center. At the same time, there are network structures, weakly or almost unrelated and deeply secretive groups, focused on specific tasks, as well as "sleeping groups", which become active at the right time.

The widening and deepening threats of international terrorism are forcing the world community to seek various means and ways to counter this global threat. These include the legal aspect, and increasing the capacity of law enforcement agencies, and the use of scientific and technical advances in the prevention of terrorist attacks, the search for sources of funding and the creation of material and technical base of anti-terrorist organizations.

International terrorism poses a threat to international law and interstate relations, as well as to the international security and international interests of states.

Depending on the nature of terrorist acts, this type of terrorism can seriously affect the domestic political interests of individual countries and political organizations. In this regard, the prevention or cessation of terrorist acts necessitates the cooperation of states in the protection of their common interests.

To sum up, the counter-terrorism is not only a difficult and confusing issue, but also a long-term task. Therefore, the problem of creating global, regional and national systems of collective security is becoming especially relevant today. There is a political necessity and economic expediency of forming a viable, international, collective system that will be able to resist any internal and external military expansion and terrorism.

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REFUTING UNRELIABLE INFORMATION ON THE INTERNET

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The right to free statement is guaranteed by the Constitution of Ukraine [1]. Such information should be extended with compliance with legislative norms about its reliability and not violate the rights of other persons.

The aim of this work is to determine what is dissemination of unreliable information based on the legislation of Ukraine and to determine how to refute unreliable information disseminated through the Internet.

Dissemination of information should be understood as its publication in the press, broadcast on radio, television or using other media; distribution on the Internet or using other means of telecommunication; statement in characteristics, statements, letters addressed to other persons; messages in public speeches, in electronic networks, as well as in another form to at least one person.

Information that is unreliable contains information about events and phenomena that did not exist at all or that existed, but information about them does not correspond to reality is considered

unreliable. When deciding on the recognition of disseminated information as unreliable, courts must determine the nature of such information and determine whether it is a factual statement or an evaluative judgment.

According to article 32 of the Constitution of Ukraine “Everyone is guaranteed judicial protection of the right to rectify incorrect information about himself or herself and members of his or her family, and of the right to demand that any type of information be expunged, and also the right to compensation for material and moral damages inflicted by the collection, storage, use and dissemination of such incorrect information” [1].

Thus, the legislator provided the right to refute unreliable information. Article 277 of the Civil Code of Ukraine determines: “A natural person, whose personal non-property rights were violated due to dissemination of untruthful information about him/her and his/her family members, shall have the right to response and to disprove this information...” and article 297 “Everyone shall be entitled to respect for his/her dignity and honour...” [2].

An individual whose personal non-property rights have been violated as a result of the dissemination of unreliable information is limited by two ways of protecting the right: a) the right of reply; b) the right to refute inaccurate information.

As for the general rules of refutation, they provide: a) refutation of inaccurate information is carried out by the person who disseminated this information; b) the disseminator of information submitted by an official or official in the performance of his / her official duties is considered to be the legal entity in which he/she works; c) if the disseminator of information is unknown, the court has the right to establish the fact of inaccuracy of this information and its refutation; d) if inaccurate information is contained in a document accepted or issued by a legal entity, this

document must be revoked; e) refutation of inaccurate information is carried out regardless of the fault of the person who disseminated it; f) refutation of inaccurate information is carried out in the same way in which it was disseminated.

In general, cases of refutation of unreliable information are one of the most numerous categories of court cases in Ukraine. The register of court decisions contains many such court proceedings. To my mind, the main problem is that the legislation of Ukraine, which aims to protect individuals from dissemination of inaccurate information, is currently outdated and ineffective. It also does not cover most areas of public life and does not address protection of information and personal non-property rights.

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THE CONTRACT OF HOUSEHOLD ORDER

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In the Civil Code of Ukraine, several special articles are devoted to the contract of household order, which is a kind of general contract of order. With the transition to a market economy, most of the provisions on the contract of household order have not changed significantly.

According to the Civil Code of Ukraine, under the contract of household order one party (contractor) undertakes to perform certain work at the request of the customer [1]. With regard to the subject composition, the law states that the contractor is always an

entrepreneur, and the customer is always an individual [2]. Also in the Civil Code of Ukraine there is a provision that the work performed by the contractor is intended to meet the household and other personal needs of the customer. In practice, consumer service companies often fulfill orders from other companies. The scientific literature rightly emphasizes that in such circumstances the provisions of general contract of order should be applied.

As it is explicitly stated in the law, the contract of household order is a public contract. According to the first part of Article 633 of the Civil Code of Ukraine, this means that the entrepreneur has undertaken to perform the work to anyone who applies to him. That is, the entrepreneur providing household services may not refuse the customer to enter into a contract if he has a real opportunity to perform the work.

As for the general characteristics of the household order contract, it is bilateral, paid and consensual [3]. Such a characteristic as a bilateral obligation is explained by the fact that the contractor's obligation to perform the work corresponds to the customer's obligation to accept and pay for the result of such work. The customer's obligation also indicates the paid nature of this contract. With regard to consensus, this contract is considered concluded when the parties have agreed on all material terms. Based on the legal provisions, we can conclude that the essential terms of this contract are the subject, term and price.

The current Civil Code of Ukraine contains a special article 866, according to which a household order contract is considered concluded in due form if the contractor has issued the customer a receipt or other document confirming the conclusion of the contract. In practice, the household order is made out with documents with the necessary details, as well as by concluding a contract in writing.

The Law of Ukraine On Consumer Protection is of special

importance for the regulation of consumer services. The consumers are citizens who order goods, works, services for their own household services. That is why the legitimacy of the extension of this law to the relationship of household order is not in doubt [4]. This law guarantees customers protection of their rights, quality and safety of works and services, as well as possible ways to protect their rights in case of violation by the contractor.

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ADMINISTRATIVE AND LEGAL STATUS OF THE ACCOUNTING CHAMBER OF UKRAINE AS A SUBJECT OF FINANCIAL CONTROL

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Financial control is an indicator of the effectiveness of budget policy in the state, it ensures functioning of all spheres of the state for it controls their financing. Legality in the field of formation, distribution and use of public funds is one of the elements of the rule of law. At the same time, a significant achievement of the new law is the introduction of audit as the main form of activity of the Accounting Chamber. However, there are still a number of problems that require research with further

regulation. The Accounting Chamber has been the subject of research by scholars in the fields of constitutional, administrative and financial law, variable approaches have caused differences in the interpretation of the Accounting Chamber status and scope of authorities.

This notion has been analyzed by V. Averyanov, O. Andriyko, M. Bahrah, P. Bityak, R. Bila-Tiunova, O. Maidannik, A. Manchenko, O. Ovsyannikova and others. An important theoretical basis of the research has been formed by the works of such scholars, lawyers and financiers, as: K. Voronova, O. Grachova, M. Zlatina, M. Kasyanenko, A. Latkovska, A. Lukasheva, A. Savchenko, O. Shokhin. The legal framework of the work includes the Constitution of Ukraine, laws of Ukraine, international acts in the field of financial control and regulation of the supreme body of financial control, regulations of the Accounting Chamber and other bylaws related to the studied issues.

This term is interpreted differently. It is interesting to note that some scholars consider the Accounting Chamber as one of the branches of government, while others, on the contrary, do not refer it to any of them, but position it as the highest body of financial or parliamentary control. We base our research on the definition given by the Law of Ukraine “On the Accounting Chamber” and the Constitution of Ukraine. So, in the normative-legal sense of the Constitution of Ukraine, the Accounting Chamber is an independent body of special constitutional competence, and the Verkhovna Rada of Ukraine as a legislative body has no right to take away or limit the constitutional powers of the Accounting Chamber, transfer them to any other body.

Summing up, it is important to emphasize that the scientific studies of the Accounting Chamber have revealed a combination of functions and powers, because of the lack of consolidation of the former at the regulatory level. The functions of the Accounting

Chamber derive from the functions of the state. The functions of the Accounting Chamber should be understood as the main activities, in which its essence and purpose are realized and specified, the emergence and development of which meet the purpose of creation and operation that are aimed at solving problems and require the use of powers using legal means.

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THE UNITY OF HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW AS FUNDAMENTAL MODERN VALUES

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The principles of the unity of human rights, democracy and the rule of law are fundamental to any democratic society, that is, the people are its driving force. The past few years have seen remarkable social movements for democratic changes emerge

around the world, in other words democratic societies are building their Constitutions on the rule of law.

Nowadays, the guarantee of the rights of man and citizen is the main purpose of state power, which exercises its competence only within the Constitution and laws of the country. Throughout the history of mankind, human rights have gone from the abstract idea of their existence, to the consolidation, guarantee and protection of these rights in various international legal acts. The current stage of development of rights and freedoms began with the creation of the United Nations and the adoption of the Universal Declaration of Human Rights. It was this event that marked the separation of human rights from the state will and the consolidation of their universal and supranational essence.

Within fundamental rights and freedoms a measure of freedom is determined, which is associated with a certain stage of development of society; self-determination of the person is provided; the conditions for the provision and use of social benefits by a person and the possibilities of protection and restoration of the violated right are determined.

Democracy is a political regime, in which the supreme power is vested in the people and exercised by them directly or indirectly through a system of representation usually involving periodically held free elections.

Signs of democracy: equality of all before the law; participation of the people in governing the state; realization of proclaimed human rights and freedoms; political pluralism; independence of justice; the rule of Law; existence of various forms of ownership; freedom of activity of political parties and public organizations; freedom of the media.

One of the main criteria of a democratic society is the existence and protection of fundamental human rights and freedoms. The introduction of self-government mechanisms is part

of the system of public administration, a manifestation of the functions of civil society, which are extremely important for the development of a democratic society and democracy in general.

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CHALLENGES IN IMPLEMENTING CASHLESS ECONOMY IN UKRAINE: SECURITY RISKS VS. CONVENIENCE FOR CITIZENS

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The global pandemic has accelerated the adoption of cashless payment as retailers were forced to decline cash payments to help prevent the spread of the virus. But despite that, we have been gradually moving away from physical currency for many years thanks to online banking.

The upward trend clearly suggests that Ukraine also will soon have a cashless economic system [4]. However, people have many questions in their mind like what is cashless economy? Are we ready for a full cashless economy? What are the advantages of cashless payments? And what about security risks?

The aim of this work is to determine what the term “cashless economy” means and to analyze the issue of implementing this system in Ukraine.

Cashless economy is an economic system, which handles financial transactions not in the form of traditional media of currency, such as cash or coins, but by transferring digital data (usually by electronic means, such as credit and debit cards, bank electronic fund transfers or virtual wallets) between participating parties.

Extension of non-cash payments infrastructure would bring Ukraine closer to European commercial and banking service standards. Director of the NBU Retail Payments Department Serhii Shatskyi pointed out that not only banks, but also the state and its citizens have shown interest in the widespread use of cashless payments [3].

In the field of cash turnover, money moves outside the banks, directly servicing the relations of economic entities. Thus, the circulation of this money can be influenced only by them. Due to this fact, it makes it very convenient for servicing illegal, anti-social transactions and activities, such as drug business, gambling, tax evasion etc. In all these cases, the money is used only in cash. Without cash, the existence of shadow economy is impossible. In cashless economy it is easier to track illegal money and illicit transactions [1]. However, one of the major concerns with digital payments is that it creates a digital footprint that includes customers' data such as their identity, financial information, location and time of purchase and more.

The most common reason for the demand for the cashless economy is the ease in transactions and maintenance. They are NFC payment system, Google Pay and Apple Pay, QR-code that will help you pay for purchases in the online store in one click. Also the risk of money being stolen or lost is minimal. Even if the card is stolen or lost it is easy to block a credit/debit card or a mobile wallet remotely. When you travel, you may need to exchange your dollars for local currency. However, if you're

travelling in a country that accepts cashless transactions, you do not need to worry about exchange rates or how much of the local currency you will need to withdraw. Instead, your mobile device handles everything for you [2].

As we can see, there are also a lot of advantages in a cashless economy. In our opinion, Ukraine is still not ready for the establishment of a full cashless economic system. In most cases, this is because the fact that the citizens do not trust the banks and prefer to withdraw funds from cards and pay for goods and services in a traditional way. Cashless economy, without a doubt, controls over the assets of citizens, but such control should contribute to the development of state economy and, consequently, improve the lives of citizens in the future.

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CHANGES IN THE TERRITORIAL STRUCTURE OF UKRAINE AND THEIR IMPACT ON THE ORGANIZATION OF PUBLIC ADMINISTRATION

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To begin with, administrative reform is one of the most important nowadays. Our government has an intention to do it, because of the importance of political course that is called “decentralization”. It means that local self-government bodies have an opportunity to do their best in order to rule relevant administrative-territorial unit. Also, this reform provides such changes, as: 1) public policy development and coordination (strategic planning of public policy, quality of the legal framework and public policy in whole, including the requirements for policy making based on thorough analysis and public participation); 2) modernization of civil service and human resource management; 3) ensuring accountability of public administration bodies (transparency of work, accessibility of public information, organization of the system of public administration bodies with a clear accountability, possibility of judicial review of decisions); 4) provision of administrative services (standards of provision and guarantees relating to administrative procedures, quality of administrative services, e-governance); 5) public finance management (tax administration, preparation of the state budget, execution of the State Budget, public procurement system, internal audit, accounting and reporting, external audit).

Moreover, we should understand the importance of European experience that we need to introduce. We would like to add that on the first stage of administrative reform, it was based on European Charter of Local Self-Government and later (on the second and third stages) there were added more normative acts,

especially we can speak about changes in the Ukrainian acts. So, Ukrainian scientists in the area of law developed the draft of changes to the Constitution of Ukraine and submitted it to wide public discussion what was highly appreciated by the Venice Commission.

In conclusion, we would like to mention that the importance of this reform is indispensable for Ukrainian society. We should understand that with the help of it we will be one step closer to the European Union. According to the strategy plan that is provided by the Chamber of Ministers of Ukraine, there will be much more changes in the nearest future. For example, there will be a well-structured system of administrative services centres that will provide citizens with facilities that they need. In addition, we shouldn't forget about regulatory acts. They will consolidate all positive changes at the legislative level. But, on the other hand, our Motherland needs new qualified people. So, let's remember that everything takes a beginning from our actions. It means that Ukrainians should take part in such process as administrative reforms. According to Article 5 of Constitution of Ukraine: "The people shall be the bearer of sovereignty and the sole source of power in Ukraine". All in all, Ukraine is a country with civil society who should not be indifferent to their country.

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ROLE OF THE CONSTITUTIONAL COURT OF UKRAINE IN THE MECHANISM OF AMENDING THE CONSTITUTION

(based on the analysis of the CCU practice)

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Today the role of the Constitutional Court of Ukraine is considerable. It is the agency of constitutional jurisdiction, which provides supremacy of the Constitution of Ukraine and decides the issues in accordance with the laws of Ukraine, performs official interpretation of the Constitution of Ukraine, and it has also other powers in accordance with the Constitution of Ukraine [1-2]. A number of conclusions of the Constitutional Court of Ukraine were analysed to prove the importance of the role of the Constitutional Court of Ukraine in the mechanism of amending the Constitution of Ukraine. This topic has not been analysed in research yet. Investigation of certain problems was made by O. Boryslavska, P. Rabinovych, and D. Hudyma.

The procedure for amending the Constitution of Ukraine is defined in Section XIII of the fundamental law. The procedure of amending depends on the subject of changes. According to the procedure specified in Section XIII, the opinion of the Constitutional Court of Ukraine on the draft law on amendments to the Constitution of Ukraine is an obligatory part of the constitutional process of amending the Fundamental Law [3].

During 2015-2019, the Constitutional Court of Ukraine issued 17 conclusions, three of which were negative [4].

In its positive conclusions, the Constitutional Court of Ukraine stated that the draft laws conform to the requirements of articles 157-158 of the Constitution of Ukraine, substantiating their decisions with the requirements of international and current legislation of Ukraine. In particular, all bills were considered taking into account the following issues: 1- whether the abolition or restriction of human and civil rights and freedoms is not envisaged; 2- whether or not it is aimed at elimination of independence or violation of the territorial integrity of Ukraine; 3- whether or not changes were made in a state of war or emergency; 4- whether draft laws were submitted to the Verkhovna Rada of Ukraine after a year from the moment when they were last considered and dismissed; 5- whether bills do not envisage amendment of the same provisions for the second time that were applied by the Verkhovna Rada of Ukraine during its term of office.

In three negative conclusions, the Constitutional Court of Ukraine sets out the essence of violations of requirements for part 1 of article 157 of the Constitution of Ukraine and substantiated which provisions violate human rights and freedoms in these bills and why.

So, taking into account all given above, we can conclude that the Constitutional Court of Ukraine plays a leading role in the mechanism of amending the Constitution of Ukraine, the task of which is to ensure the rule of law, prevent the abolition or restriction of human rights and freedoms, prevent the abolition of independence or territorial integrity of Ukraine, as well as providing the principle of separation of powers between the legislature, executive bodies and the judiciary.

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PSYCHOLOGICAL REASONS FOR VICTIM BLAMING

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In the modern society, the idea that the blame should lie primarily with the initiator of a conflict is rapidly taking root. Victim blaming remains a persistent social and psychological problem worldwide. This is a social problem, not a personal one. Our society accepts that the wife is a bit guilty that her husband beats her, and protesters bring police brutality on themselves. Such an accusation makes people believe that such events can't happen to them. Victim charges are known to occur in cases of rape and sexual violence, where the victim of the crime is often accused of inviting him to attack because of her clothing or behavior [1]. We will make an attempt to consider the psychology of victim blaming.

One psychological phenomenon that contributes to this tendency is known as the fundamental attribution error [2]. The belief that everything happens in justice and that everyone is punished for a certain behavior is firmly entrenched in our heads. We are used to thinking that there are causes for everything in the world that have consequences. And we are not used to believing in aggression that was not caused by the object of violence [4].

This does not necessarily mean accusing oneself of causing oneself misfortune. It contains a simple idea that the tragedy was, at least partly, the fault of the victim of physical or mental violence.

Another aspect that contributes to the tendency to blame the victim is known as the hindsight bias. When we look at an event that happened in the past, we have a tendency to believe that we should have been able to see the signs and predict the outcome [3].

This hindsight makes it seem like the victims of a crime, accident, or another form of misfortune should have been able to predict and prevent whatever problem might have befallen them.

The tendency to blame the victim is mental self-defense, both personal and social. The problem is that by protecting our psyche, we are sacrificing the well-being of another person.

We should not forget that the perpetrators, not their victims, are to blame for crimes and violence. More often than not, we can subconsciously blame victims only for reminding us of the injustice, danger, and unpredictability of our world.

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REPETITION OF CRIMES: CONCEPT AND TYPES

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According to Art. 68 of the Constitution of Ukraine, everyone is obliged to strictly abide by the Constitution of Ukraine and the laws of Ukraine, not to encroach on the rights and freedoms, honor and dignity of others. In case of violation of these rules of the Constitution as a result of the commission of a crime guilty people are subject to criminal liability. Those who repeatedly commit several crimes pose a special danger to public relations, which are placed under criminal law protection. In this regard, the criminal law of Ukraine has a separate institution of multiplicity of crimes, one of the types of which is repetition.

Repetition of crimes is the commission of two or more criminal offences under the same article or part of the article of the Special Part of the Criminal Code of Ukraine [3].

From the definition given in the Code we are able to single out some features. Firstly, repetition is the commission by a person of two or more independent single crimes. It should be emphasized that criminal offences cannot be considered repeated, if a person has already been released from criminal liability for them on any grounds provided by law or when a person has already been convicted for them, but conviction for these crimes has already been expunged or removed.

Secondly, as a rule, repetition is the crime under the same article of the Criminal Code, but an interesting detail is that these crimes can still have different characteristics: be intentional or negligent, committed personally or in complicity [1, p. 255-256].

Thirdly, unlike other forms of multiple crimes, it does not matter whether or not a person has been convicted of a previous criminal offence. For example, the second theft will be considered

repeated both before the conviction for the first theft and during the serving of the sentence for this previous act.

Depending on the nature of unitary crimes, there are such types of repetition as identical and homogeneous or similar crimes. Repetition of identical crimes occurs when all deeds have the characteristics of one crime, that is, provided by the same article of the Criminal Code. As for the repetition of homogeneous crimes, it stipulates that encroachment on similar objects of criminal law protection and with the same form of guilt, as well as indication that the commission of such offences one after another is considered repeated, should be contained in the Code [2].

Depending on whether a person has been convicted of a previous crime, there are two types: repetition which is not related to the conviction for the previous misdeeds and repetition related to a person's conviction for the previous misdeeds, which is often referred to in the scientific literature as recidivism. The importance of this institution is that repetition is recognized as a qualifying feature of the crime, which means that it provides for a greater sanction or it can be considered as a circumstance aggravating punishment.

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TYPES OF ACCOMPLICES IN A CRIMINAL OFFENCE, CRITERIA AND SIGNIFICANCE OF THEIR SEPARATION

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Firstly, in order to discuss the types of accomplices in a criminal offence, we should consider what is complicity itself. So, criminal complicity is the willful co-participation of several criminal offenders in an intended criminal offence [1, Art. 26]. These "several criminal offenders" are divided into four types, namely: principal, organiser, abettor and accessory.

The basis of this division is the objective criteria - the degree and nature of co-participation of each of them in the commission of a criminal offence. The nature of co-participation is the functional role of each person in a joint crime. In other words, this is the role played by the accomplice in the offence: whether s/he was a principal or another kind of accomplice, whether s/he performed one or more roles [2, p. 212]. The degree of co-participation is the intensity of the actions of each accomplice to fulfill their role in a criminal offence. However, with the same nature of participation, its degree may differ, due to the fact that the nature of participation is an absolute concept (a person either belongs to one of the types of accomplices, or not), and the degree of participation is a relative concept (a person can make more or less effort, so the offence will be successfully committed). The most important criterion for distinguishing types of complicity is its nature, because determination of the person's role in the commission of a crime is necessary to define its functions. The nature and degree of co-participation of each person is taken into account by a judge, determining the specific measure of punishment.

The principal is the person who, in association with other criminal offenders, has committed a criminal offence under this Code, directly or through other persons, who cannot be criminally liable, in accordance with the law, for what they have committed [1, Art. 27].

The organiser is a person who has organised a criminal offence or supervised its preparation or commission. The organiser is also a person who has created an organised group or criminal organisation, or supervised it, or financed it, or organised the covering up of the criminal activity of an organised group or criminal organisation [1, Art. 27]. The abettor is a person who has induced any other accomplice to a criminal offence, by way of persuasion, subornation, threat, coercion or otherwise [1, Art. 27]. The accessory is a person who has facilitated the commission of a criminal offence by the way of giving advice or instructions to other accomplices, or by supplying the means or tools, or removing obstacles. The accessory is also a person who promised in advance to conceal a criminal offender, tools or means, traces of crime or criminally obtained things, to buy or sell such things, or otherwise facilitate the covering up of a criminal offence [1, Art. 27].

The value of such a division is difficult to overestimate. After all, this plays a key role in understanding the essence of complicity in criminal law. It also allows you to determine accurately the presence or absence of complicity and its form, which in turn affects the classification and sentencing.

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PROTECTION OF INTELLECTUAL PROPERTY RIGHTS ON SOCIAL MEDIA

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As the expansion of the Internet continues, the importance of protection of intellectual property rights from violations on social media seems to grow as well. Social networks become a comfortable and convenient place to share information among users who are grouped by their interests, hobbies, occupations and so on and so forth. As a result, there are also objects of intellectual property among the information posted on social media. Thus, these specific legal relations require ad hoc judicial regulations.

First of all, I would like to say that national legislation does not define the specifics of regulation and protection of copyright on the Internet. As a consequence, regulations of Art. 50 of the Law of Ukraine "On copyright and related rights" that establish which actions are recognized as copyright and related infringement of rights are applied to the above-mentioned legal relations [1]. Moreover, the Intellectual Property Court was established by the decree of the President of Ukraine of 2017, however, to this day, the court has not yet begun its work [2]. According to the US Trade Representative Report "2020 Special Report 301" Ukraine remains categorized as a "Priority watch list country" [3]. It means that Ukraine does not provide reliable and effective protection of intellectual property rights.

Secondly, it is important to mention that in 2019 the EU Council adopted the Copyright Directive of The Internet. This

Directive establishes legal liability of Internet platforms with an increasing number of copyright infringement cases. It also regulates the procedure of fair remuneration to the authors and performers, whose works are shared on the Internet, the usage of works that are out of commercial turnover and establishes new publisher rights [4]. Therefore, as a signatory to the Association Agreement with the EU, Ukraine is also interested in implementing the norms of the Directive to national legislation.

On the other hand, I would like to point out that as the national legislation on the intellectual property rights on the Internet remains imperfect and flawed, case law somehow makes up for these shortcomings. Thereby, these are some crucial ways in which users can protect themselves on social media [5]: 1) to read thoroughly and attentively the User Agreements, which are provided by applications, social media networks and websites; these license agreements likewise include regulations on intellectual property rights; 2) use a digital signature that allows identifying the real author of the work; 3) invisible watermarks that can be seen only when using a particular software may prove that files contain the identity of the author in encoded symbols (for example – icon copyright, author's name, year of publication etc.); 4) the cryptographic transformation, which encrypts works so that they can only be accessed with the correct key to the cipher is also a great method to protect your copyright.

All things considered, I believe these years social media have become an integral part of human lives. This has led to an increase of copyright infringement cases on the Internet. The only way to reduce the number of these cases is to improve and unify worldwide and national legislation on intellectual property rights on social networks.

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THE CONSTITUTIONAL COURT OF UKRAINE: STRUCTURE AND ORGANIZATION OF ACTIVITY

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The notion “bicameralism” is a key one in the current research because it is necessary to find new political forms that can ensure sustainable development and bring the country out of the political crisis. In order to overcome the crisis, a set of reforms covering all spheres of the society is to be introduced. One of the main directions of the reform is connected with the optimization of the institutional design of the political system.

The origins of the British bicameralism can be traced up to 1341, when the Commons met separately from the nobility and clergy for the first time, creating an Upper Chamber and a Lower

Chamber, with the knights and burgesses sitting in the latter. This Upper Chamber became known as the House of Lords from 1544 onward, and the Lower Chamber became known as the House of Commons, generally known as the Houses of Parliament.

As far as a bicameral system is used in the majority of legislatures, its definition has long been stable in world practice. In my research I understand the term “bicameralism” as an alternative legislative way of providing greater decentralization in the legislature. I think it is relevant to include the following characteristic into the definition of the term “bicameralism”: this system can be contrasted with a unicameral system, in which all members of the legislature cooperate and vote as a single group.

The main principles of the parliament's work comprise the principles of the rule of law, independence, probity, openness, completeness and comprehensiveness of proceedings, validity, and binding nature of its decisions and conclusions. These principles form the basis of the international standards of justice, which the Ukrainian legal community attempts to integrate.

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GENERAL THEORETICAL CHARACTERISTIC OF THE RIGHT TO THE LIFE

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The right to life is a basic, fundamental human right that is enshrined in a variety of universal and regional international legal instruments and in the constitutions of most countries. Of course, in the human rights system, the right to life is given a special place – it is the primary basis because without its implementation it is impossible to implement all other rights. Furthermore, the right to life, as the basis of a person's legal status, must be considered as a social value that unites the whole complex of human rights. As a first-generation right, the right to life cannot be exercised outside of socio-economic and collective rights. It is confirmed by the provision of Art. 1 of the Constitution of Ukraine, in which Ukraine is proclaimed as a social state, and Art. 3 of the Basic Law stipulates that a person, his or her life and health, honour and dignity, inviolability and security are recognised in Ukraine as the highest social value.

Furthermore, the right to life has a long history. It does not only save its relevance but vice versa acquires new features and content. Nowadays together with the development of mankind, it appears in a completely different context than it was a few centuries ago. For instance, nowadays protection of the right to life from domestic violence, abortion, the death penalty or euthanasia is considered as a violation of the right to life for the first time. In addition to modification, violations of the right to life in its original form are recorded. However, now public activists are also at risk, especially Ukrainians, who were attacked 101 times last year, including attempts to take their own lives. One of the most famous cases is the murder of Kateryna Gandziuk.

Since as of 2018 Ukraine ranked third in the number of applications submitted to the European Court of Human Rights, the state's compliance with positive obligations regarding the right to life remains relevant.

The state's responsibilities for the right to life include: respecting, protecting, and enforcing human rights, especially the right to life. The state cannot control all citizens so that they do not break the law as well as avoid certain situations. Nevertheless, it is obliged to create opportunities for the implementation of the law and, in case of its violation, to administer justice through judicial and law enforcement agencies and to protect victims of human rights violations.

These are the responsibilities imposed on the State by the European Court of Human Rights ("the Court") and in cases involving the right to life, it requires the State to be properly investigated. In addition, in places of restraint of liberty, the responsibility for human life and health rests entirely with the state.

The right to life has always attracted scientists and scholars. Recognizing it as the absolute value of human civilization, they have been trying to explore all its aspects as deeply as possible. Thus, such well-known national and international scientists as Buromensky M.V., Yevintov V.I., Denisov V.N., Zablocka L.G., Rabinovich P.M., Stefanchuk R.E., Shevchuk S.V., Baulin Y.V., Onufrienko O.V., Svetlov O.Y., Kartashkin V.A., Lukashova O.A., Lukashuk I.I., Malinovsky A.A., Novak M., Hankin L., Donnelly J., Harris D., Gomien D., Boyle K., Davidson S., Robertson A., Clayton R. paid attention to the right to life.

The aim of this work is to study the functioning of the right to life in the system of national and international law, as well as to reveal its essence and nature. The following tasks were set in order to achieve this goal: 1) to analyze the formation and emergence of the human right to life; 2) describe the case law of the European

Court of Human Rights, Ukrainian and international legislation on such law; 3) to investigate the obligations of the state to guarantee, ensure and protect the right to life

Thus, today the right to life is constantly acquiring new features. New rules are emerging that require legal regulation to prevent violations. In addition, the concept of the right to die is distinguished. It means that a person has the right to manage his own life and make his own choice on such procedures as euthanasia or suicide. International organizations, for example, the Council of Europe, assign responsibility for fixing such norms on the state itself, so the state faces the question of normative consolidation or prohibition of these norms as well as the matter of a fair choice in favor of protecting the right to life.

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CRIMINAL LIABILITY FOR CRIMINAL OFFENCES COMMITTED IN A STATE OF INTOXICATION

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Intoxicating substances have a negative effect on human behaviour. It was obvious even in the earliest periods of history. In Sparta, for example, young Spartans were shown drunken slaves to

demonstrate the effect of alcohol. Herodotus described the intoxicating effect of smoke during the combustion of hemp. In 1220 the Chinese Emperor Wu Wong issued the law on the death penalty for drunkenness.

In the Ukrainian scientific literature there is no single approach to resolving the issue of criminal liability for offences, committed in a state of intoxication. By the way, the provisions of criminal codes of foreign countries also differ. Analysis and interpretation of criminal codes of particular countries give the opportunity to identify four main points of view.

Under Article 21 of the Criminal Code of Ukraine, a person who committed a criminal offence in a state of intoxication resulting from the use of alcohol, narcotic, or any other intoxicating substances shall be criminally liable. The state of intoxication isn't mentioned in Articles 19 and 20, which are related to criminal sanity, insanity, and partial insanity. So, the state of intoxication doesn't exclude criminal liability. What's more, under Article 67 of the Criminal Code of Ukraine the commission of an offence by a person in a state of intoxication shall be deemed to be an aggravating circumstance. However, most lawyers think that this legislative aspect has a lot of inexactitudes.

Firstly, there is no criterion by which it would be possible to determine what offences can be caused by the state of intoxication. Secondly, in practice it's almost impossible to prove that the state of intoxication is the main cause of the commission of a particular offence. Thirdly, not only intoxicating substances can increase aggression, weaken social control over behaviour, but also long-term insomnia, meditation, etc. It can't be definitely affirmed that the state of intoxication is more socially dangerous than the listed factors. For instance, anorexia nervosa (a refusal to eat) in severe manifestations causes increased aggression, which can lead to violent offences. Although anorexia nervosa can be referred to the

medical criterion of insanity and won't be an aggravating circumstance. There is a legal confusion in this case.

Finally, the Criminal Code of Ukraine recognizes accidental overdose of drugs, which causes the state of intoxication, as an aggravating circumstance too. The Ukrainian legislative also doesn't take into consideration that a person can have been intoxicated by violence or deception, or just doesn't know about the properties of the relevant substances.

The aforementioned arguments allow us to conclude that it's appropriate to refuse to recognize the state of intoxication as an aggravating circumstance.

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FLEXIBLE MODELS OF DIFFERENT TYPES OF WORK

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The question of interpretation and developing different flexible types of work always have been important in the history of Ukraine and other law-based countries. Through the history of forming and growth of this institute, a lot of law scientists were paying tons of attention to this point. This attention is caused by the wish of scientists to develop the most flexible and loyal models and forms of this institute in Ukraine and on the other hand to make viable legislative consolidation of different flexible forms of work.

The obvious and important objective of scientist was always to make these flexible forms of work comfortable for both employees and employers.

In this research an analysis of some problems which can happen during practice with different flexible types of work are highlighted. The other object of this research is the status of research in sphere of flexible types of work in Ukraine. Also we pay our attention on the background analysis of flexible types of work as well as on analysis of efficiency of those types.

The research of flexible types of work is important because of its role in interactions between an employee and their employer. As soon as this institute is fully researched it would be possible to omit a huge number of disputes between employees and employers.

The topicality of this course work is caused by its importance nowadays, when there are a lot of different changes in the system of Ukraine which are happening today with everyone of us. The high developed and stable institute of flexible types work is a key to legal active and well-built country.

The theoretical and methodological basis of the research are the works of such researchers as A. Kolota, E. Libanova, O. Grishnowa, D. Bogynya, V. Petyuh, V. Onishenko, E. Kachan, L. Novozhiliva, O. Astahova, L. Chizhova, V. Vasilenko and others. The purpose of this research is to: analyse how different types of flexible work are interpreted by Ukrainian legislature, compare Ukrainian and foreign models of flexible types of work, analyse the efficiency and problems of those types of works in Ukraine, calculate the expediency of interpretation in Ukrainian legislative other types of flexible works.

The interpretation of new or reconsidering some old types of flexible works can really change a situation between employees and employers. The number of disputes will certainly fall down.

The main objective is to legally substantiate these models of flexible types of works.

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FORMATION OF MASS MEDIA STEREOTYPES

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Mass media through which data is disseminated (radio, television, newspapers, online publications, etc.) largely determine the development of social perceptions in the world. They affect the consciousness of consumers of information, often instilling stereotypical thinking and causing negative consequences.

In mass communication, the evaluation of stereotypes is ambiguous. Walter Lippman defines them as a selective, inaccurate way of perceiving reality, which leads to the simplification and creates superstitions [4]. Other scientists (T. Adorno, B. Davis,

T. Shibusaki, etc.) admit their positive value due to the condition of the simplification and optimization of human evaluation.

The reasons for stereotyping in journalism include the following cognitive factors: lack of information about a particular object of stereotyping, lack of time to process it, as well as the need to simplify the picture of the world. As I. Yasaaveev notes, "journalists represent reality in the way of constructing social problems through the media" [1].

Accordingly, the media reception of various events and processes taking place in our country significantly affects the image of Ukraine on the international arena. In the conditions of the hybrid war it is extremely important to constantly monitor the media discursive practices resorted to by the foreign media.

There are also gender, professional and age stereotypes. The most noticeable gender disparity is that we see far fewer women than men on the screen. And if women are shown, they are always young beauties, infantile and dedicate themselves completely to the family or struggle hard for their dream profession [3].

Regarding age stereotypes, the image of old age is rather negative. Mass media emphasize youth and beauty, speed of action and active lifestyle. Advertisers target their marketing tactics at younger women who are responsible for home shopping [2].

As for professional stereotypes, the presence of positive media examples in certain professional fields can lead to the increasing demand for popular specialties, and vice versa – negative stereotypes damage the reputation of some areas of employment.

To conclude, with the help of stereotypes, the mass media form certain value-semantic models that are successfully assimilated by society. Mostly this happens under the influence of unconscious collective processing and individual socio-cultural environment or through purposeful ideological action with the help

of the media. In some cases, they have a positive effect, but usually lead to the negative consequences.

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GUARANTEES OF LABOUR RIGHTS OF EMPLOYEES IN CASE OF TERMINATION OF EMPLOYMENT: A COMPARITIVE DESCRIPTION OF EU AND UKRAINIAN LEGISLATION

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The right to work is a basic constitutional right of citizens of Ukraine. It is proclaimed in article 43 of the Constitution of Ukraine and is recognized for each person. This right means an opportunity to earn a living by work that a person freely chooses or freely agrees to.

In the conditions of formation of democratic state governed by the rule of law in Ukraine, legal guarantees play an important role. These guarantees provide the most favorable conditions for the realization of human and civil rights. Guarantees are a system of norms, principles and requirements that ensure the process of observance of human rights and legitimate interests. At the current

stage of state development, the expansion of the list of guarantees should become a priority.

The problem of inconsistency of the norms of the current labor legislation with the international requirements has important theoretical and practical value. Therefore, it is important to improve the norms of the Labor Code of Ukraine aimed at ensuring the guarantees of labor rights of employees in the case of termination of employment, in accordance with European requirements.

The purpose of the research is to define the main doctrinal and regulatory guarantees of a person's implementation of constitutional right to work, especially at the stage of termination of the employment contract, on the basis of a comprehensive analysis of the achievements of labor law, domestic legislation and law enforcement practice, and to carry out a comparative characterization of the norms of the legislation of the EU and Ukraine regarding the consolidation of guarantees of labor rights of workers in case of termination of labor relations.

The basis of the research consists of the latest theoretical prerequisites and legislative provisions of the labor law. The fundamental grounds for the right to work guaranteeing at employment contract termination are laid by the Constitution of Ukraine, which establishes in Article 43 guarantees for citizens against unlawful dismissal. In addition, the International Labour Organization Convention № 158 about Termination of Employment at the Initiative of the Employer provides that employment relationships with employees are not terminated unless there are legitimate reasons for such termination related to the abilities or behavior of the employee or caused by the production needs of the enterprise, institutions or services (Art. 4).

Consequently, legal guarantees in the process of terminating an employment contract is a system of legal guarantees defined by

the norms of labor law, which arise during the termination of the employment contract. The main features of legal guarantees in the process of termination of the employment contract are: a) they are aimed at ensuring the rights and interests of employees in the process of termination of the employment contract; b) they provide public monitoring on the legality of the termination of the employment contract by the employer; c) they ensure compliance with the termination procedure of the employment contract, prevent abuse by employers.

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INTERPRETATION OF THE IDEATIONAL ANALYSIS DATA ON THE EXAMPLE OF JOURNALISTIC TEXTS

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The given abstract looks at the ideational meaning – the grammar of the clause as representation which renders the

encoding of experiential meanings: meaning about the world, about experience, about how we perceive and experience what is going on [3, p. 203]; lexicogrammatical choices employed by the writers and reasons for the decisions made to form an angle of representation. By utilising the UAM-CT- a state-of-the-art environment for annotation of text corpora that can be used as part of a linguistic study or building a training set for use in statistical language processing [6] we are able to present the results of the texts' analysis by focussing on several key grammatical features (systems) and attempt to identify any noticeable patterns when comparing them. The three systems – processes, participants and voice have been examined. Two texts (online news accounts) are presented for analysis and interpretation. Text 1 (T1) is from the UK broadsheet The Financial Times [4] and Text 2 (T2) comes from the Daily Express [5] – a tabloid newspaper. In regards to the topic, they are somewhat similar in that they are both written news reports covering the collapse of the British tour operator Th. Cook and the potential accountability of the management in its decline.

Having conducted a research, we state that processes, realised as verb groups, are at the core of ideational meaning-making and along with participants and circumstances help to build the field [1, p. 8]. Using the statistics function of the corpus tool we have defined that for T1 there are a total of 49 process types compared to T2 which has 62. Material processes make up the majority of processes for both texts – 57.1% and 50% respectively, but before we look at those we shall investigate the verbal and mental processes.

T1 and T2 share roughly an equal amount of all process types with the exception of mental processes, which account for 9.7% of the total processes found within T2 (as opposed to 0% in T1). App. one quarter of the processes are verbal for both texts - 13 and 14 instances respectively, which is perhaps to be expected in a

news account. They indicate that the writer is reporting on what was communicated, by whom and to whom. Again, both texts present a mix of reporting and quoting clauses from different participants and at first glance it seems that there is not much to tell them apart. However, on closer inspection it is seen that their authors have made some interesting lexicogrammatical choices.

Material processes dominate both texts, which are claimed to be the most common process type [2, p. 29]. The material processes observed in T1 appear to be concerned with the actions of all parties involved in equal measure. Both texts feature predominant use of the active voice. T1 had an almost equal number of actors and goals (23 and 20) compared to T2 which had significantly fewer actors than goals (14 and 21). Allington and Leedham [1, p. 24] suggest that a common reason for using an agentless passive is because we can readily understand who the actors are. This may well be true for T1 but analysis shows that the writer of T2 deliberately obscures the actors in places so as to confound the reader into not quite knowing just who is responsible for what action.

If we consider the readership of both newspapers, the interpretation of the data seems to confirm what the analysis has revealed. Tabloid newspapers tend to appeal to working class people and regularly centre their writing style on sensational stories and gossip. They adapt the angle of representation by appealing to the common man/woman in society by fostering a sense of ‘togetherness’, often in direct conflict against the ruling elite. On the other hand, broadsheet newspapers, in this case The Financial Times, are less concerned with this approach to journalism and are more focussed on the economic or political aspects of the news item. They are designed to appeal to a more middle-class demographic and this is reflected in the writing style.

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ACQUISITION AND TERMINATION OF CITIZENSHIP IN UKRAINE

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Article 1 of the Law of Ukraine "On Citizenship of Ukraine" provides a clear definition of the concept of citizenship, in particular, this legal relationship between an individual and Ukraine, which is manifested in their mutual rights and obligations.

Citizenship is based on the factual connection between the individual and the state. However, the presence of this factual link does not always indicate that the person has nationality. Citizenship, besides being the basis of legal status, is also the

object of one of the most important human rights because it provides the opportunity to fully exercise their rights and freedoms, including participation in management, and entails the fulfillment of obligations towards the state, including its protection. The institute of citizenship includes norms regulating the legal status of foreign citizens, stateless persons, refugees, with which it is closely connected by granting asylum and the country of residence.

Article 6 of the Law of Ukraine "On Citizenship of Ukraine" provides for the following grounds for acquiring citizenship: birth –origin, adoption of citizenship, renewal of citizenship, recovery, child custody, establishment of guardianship for a person recognised as incapacitated by the court, in connection with one or both parents of a child having the citizenship of Ukraine, recognition of paternity or maternity or the establishment of the fact of paternity or maternity, other grounds provided by international treaties of Ukraine.

The first way of acquiring citizenship is by affiliation, which means the acquisition of citizenship by birth. The second method, called naturalization (the process of granting a foreigner the citizenship of a certain country by the authorized bodies), differs from the acquisition of citizenship by birth by the fact that an adult person is consciously seeking acquiring the citizenship of another state. It should be noted that naturalized citizens have a slightly different status than citizens by birth.

The next way of acquiring citizenship is to renew citizenship (this is the acquisition of citizenship by a person who already had it, but has lost it. As a rule, the restoration of citizenship is carried out individually by applying for renewal of citizenship of Ukraine.

Another way is repatriation, which is used in peculiar cases when a lot of people lost their citizenship due to important

historical events. A citizen in this case does not have any relation to the loss of citizenship.

To conclude, the nature of social status always determined by legal status of a person and a citizen. The country's own citizens, foreign citizens and stateless persons live on the territory of Ukraine. In legal terms, citizenship is an important basis for establishing the legal status of a person in the state. Citizenship of Ukraine is governed by the Constitution of Ukraine, the Law of Ukraine "On Citizenship of Ukraine" of October 8, 1991 and other legislative acts. According to them, nobody can be deprived of citizenship or the right to change citizenship. It is a necessary basis for granting a person with the status of a citizen the opportunity to fully participate in the political, economic, legal and cultural life of the society and the state. In accordance with generally accepted norms of international law, the right to citizenship is an inalienable right of every person.

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CONSTRUCTIVE JOURNALISM: APPROACH THAT BENEFITS SOCIETY

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Over the last century, the tone of news coverage in the

media has changed dramatically. The data scientist Kalev Leetaru used a technique called “sentiment mining” to study an archive of journalistic materials, including articles and broadcasts, from over 100 countries between 1979 and 2010 and analysed the emotional tone of texts by counting the number and contexts of words with different connotations [2]. The assertion that the news has become more negative over time has been proved. The problem is that such intentional concentration on violence, crisis and tragedies can be misinterpreted by the society as the only veritable picture of the world. It leads to the total social dissatisfaction and despair.

Instead, there is an alternative way for media, which should become the leading one – *constructive journalism*. The term is relatively new in science, so a thorough definition is still needed. According to the Constructive Institute of Denmark, it is “two-eyed journalism” focused on maintaining constant balance in the nature of news [3]. However, the method bears no resemblance to blind ideality, which is as extreme as absolute pessimism. The aim of this kind of journalism is not only to inform the public about the problem but also to do profound research and suggest a solution.

Constructive journalism has some significant advantages according to Solution Journalism Network, such as attracting new conscious audience, providing a qualitative feedback mechanism for society, adding depth and variety to journalist`s work, etc [1].

Over the past 5 years, the experience of constructive journalism has been incorporated in a number of European broadcasters, such as Denmark's Radio, the British BBC, the Guardian, media of Belgium, the Netherlands, etc. News and analytical materials published in various separate sections testify to social development and focus consumers` attention on community achievements, initiatives, etc.

Ukraine has an example of how essential constructive journalistic publications can be for the sake of society. In the

pandemic caused by the Covid-19, a great number of Ukrainian sites have explained what the restrictions against the virus spread will lead to, published a variety of infographics about vaccination, quarantine, etc. According to the IMI monitoring data, about 15% of materials based on coronavirus in the media were constructive [4].

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THE CONCEPT AND ESSENCE OF LABOUR MIGRATION

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Migration has become an increasingly important phenomenon for European societies. Patterns of migration flows can change greatly over time, with the size and composition of migrant populations reflecting both current and historical patterns of migration flows. Combined with the complexity and long-term nature of the migrant integration process, this can present challenges to policymakers who need good quality information on which to base decisions. It is important that the statistics should go

beyond the basic demographic characteristics of migrants and present a wider range of socio-economic information on migrants and their descendants [3]. On the one hand, the scale and direction of migration processes to some extent indicate the state of social and economic development of the country. On the other hand, the migration process itself significantly affects the development of the country. Under such conditions, there is an urgent need to study the phenomenon of labour mobility of workers [4].

Labour migration (displacement) is one of the types of social mobility, which is manifested in the change of place of work and, accordingly, the place of the employee in the system of social division of labour. The labour movements are the basis of social movements that affect changes in the social structure of society and obey its laws because the place of the worker in the system of the social division of labour and the nature of labour are the most important features of the social status of the worker. Labour migration is inherent in a market economy. It is one of the most important self-regulators of the labour market and is associated with significant changes in the composition and number of labour resources of both organizations and regions, as well as the country as a whole.

The concepts of "labour mobility" and "labour migration" are directly related, as the phenomenon of migration is provided by mobility practices. Labour mobility reflects the willingness and ability of people to change significant working conditions, social status, professional affiliation, place of residence. According to T. Rybakova, labour migration of workers is a change of work within one territorial unit and the relocation of an individual in order to obtain a more attractive job. In this context, labour migration may be accompanied by a change in the socio-professional status of the worker and place of residence. This concept reveals the meaning of social dynamics, accompanied by a change in professional roles

and status [2]. According to O. Malynovska, labour migration of workers is associated with many problems such as the territorial movement of labour, labour exchange between urban and rural areas, change of enterprise or transition from training to work, change of workgroup in the enterprise, change of profession. In her works, she considers one aspect of labour mobility i.e. fluidity [1]. It is also worth emphasizing the narrow and broad meanings of the category of "labour mobility of workers". In a narrow sense, labour mobility is considered within the economic feasibility of changing the place of work by the employee. In this case, labour mobility includes only a change of workplace and a change of residence may not occur. In a broad sense, it includes all the dynamic processes of labour movement, which are accompanied by socio-economic changes in the work of the employee: training, adaptation, job change (turnover, hierarchical movement of personnel, migration), training, development of related professions and more.

Summarizing the work of various scholars, it can be argued that labour mobility is due to economic and social reasons and involves the process of moving labour resources for a specific purpose of employment for a certain period of time. In modern conditions, the nature and features of many processes in the field of employment are due to the level of mobility of workers. Labour mobility is the ability of workers to adapt to changing production conditions, to changing labour functions, places of employment, willingness to improve skills, learn new professions, as well as a set of processes of labour movement in economic and geographical sphere.

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CORPORATE AGREEMENT AND DEADLOCK-BREAKING MECHANISMS IN LIMITED LIABILITY COMPANY

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When two or more people start business together they rarely think of negative consequences which may arise later. Unfortunately, conflict situations happen really often and it is crucial to have a plan for resolving them.

Deadlock situation is inability of the company to make decisions that are material to the continued operation of the business. It also occurs when members or managers fail to reach an agreement or obtain the required approval for a course of action. For example, if limited liability company (LLC) consists of two people who have equal shares there might be a deadlock during the voting as partners may vote differently.

“Deadlock provision” originated in the Anglo-Saxon legal system, but it is also commonly used in the continental legal

system. Ukrainian legislation does not use the term “deadlock”. However, deadlock provisions can be used in Ukrainian legal practice as well [2]. A new Law on limited and additional liability companies in Ukraine entered into force in June 2018. One of the articles of the mentioned law institutes the regulation of corporate contracts in Ukraine.

The corporate agreement is a legal written contract that is constituted between the shareholders (or participants) of Ukrainian LLC. This document is an agreement whereby shareholders of a company undertake to exercise their rights and powers in a certain way or to abstain from exercising them. It can be concluded and signed voluntarily. So it is not a must to have such a document in order to establish a company in Ukraine.

The corporate agreement is a tool which can provide deadlock-breaking mechanisms for a specific LLC. Foreign legal practice has two main ways how to overcome deadlock situations. Let us look at them.

The first way to settle an argument is negotiation and other peaceful means. There are two types of these peaceful means. The first one is to enter an independent expert into executive body [3]. Partners can provide a provision which will oblige them to re-elect the executive body and later a new director or a board of directors will make a final statement. English lawyers practice the establishment of special quasi-elected body called ‘dispute review panel’. This body has the authority to resolve a conflict. However, Ukrainian Law on LLC does not provide a possibility to create such a body so it is arguable whether we can use this tool for breaking a deadlock.

Other types of negotiation are mediation and arbitration. To use these methods, partners should agree on a specific candidate or establish procedures how to choose one. They also should establish time for enforcement of the mediation or arbitration. The difference

between these procedures is following. Firstly, a mediator is an intermediary between parties who fulfill all the actions to help them find a solution. However, his conclusion is not obligatory for the parties as they reach a decision on their own. When it comes to arbitration, the decision is made by arbitrator after examination of all of the case circumstances. The result of this procedure is an arbitration award which is mandatory for parties.

The second way to end deadlock situation is to include buy-sell provisions in a corporate agreement. Buy-sell provisions may take different forms. It can be an “appraisal” model that requires an independent appraisal by a qualified expert as to the value of the interest to be purchased [1]. Another form of buy-sell provisions is a “shotgun” model, which permits one member to offer to purchase the interest of the other deadlocked member at a set price and terms, and the offeree must then either accept that price and terms, or purchase the offeror’s interest for the same price and terms (assuming equivalent percentage interests) [1]. Shotgun model has a lot of combinations known as Russian roulette (alternative mutual offer), black spot, Texas shoot out, Dutch auction (or Mexican shoot out) etc.

Under the right circumstances, these mechanisms have proven rather effective at forcing parties to find a way to break a deadlock to avoid the potential of one party actually pulling this trigger. Nevertheless, sometimes the results of shotgun models have been seen to generate litigation and unfair results, particularly where the parties have wildly different ideas about value, where there is a significant gap in knowledge about the specific business or industry, or where the parties have significantly different economic resources.

To sum up, Ukrainian new legislation on LLC provides a possibility to conclude a corporate agreement in which shareholders of a company undertake to exercise their rights and

powers in a certain way or to abstain from exercising them. The corporate agreement can include deadlock-breaking mechanisms such as negotiations which are regarded as peaceful means and different combinations of buy-sell provisions.

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THE RIGHT TO INDIVIDUALITY

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Before clarifying the nature of the legal aspect of a person's individuality, it is necessary to find out what it means in general. Theodore McCombs and Jackie Shull González in their article “Right to Identity” proposed the following definition of the right to identity: “The right to identity protects an individual’s significant and knowable personal attributes and social relationships” [1].

Scholars highlight several structural elements that make up a person's individuality. These criteria depend on national, cultural, religious, linguistic identity, as well as on the forms and ways of

manifestation of this individuality. Features can be expressed through appearance, voice, mannerisms, intellectual and cultural levels, medical data, social connections, etc.

Giroux and De Lorenzi separate understanding of identity into two parts: static and dynamic. The static aspect of identity concerns attributes that make one visible to the outside world, for example, physical features, sex, name, genetics, and nationality. Dynamic aspects include morals and religious and cultural characteristics [2].

As for the settlement of the question of individuality in the legislation of Ukraine, it is necessary to refer to the Civil Code of Ukraine, which states in Article 300 that a natural person shall have the right to individuality. And a natural person shall have the right to preserve his/her national, cultural, religious, language originality, as well as the right to a free choice of the forms and ways to display his/her individuality unless they are prohibited by the law and contradict moral principles of the society [3].

Concerning the practical application of the right to individuality, I would like to stress the position of the Civil code of Ukraine. According to Article 271, the substance of personal non-property right shall constitute a possibility for a natural person to freely and at its own discretion determine his/her conduct in the area of private life. This definition includes elements of the right to individuality - the preservation of national, cultural, religious, linguistic identity, the right to a free choice of the forms and ways of expressing their individuality.

Each person has the right to their own individuality. In support of this thesis, Article 11 of the Constitution of Ukraine guarantees the following: "The State promotes the consolidation and development of the Ukrainian nation, of its historical consciousness, traditions and culture, and also the development of

ethnic, cultural, linguistic and religious identity of all indigenous peoples and national minorities of Ukraine" [4].

In Article 300 of the Civil Code of Ukraine the usage of the right to individuality is reflected in the following words: "... the right to a free choice of the forms and ways to display their individuality unless they are prohibited by the law and contradict moral principles of the society" [3]. Individuality can also be used to satisfy material goods or interests. The person decides the scope and substance of his own individuality at his own discretion. This issue concerns, for example, changes in individual human traits due to plastic surgery, change of image, tattooing, pronunciation.

It should be noted that the right to individuality is not absolute. To provide it equally to everyone, restrictions were set on some elements of individuality. In support of this thesis, Article 23 of the Constitution of Ukraine provides that every person has the right to free development of his or her personality if the rights and freedoms of other persons are not violated thereby, and has duties before the society in which the free and comprehensive development of his or her personality is ensured.

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INSIGHT INTO PHILOSOPHY OF HUMOR

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When people are asked what's important in their lives, they often mention humor. Philosophers are concerned with what is important in life [2]. The concept of humor and its sense has been studied for centuries, but it is impossible to concentrate the meaning of these words into one sentence, without limitations. Because of the multilayered nature of humor, no single humor theory has been completely satisfactory and thus clinched universal acceptance [3].

The relevance of this topic is that humor has always been one of the main ways of communication. It helps us to build relationships, resolve conflicts, preserve social values and much more, but all the existing wealth of definitions, the roots of which go back to antiquity, are described in a rather complex and elusive process that takes place between people when they joke and laugh.

According to the Oxford Dictionary of English, the modern term "humour" originated in the 17th century from psychophysiological scientific considerations about different types of humor and their impact on human temperament. In English, the word "humour" (BE) or "humor" (AE) is translated as character, mood [1]. For now, we will focus on humour as a phenomenon of the human psyche, as a characteristic of the "sense of humor". M.G. Yaroshevsky, A.V. Petrovsky points out that in ordinary word usage, a sense of humor is a person's ability to notice, record and comprehend in the phenomena of the surrounding reality their comic sides, emotionally responding to them [4]. A.N. Luk calls a sense of humor the ability to perceive humor but not produce it [5, p. 15].

In general, the concept of sense of humour involves a set of perceptual, cognitive, emotional, physiological and behavioral

processes. Individual characteristics of the cognitive sphere, the leakage of emotional processes, temperamental and characterological features - form only a small part of the determinants of humor. Y.G. Tamberg includes moral, aesthetic, intellectual and emotional components in its structure, believing that a sense of humor implies availability of developed figurative, associative and logical thinking, imagination, observation, intelligence, knowledge and courage [6].

Integrating different knowledge of theories of humour, we define the main components of a good sense of humor: 1) fantasy, including the ability to build associative series, the ability to break the causal relationship; 2) literacy, awareness, erudition; 3) high speed information processing (ability to respond in a timely manner to what is happening); 4) resoluteness to speak out, and some skill to do so; 5) attention to the environment; 6) interest in joking (motivation).

By analyzing various sources, we can conclude that in modern psychology, a sense of humor can be conceptualized as a normal behavioral pattern (often laughing, telling jokes and entertaining others, laughing at other people's jokes), as an ability (ability to create humor, remember and produce jokes), as a temperamental trait (ordinary cheerfulness), as an aesthetic reaction (enjoyment of specific types of humorous material), as an attitude (positive attitude to humour and to people who have a sense of humor) or coping strategy (tendency to maintain a humorous perspective in the face of trouble). After all, a sense of humour is a complex and synthetic quality of personality which consists of an aggregate of properties, which gravitate to it. Needless to say, that it is a fascinating cognitive function and appears to be a function of peoples' augmented social abilities and an extension of language. A number of cognitive functions could well be inextricably rooted in

humor's history, thus making this subject worthy of further exploration [3].

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ORGANISER OF CRIMINAL OFFENCE

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The relevance of this topic is that in Criminal law the problem of committing criminal offences in complicity is still the subject of research by many scholars. Recently, there is a tendency to increase the scale of criminalization of the main spheres of life, crime rates in Ukraine are growing and most criminal offences are committed by organized groups, in which the main role belongs to the organiser of the criminal offence.

Thus, the question arises from the need for a clear and unambiguous explanation of the place and role of the organiser in the criminal offence to law enforcement agencies and courts, so that they correctly classify the offence with the participation of the

organiser and impose appropriate punishment. And to implement these tasks, we need to have the legislation in this area and be able to distinguish the organiser from other accomplices in a criminal offense. Only then the law enforcement system will do its job effectively, preventing the destabilization of the rule of law and the growth of crime rate in society.

The concept of organiser in a criminal offence is important both theoretically and practically. Theoretically, it is relevant due to the fact that its concept is part of the concept of "complicity" and correlates with other types of subjects of complicity, which raises a number of controversial issues. In particular, the Criminal Code states that complicity is the intentional joint participation of several subjects of criminal offence in the commission of intentional criminal offence, in which the main role usually belongs to the organiser [1]. In practice, the importance lies in the fact that in many cases the qualification of specific crimes committed by several entities is complicated by the lack of appropriate legislative advice and inconsistent law enforcement practices. This leads to misinterpretation of the organiser of the criminal offence and its misalignment to other subjects.

The organiser is a key figure in the commission of criminal offence. Part 3 of Article 27 of the Criminal Code provides a definition of "organiser". When referring to its meaning, usually understand a person who organized the commission of criminal offence (criminal offences) or directed his (their) preparation or commission [1].

This person is also able to independently create a criminal group of those who will voluntarily support his position, control, direct activities pursuing their interests. A feature of the same organiser is that he usually has certain "leadership" skills that allow him to exercise psychological influence on people, involving them

in the commission of a crime and successfully manipulating their feelings and desires [2].

The actions of the crime organiser should be considered in three main directions: a) preparation (planning a criminal offence, finding accomplices and attracting them to your side); b) practical actions (creation of a criminal group, organization of crime financing and/or concealment of a crime, committed by an organized group or criminal organization); c) management (a person provides clear instructions on how to commit a crime to his accomplices).

Along with the performer, the organiser has a key place in complicity since it is he, as noted by A. Agarkov, who gives a deliberate criminal offence a special public danger, because a carefully planned, well-organized crime, all options for the development of events during the commission which are provided, significantly increase the risk of proof criminal purposes to the end [3]. Because of this, exposing the organiser can be called one of the top priorities during the time of investigation of the crime, as its accomplices, left without instructions from the leader, become more vulnerable to exposure by law enforcement agencies [4].

The criminal liability of the organiser differs depending on how the crime was committed: in simple complicity (with or without prior conspiracy) or as part of the criminal group or organization: in the first case, according to Art. 29 part 2 of the Criminal Code, he should be punished according to that article. A special part of criminal law, which provides for liability for a crime committed by the perpetrator. In the second case Art. 30 p.1 of the Criminal Code stated that this person is the subject to criminal liability for all crimes committed by accomplices, while an important condition is that these criminal offences were encompassed by his intent.

Summing up, we can say that the organiser is the most important person in the planning of a criminal offence, and in management criminal groups. He is justly being punished the most, because his actions pose an increased danger. Accordingly, in criminal law it is necessary to take a better approach to defining the concept of "organiser" to distinguish it from other participants in the criminal offence.

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CONSTITUTIONAL AND LEGAL BASES OF INFORMATION ACTIVITY IN UKRAINE

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Article 1 of the Constitution of Ukraine stipulates that Ukraine is a sovereign, independent, democratic, and legal state. The very right to information is an integral feature of a democratic state, thus, it is enshrined at the constitutional level. At the current stage of human development, this right is one of the most important, because information activities permeate most spheres of modern reality and they can serve as indicators of its development. The general investigation of the problem was performed by

B. Kormych, T. Kostetska, T. Chubaruk, E. Larin, K. Belyakov, and O. Oliynyk [1-3; 4-6].

As for the interpretation of the notion ‘information activity’, it is quite multifaceted and depends on the point of view it is considered from: social, economic, political or informational. The legislation of Ukraine provides an interpretation of this notion. Therefore, according to the Law of Ukraine “On Information”: information activity is a set of actions aimed at meeting the information needs of the citizens, legal entities, and the state [11]. This notion can be explained in more detail with the help of Part 2 of Art. 34 of the Constitution, which defines such legal possibilities as: the right to collect, store, freely use, and disseminate information [10].

The Constitution of Ukraine establishes a certain legal framework for the development of information law. These are Articles 31-32, 34, as well as Articles 50 and 57. These provisions enshrine the right to freedom of speech, information activities, protection of personal information, and the right to environmental and legal information. They promote the formation of information law in Ukraine.

However, in Ukrainian legislation this sphere of public relations is regulated not only by the Constitution, but also by other legal acts, among them: the Law of Ukraine "On Information", "On Telecommunications", "On Television and Radio Broadcasting", "On Print Media in Ukraine", "On state statistics" and many others [11].

To conclude, I would like to note that the main provisions for the development of information activities are laid down in the Constitution of Ukraine, but currently they are not enough to successfully regulate these relations. As a result, it leads to information security problems, which can have serious consequences for people and the state in general. Therefore, in order to solve this problem it is necessary to improve the provisions

of the constitution as fundamental ones.

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LEGAL STATUS OF TEMPORARY OCCUPEID TERRITORIES OF UKRAINE

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The occupied territories of Ukraine are one of the biggest problems that Ukrainian state has faced. Due to the military aggression of Russian Federation in Crimea, Donetsk and Luhansk region territories, which according to numerous international agreement and acts are Ukrainian ones, were occupied by Russian Federation.

According to the Article 2 of the Constitution of Ukraine, the territory of Ukraine within the existing border is integral and inviolable. So as a result of occupation Ukrainian territory was violable. Since 2014 Ukrainian public authorities have been trying to regulate status of occupied areas in Ukrainian law. As a result of these activities, on the 15th of April in 2014 Ukrainian parliament passed the law that for the first time defines the concept of occupied territories. Another important law was passed 4 years later and determined specificity of state policy in the area of ensuring state sovereignty on the temporarily occupied territories in Donetsk and Luhansk regions.

However, it is clear that Ukrainian legislation in the area of temporary occupied territories is not complete and comprehensive. So, in order to reintegrate occupied territories, it is important to be competent in question of legal status of temporary occupied territories.

The theoretical and methodological background in our research are the works of the following researchers: A.A. Ilyashko, V. Nesterovych, V.V. Knysh, N.H. Aleksandov, V.M Baranov, A.V. Malko, L.S. Yavych.

The purpose of the research is to study law and legal regulation of legal status of temporary occupied territories, as well as to summarize the results of the studies and go through the following tasks: 1) consider the concepts of definition 'temporary occupied territories'; 2) analyze the problems and shortcomings of the legal status in Ukrainian law system; 3) describe state policy in question of temporarily occupied territories.

Considering issues that related to the definition of the legal status of the temporarily occupied territories, we can say that one of the main problems is demarcation of the concepts of status and regime. As a result, the concept of «legal regime» is increasingly asserted as one of the most important categories of legal science, in the present, including the legal regime of the temporarily occupied territories. Also, we pay our attention on the scientific researches aimed at clarification of the specifics of the legal regulation of specific social relations, which are connected with the concrete object and are carried out in the context of studying the legal regime of the given object or the type of the activity.

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ENSURING THE RIGHT OF PRIVACY

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The significance of the research of privacy in the sphere of constitutional law is determined by the fact that it is aimed at protecting our personal autonomy from unwarranted interference. The notion “privacy” is the key notion of the current research because of its importance in protecting the society from arbitrary use of power by supervising the spread of personal information.

The term was coined by the lawyers Samuel D. Warren and Louis Brandeis in their wellknown work “The Right to Privacy” [5]. The scholars used the phrase “right to be let alone” as a definition of privacy. The lawyers introduced the fundamental principle of privacy as follows: “the individual shall have full protection in person and in property” [5]. S.D. Warren and L. Brandeis acknowledge that this principle has been reconfigured over the centuries as a result of considerable political, social, and economic changes.

This notion is interpreted differently in constitutional statements of more than 130 countries. The meaning of the term is clarified in the definition given in The Universal Declaration of Human Rights of 1948, where Article 12 states: “No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation” [4].

In our research we understand the term “privacy” as a fundamental human right that underpins freedom of thoughts, expressions, and social activities. We think, it is relevant to include the following characteristic feature to the determination of privacy because it protects our freedom in communication with other people and participation in political activities.

The main principles of the privacy comprise the principle of lawfulness, fairness, and anonymity. These principles form the international standards of safety and protection of personal information which the Ukrainian community attempts to integrate.

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GROUND FOR RESTRICTING THE RIGHT TO LIBERTY AND SECURITY OF THE PERSON IN DECISIONS OF THE EUROPEAN COURT OF HUMAN RIGHTS

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One of the fundamental values of democracy is freedom, the existence of which is one of the prerequisites for human development and socialization. The right to liberty is an inalienable constitutional human right and provides for the possibility to choose one's conduct for the purpose of free and comprehensive

development, to act independently in accordance with their own decisions and plans, to determine priorities, to do everything that is not prohibited by law, to move freely and at their own discretion on the territory of the state, to choose a place of residence, etc. The right to liberty means that a person is free in his or her activities from outside interference, with the exception of restrictions imposed by the Constitution and laws.

Restrictions on the right to liberty and security of person must be carried out in compliance with constitutional guarantees for the protection of human and civil rights and freedoms. The right to liberty and security of person, like any other right, requires protection against arbitrary restriction, which requires periodic judicial review of the restriction or deprivation of liberty and security of person, which must be exercised at statutory intervals.

Ukraine is a part of many international organizations, which include standards for the protection of the right to liberty and security of person, these standards are set out in such documents: the International Covenant on Civil and Political Rights, Convention for the Protection of Human Rights and Fundamental Freedoms, ratified by the Law of Ukraine etc. The European Court of Human Rights is guided by these documents in its decisions.

The purpose of the research is to explain the meaning of "the right to liberty and security of person», to determine the grounds for legitimate restriction of these rights with help of decisions of the European Court of Human Rights.

The reasonableness of the application of precautionary measures related to the restriction of a person's right to liberty and security of person, including house arrest and detention, should be subject to judicial review.

Ukraine as a state governed by the rule of law has as its priority the guarantee of human and civil rights and freedoms. To this end, the state is obliged to introduce legal regulations that

comply with the constitutional norms and principles necessary to ensure the realization of the rights and freedoms of every person and their effective restoration. At the same time, certain constitutional values, in particular the inviolability of the person as a guarantee against encroachments on the rights and freedoms of others, first of all the fundamental right to freedom, need enhanced guarantees of their protection.

The right to liberty and personal integrity is the fundamental right of everyone. It is provided by the state legislation and ratified by the international legal acts. It may be limited only in special cases that are provided by the constitution of the state and international acts. In case of unlawful limiting of this right, a person may apply to the European Court of Human Rights to demand a fair court decision.

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STAGES OF CRIME : DEFINITION OF NOTION

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The importance of studying the notion “the stages of the crime / the stages of committing the crime” is determined, firstly, because of its use in the sphere of criminal law, and, secondly, because of the lack of its definition in the text of Criminal Code of

Ukraine. So, we focus our attention on the interpretation of this notion for better understanding of its meaning. Let's analyze the views of scholars on the legal nature of the degrees of the crime, the content, and scope of this notion.

The greatest development of the concept of crime stages in the Ukrainian science of criminal law occurred in the second half of the XX century. Firstly, I want to pay attention to a fundamental monograph by M.D. Durmanov [1]. Analyzing it, we can see that under degrees of crime he understood certain stages of preparation and direct commission of an intentional crime, which differ significantly in their socially dangerous nature, their consequences, and degree of criminal intent. The scholar notes that the term "stage of the crime" is often used in a double sense: 1) the stages of consummated crimes; 2) the stages at which the process of committing the crime was stopped [1, p. 10-11].

In fact, M.D. Durmanov's scientific approach got much attention and many scholars referred to his concept almost without changes. For example, many textbooks suggest the definition, made by V.P. Tykhyy: "Stages of the crime are provided by the Criminal Code of Ukraine as socially dangerous stages of its implementation, which differ significantly by the degree of realizing a criminal intent, i.e. by the nature of the act (action or omission) and the moment of its termination, and, thus, by the degree of severity of the act committed by the person" [2, p. 172]. We should note that the scientist based his definition on the determination of the notion made by M.D. Durmanov, having expanded it, as well as having determined different types of the stages of a criminal offense including such criteria as the moment of their termination and the severity of the act committed by the person.

We should also concentrate on the opinion of M.D. Dyakur, who believes that "the concept of the stages of criminal activity is a

theoretical concept of the whole process of committing a crime, both mental and physical activity of a person” [2, p. 102].

The legislator of Criminal Code of Ukraine admits in Art. 13 that preparation and attempt are types of un consummated crimes. Therefore, I find the work and opinion of O.I. Sytnikova very interesting. She is convinced that the traditional identification of the stages of the crime with types of un consummated crimes does not comply with legal requirements, as the legislator distinguishes the incompleteness of a criminal act from circumstances that do not depend on the perpetrator. An uncompleted crime cannot develop further and go through any stages of development, because the continuation of the crime is hindered by circumstances beyond the control of the subject. Accordingly, preparation and attempt, which are un consummated criminal offences, cannot be the stages of crime, since one stage (preparation for crime) must be related to another (attempted crime), and the attempt must be transformed into a final stage (consummated criminal offence). This incompleteness means that the chain of previous criminal activity is interrupted at one of the links being not connected with the others [4, p. 99-100].

Analyzing the legislation, we can find peculiar hints that the preparation for crime and attempted crime can be considered as types of un consummated criminal offense, and the stages of its commission. Firstly, it is described in Section III of the General Part of the Criminal Code of Ukraine – “Criminal Offense, its types and stages”, namely in Art. 13-16; secondly, the text of Part C of Art. 31 of the Criminal Code, according to which in case of a voluntary refusal of any of the accomplices, the executor is the subject to criminal liability for either preparing or attempting to commit a crime. Thus we can speak either about two types of the un consummated criminal offence according to the stage at which the unlawful action was terminated.

We base our research on the definition given by V. P. Tykhyy [2] as it is comprehensive enough and not overloaded with unnecessary information.

In conclusion, the study of the problems of the stages of the crime is relevant to the science of criminal law, important both for the further improvement of the Criminal Code of Ukraine and for the practice of its application. The scholars, mentioned above, have defined the main characteristics of the notion “the stages of committing a crime”. The correct definition of the notion “stages of crime” affects correct classification of criminal offences, distinguishing between criminal and non-criminal behavior and individualization of punishment.

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ALIMONY OBLIGATIONS OF PARENTS AND CHILDREN

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Part 2 of Article 51 of the Constitution of Ukraine determines that parents are obliged to maintain their children until they reach the legal age, and adult children are obliged to take care of their incapable parents. Alimony obligations of parents and

children are legal relations in which one party is obliged to provide maintenance to the other party on the basis and in the procedure established by law, and the other party has the right to demand the fulfillment of such obligation. These legal relations are governed by Chapters 15-17 of the Family Code of Ukraine (the FCU).

According to Article 141 of the FCU, parents are equal in matters of maintenance of their children and they must fulfill this obligation whether they are adults or juveniles. It should be noted that even in case when the court deprives one or both parents of parental rights, they should still be responsible for the maintenance of their children.

Following the Family Law, we can emphasize the following types of obligations of parents towards children: 1) obligations of maintenance of children under the legal age (Article 181 of the FCU); 2) obligations of parents to support with additional costs (Article 185 of the FCU); 3) obligations of parents to maintain an adult daughter or son, that is incapable of work (Article 198 of the FCU).

There are two ways to pay alimony, namely wilfully and forced. In general, parents willingly support their children because they feel responsible for those to whom they gave life. Although, conflicts often arise over the matter who of the parents should provide the child with money. In cases of such disputes, one of the parents may apply to the court to collect alimony for the child's support from the other one.

While resolving disputes about the amount of alimony for children by the court, the Family Code of Ukraine establishes the following: 1) as a fraction of earnings (income) of the child's mother or father; 2) in a fixed sum of money. It is important to emphasize that according to Part 2 of Art. 182 of the FCU, the amount of alimony must be required and sufficient to ensure the harmonious

growth of a child and for one child it cannot be less than 50 percent of the minimum living wage for a child of such age.

Whereas children due to their age, cannot provide for themselves, parents are obliged to support and maintain them until they reach the legal age. In addition, the legislator obliges parents to provide financial assistance to their adult children under 23, who pursue their education, if they are able to do so. This obligation is stated in Art. 199 of the FCU.

According to Part 8 of Art. 7 of the FCU, regulation of family relations should be carried out taking into account the interests of family members incapable of work as much as possible. Taking into account that the relationship between parents and children involve mutuality and cordiality, children should help their incapable parents. In case when they refuse to provide such assistance and material support to their parents, the legislator obliges them to carry out this responsibility (Art. 202 of the FCU).

Art. 75 of the FCU determines that incapable of work are those people who have reached retirement age established by law, or are people with disabilities of group I, II or III. The need for financial assistance may be caused by the fact that parents are unable to ensure a decent living due to the lack of pensions or their low amount, as well as the lack of other sources of livelihood. Thus, the grounds for alimony obligations for children towards their parents are: 1) the origin of children (their family relationship); 2) incapability of parents; 3) parents' need of financial assistance [3, c.121].

While determining the amount of alimony for parents, the court defines the fixed sum of money and (or) in fraction of earnings (income), taking into account financial and family status of the parties. In conclusion, I would like to emphasize that Family Law concentrates sufficient attention on the regulation of alimony obligations between parents and their children. These relations are

important and are based on fundamental moral principles in society. Thus, they must be properly regulated by the state.

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PERIOD OF PRIMITIVE SOCIETY IN HUMAN HISTORY

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Modern scientists distinguish the following five stages of the world's history: primitive, classical, medieval, modern, and contemporary periods. American scientist Lewis H. Morgan suggested dividing human history into three major stages: savagery, barbarism, and civilization [5]. In this periodization he combined such criteria as: social and technological progress, family and property relations. Savagery and barbarism are the areas of the primitive society. The term “primitive tribal community” in the meaning of the period in human history without a state was introduced by F. Engels in his book “The origin of the family, private property and the state: in the light of the researches of Lewis H. Morgan” [2].

There was the primitive society in the savage era. All the people were equal. People could use fire, do gathering, hunting and

fishing. In the era of barbarism the Neolithic revolution took place, so it led to the appearance of social inequality. Domestication of animals and plants were the main human achievements of that time. People started to build villages. Public relations were regulated by mononormes, or primitive rules. Later the first protostates appeared, they were based on military democracy. The term “military democracy” was coined by Lewis H. Morgan in his book “Ancient Society” [5]. According to L.H. Morgan the term denotes a method of organizing the state authority when the powers of a military leader, the tribal council and the people’s assembly are combined.

At last, there was an era of civilization. It was the time of breakdown of the primitive society and emergence of the state, law and writing. There are such reasons of the decay of the primitive society: 1) the emergence of private property; 2) the establishment of social classes with antagonistic interests; 3) the development of slavery.

The history of human development covers a long period of time. First, there was no state with public authorities, public relations were regulated by mononorms under the authority of the tribal elders, but the latter were not able to manage new class relations, thus, there was a need for a new power, which could handle them. The state became that power and adopted the law.

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PARTICIPATION OF AN EXPERT IN CRIMINAL PROCEEDINGS

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The participation of an expert in criminal proceedings has a significant impact on the ability of the parties to criminal proceedings in the collection, verification and evaluation of evidence in order to ensure a prompt, complete and impartial investigation and trial. Expert opinion provided by a person who is not interested in the results of criminal proceedings, with reference to fundamental scientific principles and proven research methods, which, if necessary, can be verified, and the expert's testimony becomes a procedural source of evidence.

In 1832, for the first time in the Code of Laws of the Russian Empire, the definition of an expert as a knowledgeable person with knowledge in various fields of science, craft or art appeared. At the same time, forensic examination was considered as a means of court activity. It acted as a direct source of conviction of the judge. It was believed that the opinion of informed persons

might well replace the opinion of the judge or investigator who had involved them in the criminal process.

The CPC of the USSR of 1922 and the CPC of the USSR of 1927 abandoned the concept of "knowledgeable persons" and adopted one term – an expert.

According to the current Criminal Procedure Code of Ukraine, an expert in criminal proceedings is a person who has scientific, technical or other special knowledge, has the right in accordance with the Law of Ukraine "On Forensic examination" to conduct an examination and who is instructed to study objects, phenomena and processes, containing information about the circumstances of the criminal offense, and to give an opinion on issues that arise during the criminal proceedings and relate to the scope of the knowledge [1].

We base our research on the definition given by the current Criminal Procedure Code of Ukraine because it has a higher legal force than scientific articles or explanations.

Summing up, we can conclude that within the development of the science of criminal procedure the legal status of the forensic expert has changed. Besides, there are the following concepts of a forensic expert as a participant in criminal proceedings: 1) the concept of a scientific judge when the expert's opinion is identified with a court verdict; 2) the concept of forensic expert as a court assistant; 3) the concept of a forensic expert as a witness; 4) the concept of a forensic expert as an independent participant in the proceedings.

A forensic expert may be a person appointed at the request of a party to criminal proceedings or on behalf of an investigating judge or a court with the necessary scientific, technical or other special knowledge, the application of which is required to resolve issues arising in the proceedings of the criminal case in order to provide an opinion on the issues under investigation.

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ECONOMIC REPERCUSSIONS OF THE COVID-19 PANDEMIC

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The coronavirus pandemic has led to unprecedented problems in the global economy, the effects of which have been felt by people around the world for more than a year. For Ukraine's economy the new crisis is a huge blow since it is highly dependent on the global situation, in particular on the supply and demand for Ukrainian exports (metallurgy and agricultural products) and the prices of Ukrainian imports (mainly energy and manufactured goods such as cars, household appliances, computers, etc.).

According to last year's forecast by the International Monetary Fund, Ukraine's gross domestic product is projected to fall by 7.7% compared to a 3% decline in the world economy. Recovery from the crisis will be longer for Ukraine than for the rest of the world: the growth of gross domestic product of Ukraine in 2021 is forecast at the level of 3.6% against the growth of the world economy at 5.8% [1]. This means that a new crisis will only widen the gap between Ukraine and the developed world, both in terms of economic competitiveness and quality of life.

The agricultural sector can at least partly save Ukraine's economy from a precipitous drop. "During any crisis the agro-industrial sector suffers least of all. In times of economic crisis people tend to cut down on purchases of any goods but they always buy food", says Professor of the Kyiv School of Economics Oleh Nivyevsky [1]. The agricultural sector is also much less sensitive to quarantine. On the contrary, a certain proportion of the people who lost their jobs because of the quarantine could be employed by the agribusiness.

The European Bank for Reconstruction and Development believes that the Ukrainian economy will not resume its growth before the second quarter of 2021 [2]. Altogether in 2021 the Ukrainian economy may grow by 3%, according to the European Bank for Reconstruction and Development. However, the risks that the economy will not resume growth remain high, not only because of the possibility of a new wave of the coronavirus, but also because of the uncertainty about the Ukrainian government's policy and its willingness to reform.

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PUBLIC AUTHORITIES IN MODERN UKRAINE

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Building a legal and Democratic state in Ukraine is directly related to the practical implementation of such fundamental principles as the rule of the Constitution and the rule of law. It is obvious that this problem can be considered both from the point of view of covering its theoretical content, and through the study of those components of the system of state power that act as institutional guarantees for ensuring the status of the Constitution as an act of the highest legal force. As you know, one of the central places in this system of state authorities is played by the bodies of constitutional jurisdiction. According to Article 147 of the Constitution of Ukraine, the only body of constitutional jurisdiction in Ukraine is the Constitutional Court of Ukraine. In this sense, the study of the role and significance of the activities of this state authority, the powers of special bodies – courts, in the process of ensuring the supremacy of the Constitution and its protection appears as one of the important tasks of the modern science of constitutional law.

The purpose of the research is to study the appointment of a judge of the Constitutional Court of Ukraine, determine: 1) the duties, rights and obligations of a judge of the Constitutional Court; 2) independence and inviolability in the administration of Justice; 3) legal responsibility for non-performance of duties.

The Constitution and the law further guide us to understand universal and professional requirements for a judge through the prism of judicial duties. Judges in the administration of justice should be independent, subject only to the law, which they swear by when taking office as a judge. Being a judge is a huge

responsibility. Being a judge means being at the forefront of conflict and under the close attention of society. This is a restriction on the right to speak freely, it is a constant control over one's own behavior not only in professional life, but also in everyday life.

A judge is primarily a person who determines the attitude of society to the courts as a whole and the level of trust in the judiciary. So, taking care of the quality of judicial proceedings, we should be aware that the qualities of specialists who gain access to the profession of a judge affect it no less than the quality of legislation, since fair justice is a guarantor that is designed to protect the freedoms of citizens, the constitutional system of Ukraine as a whole.

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NEGATIVE IMPACT OF THE INTERNET ON YOUNG PEOPLE

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Our psychological development directly depends on the community we live in. Gen Z - modern young people, are raised in

a time when technology and internet industries became a significant part of our everyday life. They grow up knowing all the opportunities of new technology and so they gradually become members of the information society. A teenager cannot imagine their life without social networks and online contacts with people. Without a doubt, social networks play an important role in the socialization of modern young people; they contain a lot of useful information and are also an excellent platform for self-development and self-fulfillment [2]. But at the same time, the online world has their dark side that can cause a negative impact on teenagers.

C. Seemiller and M. Grace state that “young people age 16 to 24 spend a third of their time online on social media” [3]. M. Jan, S. Soomro and N. Ahmad claim that “social comparisons made using social networking sites such as Facebook makes the people feel worse about their lives and promotes negative well-being of individuals. As a result people end up having low self-evaluations” [4]. We share the opinion that “overall harmful effects with much of the responsibility attributed to the rise of social media on youth mental health can be severely mediated by depression, cyberbullying, and addiction that influences their wellbeing” [6]. Undoubtedly, social media is useful for us, but there are also negative impacts that it can cause, especially on youth. Multiple studies have found a strong link between social media and an increased risk for depression, anxiety, loneliness, self-harm, and even suicidal thoughts [5]. We have outlined the most significant ones.

An image of “ideal life”. All those photoshopped Instagram photos with perfect body, skin and hair, show-off videos of romantic relationships, fake life stories which make up an illusion that life is always simple and happy, that troubles never find successful people – these things really spoil a not yet formed worldview of teenagers and cause dissatisfaction with their own

lives, low self-esteem, even anxiety and depression from the fact that their lives look “wrong”.

Disinformation. Still, many young people have not yet formed their digital literacy, so they are exposed to the false data broadcasted in the media. Some media use clickbait headlines and fictional or altered information to get readers' attention, knowing that some readers like teenagers will believe every word the media say.

Dangerous challenges/marathons. Though it sounds strange, there are things on the Internet like self-harm and death marathons run by «the curators». Most users are skeptical about such things, but there are also people in a pre-depressed state that are likely to be subjected to the psychological tricks of the curators and harm themselves. Dangerous challenges such as «Blue Whale» and «Red Owl» were popular back in 2017-2018 and later it seemed that they stopped. But this year showed the world that such a problem still exists. In February 2021 several Ukrainian girls took part in a marathon on one of the social networks, where the main task was «take 40 drotaverine tablets and see what happens». Fortunately, the girls survived but the challenge badly affected their health [7].

Internet has made society's life better, more comfortable and more adaptable to different global situations like a pandemic, but the effects of social networking are twofold [1, p. 351]. Thus, it is crucial for the authorities to establish governmental policies in information literacy for young people to be properly educated in digital literacy, be provided with conditions for self-development both online and offline, and last but not least – they should let teenagers see that the real world is no less interesting than the virtual one. It must be remembered that social networks are only a reflection of our real life, and not a separate world [8].

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SEPARATION OF POWERS

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The significance of the term “separation of powers” in the sphere of constitutional law is especially important as nowadays almost all countries use this main principle of modern democracy. This topic is complicated enough, so a lot of scientists study it.

Scientific and theoretical basis of the research comprises the Constitution of Ukraine. General investigation of the term was

made by O. Boryslavska, F. Fedorenko, A. Pehnyk, D. Hudyma, S. Rabinovych, O. Skakun, A. Tolkach [4-5].

The term was introduced by the English philosopher John Locke in his well-known work “Two treatises of Government” [1] and by French political and philosopher Charles-Louis de Secondat in his work “The Spirit of Laws” [2] – they are the main personalities in this sphere. There was a difference between them, as they interpreted branches of power differently (John Locke did not single out a judicial branch of law). The difference in their views was also in understanding the level of independence and disunity of the legislature and executive branch of power.

The term is not interpreted comprehensively in the Ukrainian legislation, for example, in the Constitution of Ukraine there is an article which describes the term, but does not explain. Article 6 of the Ukrainian Constitution (CU) says that there are three branches of power. Articles 75, 85, 106, 124 determine the authorities in Ukraine and their power [3].

In our research we understand the term “separation of powers” as the constitutional doctrine, which separates three branches of power – legislative, executive and judicial – in order to prevent the concentration of power in one branch, as far as the powers of each branch are limited.

We think, the principle of separation of powers is one of the main principles of a state functioning in the modern world. It protects the citizens from autocracy.

The term should be interpreted in the Constitution of Ukraine and should be strictly adhered in order to follow the Constitution of Ukraine.

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ADMINISTRATIVE AND LEGAL STATUS OF FOREIGNERS AND STATELESS PERSONS

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The legal relationship of the state with such entities as foreigners and stateless persons is expressed through the consolidation of their legal status in national law. Such legal status can be defined as a set of rights and responsibilities that determine the place of these entities in society and their relationship with the state. In addition, the legal status is based on the provisions of the relevant legal norms.

In order to improve the legal protection of foreigners and stateless persons, it is important to regulate in detail their legal status, as well as to study the differences between the rights of Ukrainian citizens and foreigners or stateless persons. rights and responsibilities of this category of persons so that they can freely exercise their rights and protect their interests. It is also necessary to analyze international law, which establishes general requirements for the regulation of such relations and the adaptation of national law to them.

That is, the relevance of our work in the formation of a new content of the concept of administrative and legal status of such persons. The theoretical and methodological basis of the work are the works of such researchers as L. Galenska, N. Grabar, I. Kovalishyn, O. Kuzmenko, V. Potapova, S. Chekhovych, I. Serov, N. Tyndyk, Y. Rymarenko. The purpose of this study is determined by the following tasks: 1) detailed description of the concept of legal status, its features 2) study of foreigners and stateless persons as special subjects of administrative relations, 3) identification of problems, legal regulation of persons and justification of their solutions.

Examining the legal status of foreigners and stateless persons, we must proceed from the provisions of Article 3 of the Constitution of Ukraine, according to which a person, his life and health, honor and dignity, inviolability and security are recognized in Ukraine as the highest social value. , located on the territory of Ukraine is a subject, not an object of legal relations and is endowed with the same rights and responsibilities as the same citizen of our state. This is evidenced by Article 26 of the Constitution, which states that foreigners and stateless persons legally staying in Ukraine enjoy the same rights and freedoms and have the same obligations as citizens of Ukraine - with the exceptions established by the Constitution, laws or international treaties.

Also important for the study of legal status is to distinguish between the concepts of foreigner and stateless person. According to the law, a foreigner is a person who is not a citizen of Ukraine and is a citizen of another state or states, and a stateless person does not have the citizenship of any state, and its legal status is determined by the legislation of the host state. The difference between the legal status of this category of persons and citizens of our state is that only citizens of Ukraine can have and exercise their

political rights, as well as those rights that are related to their citizenship.

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PROSPECTS & PRIORITIES FOR THE DEVELOPMENT OF ATYPICAL FORMS OF EMPLOYMENT

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The modern pace of life is extremely rapid and complete and the labour market is a fluid system, which reacts quickly to external factors by changing its parameters (demand, labour supply etc.). In fact, innovative technologies, the increasing complexity of economic ties and the reorientation and globalization of the economy as all have a significant impact on employment institute in Ukraine.

Due to all these aspects, the new forms of labour involvement have existed and they differ with their organization system, flexibility, technology innovations and, of course, their creative component is the most important. The phenomenon of atypical employment is well known under current legislation on labor, for instance, part-time job, self-employment, work under civil law contracts (such as refit contract, when a worker is not protected by labour legislation and also there is no information about this agreement in your employment record book) and they

are regulated in details, but they are not the only one.

Recognition of the right to a non-standard employment relationship was realized only in the late 1990s and early 2000s in normative acts of International Labour Organization (for example, Convention 181 Employment Agency).

There are two the most popular types of atypical employment: remote and borrowed work. The widespread use of borrowed labour is now evidenced by the large number of cases in enterprises in Ukraine. Thus, in 2012 many of the country's enterprises were liquidated (completely or partly) departmental services for the protection, provision and servicing of various facilities and their functions have been transferred to external structures.

Main arguments about the advantages of borrowed labour in Ukraine today (as one among the most common forms of non-traditional employment) experts refer to the reduction of production costs for personnel, economic, structural and administrative purposes. At the same time the spectrum of disadvantages, among other things, is that application through recruitment agencies it is almost legitimizing (rationalising) the loss of social security guarantees for workers. The fact is, that recruitment agencies are certainly not the kind of enterprises that will work directly with hired workers who are protected by employment legislation.

Another type of borrowed labour is labour leasing when workers are temporarily employed to perform tasks or projects for other companies. According to statistics, the services most in demand are those that provide: temporary assistance for short-term projects - 48.4%, provision of staff for long-term projects 35.5%, services outsourcing 29% and outsourcing 12.9%. However, as it was mentioned: if employers accept the work they have borrowed, trade unions See it as a threat to workers' labour rights, they reckon, that these workers have lower pay and worse conditions of

work than other.

Remote work according to the first typology proposed in 2000 by European Telework Organization (e-work), classified as telework at home (workers who work at least one day a week at home rather than at their workplace, using computer and telecommunications to interact with colleagues). Recently, there was adopted a law to provide the legal regulation of teleworking, home-based work and to amend Ukrainian labour legislation, it also provide concluding an employment contract for this two atypical forms of employment, there is given the permission to the employer to obtain information about the employee's place of residence in order to properly formalize the employment contract and to establish the advantage of electronic workflow. In the context of a pandemic, both forms of employment have become extremely popular, so we may say that teleworking and home-based work guaranties are now really pprotected in contradistinction to other types of atypical employment.

The theoretical and methodological basis of the work are the works of such researcher as: M.A. Shabanova, A.B. Moznaya, B.P. Kokhan, I.M. Shopina, M.S. Polischuk, A.M. Lushnikov, V. M. Lushnikov and others.

The purpose of the research: to analyse the problems of non-standard employment in Ukraine, the legislation governing the various types of such employment, the specificities of each type and guarantees for the protection of workers labour rights, and to study the positions of leading scholars on this issue; the proposals of the Ministry of Social Policy to review the principles set forth in international conventions, in particular those of the International labour organization, and to establish development perspectives and priorities.

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THE PRINCIPLE OF GENDER EQUALITY IN UKRAINE

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In recent decades, in Ukrainian society, as in all civilized countries, there have been significant changes in the understanding and consolidation of gender relations at the legislative level. Significant progress has been made in promoting the principle of gender equality, but ensuring it still remains a challenge for our state. Membership in the European Union is one of the main strategic goals of Ukraine. This means a consistent focus on the current model of social market economy in leading European countries, the advantages of which are a high level of social standards and the development of humanitarian sphere, effective protection of workers' rights, the developed social protection system, the principle of gender equality.

The European Union's position on achieving gender equality is that women and men shall have equal rights and opportunities in all spheres of society. To this end, all EU institutions must implement equality between men and women in all policy areas, all programs and at all levels of decision-making.

For better understanding of this principle and its importance, it is necessary to formulate the definition. In fact, there are many definitions of gender equality given by different scholars and after analyzing a sufficient number of them, we focused on the one formulated by the researcher I. Hrytsai: “Gender equality is the legal status, guaranteeing any person, regardless of gender, the opportunity to equally exercise their rights, plans, implement their ideas, actions, obtain gender-independent results of work, professional, social, political activities” [2].

This issue in Ukraine is enshrined in law in many regulations and international treaties, including The Constitution of Ukraine, the Law of Ukraine "On Ensuring Equal Rights and Opportunities for Women and Men", the Universal Declaration of Human Rights, the Convention on Women's Political Rights, the Convention on the elimination of all forms of discrimination against women, the UN Millennium Declaration, etc.

After analyzing the statistics in the political sphere, we can see the following results. The current parliament includes 20.8% of women, which is the largest number of women since Ukraine's independence. In the last local elections, the number of women elected to local councils increased: regional councils – 28.2%, district councils – 33.7%, councils of more than 10 000 voters – 32.8%, councils up to 10 thousand voters – 41.6%.

If we analyze the state of public opinion in Ukraine in 2021, we learn that 35% of respondents say that inequality between the two sexes is quite common in Ukraine. Those who have the opposite opinion make up 56%. It is also worth noting that in the year of 2020, Ukraine ranked the 52-nd place out of 162 countries in the gender inequality index.

Changing gender stereotypes in the society is the priority of our state, since it is not enough just to change the law, sign and ratify international treaties, we need people's desire to change

themselves and change the country, implement new standards applying the experience of foreign countries.

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LEGAL REGULATION OF THE PROCEDURE FOR CONCLUDING ADMINISTRATIVE AGREEMENTS

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Contracts in the public sphere are increasingly used in society. The departure from the model of the Soviet Union and the introduction of advanced principles in the system of administrative law determine the development of such an institution as an administrative treaty.

The contract is not only an act that regulates relations in the field of private law regulation, but can also determine the rights and obligations of entities in the public sector. An administrative agreement is an example of the application of the dispositive method in administrative law. At the moment, this institute needs comprehensive improvement. The following scientists also resorted to this practice: Zayarny O.K., Levchyshyna O.L., Sirenko A.M., Zavalna Zh.V.

The purpose of our research is to study the definition of an administrative agreement, and the procedure for concluding administrative agreements at the stage of modern legislation. The

object of the study is an administrative contract. The subject of the study is to determine the procedure for concluding administrative agreements in general.

The definition is contained in the Code of Administrative Procedure in paragraph 16 of Article 4. Administrative agreement - a joint legal act of the subjects of power or a legal act with the participation of the subject of power and another person based on their consent, takes the form of a contract, agreement, protocol, memorandum, etc., determines the mutual rights and obligations of its participants in the public sphere and is concluded on the basis of law [1].

As there is currently no clear regulation and definition of the procedure for concluding administrative contracts, there is a clear need to generalize the sequence of their conclusion. Scientist Sirenko AM defines the following stages of concluding an administrative agreement: 1) organizational; 2) definition of the text and conditions of the contract; 3) conclusion of the contract; 4) fulfillment of accepted connections.

Thus, at the moment there is no regulation of the procedure for concluding administrative agreements, but there is a fairly large scientific base that offers a variety of classifications and methods of regulation. The classification of the procedure is quite clear and concise. In practice, the stage of negotiating the terms of the contract may be delayed and there is a need to provide the necessary clear boundaries, so this issue should be considered in the future.

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RENTAL AGREEMENT WITH REDEMPTION

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The importance of the notion “contract law” lies largely in the fact that this subsector of civil law regulates legal relations between the subjects of civil law in almost all spheres of life. This notion is a key one in the current research because the rental agreement with redemption is a component of contract law.

With the emergence of property there was a need for regulating contractual relations and contract law, which provides for the possibility of determining the terms of the contract in the absence of law. It should be noted that the Greek philosopher Epicurus insisted on the idea that “the state and law appear when people have concluded an agreement to ensure the common good – mutual security”. Obviously, the treaty is the oldest structure that developed at the same time with the development of private law over the centuries. The contract is one of the oldest legal constructions. Previously, in the history of sources of law, which were still undergoing the stage of formation, there were only customs, and within the compulsory law torts were developing.

This term is interpreted differently by scientists. For example, S.M. Berveno believes that the contract is a lawful transaction of mutually agreed will of two or more parties, aimed at the emergence, change or termination of civil rights and obligations

in the form of a binding legal relationship and the settlement of relations between these parties by consolidating these rights and responsibilities in the form prescribed by law [1]. V.S. Milash considers the contract as a multifaceted legal phenomenon, which is both an act of legal establishment (it reveals the autonomy of the parties to regulate their relationship at its discretion within the limits permitted by law – individual legal regulation) and the act of realization [3]. Z.V. Romovska notes that the contract is also a measure of freedom, although only for two parties [5].

We base our research on the definition given by the Civil Code of Ukraine. Article 626 of the Civil Code of Ukraine says that the treaty is an agreement between two or more parties aimed at establishing, changing or terminating civil rights and obligations [6].

In conclusion, it should be noted that contract law is a subsector of civil law. Although now this issue is quite controversial because the parties have the right to enter into an agreement not provided for by acts of civil law, as well as to depart from the provisions of acts of civil law and settle their relations at their own discretion.

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LENDING AGREEMENT

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According to a lending agreement one party (a lender) shall provide or shall be obliged to provide an object at no charge to another party (a user) to be used during a certain period of time. The use of an object shall be deemed at no charge, provided the parties agreed thereupon and it results from the essence of their relations (Article 827 of the Civil Code of Ukraine).

A lending agreement is a civil agreement aimed at temporary transfer of property for use, a bilateral (each party to this agreement has rights and obligations), real or consensual (depending on how the parties have determined the procedure for its conclusion), free of charge one. A contract is consensual if it is settled from the moment of reaching all essential terms between the parties. It is a real one when the moment of concluding the contract is connected with the act of transferring the thing.

The elements of a lending agreement that allow us to consider it as an independent type of agreement are: the subject of this agreement, which can be only things, not property in general; impossibility to claim the thing from the lender; increased liability of the user for the safety of the thing; the limited nature of the lender's liability for the defects of an object; special grounds for cancellation and termination of the contract. Free of charge nature is such a constitutive feature of a lending agreement that allows us to distinguish it as an independent type of agreement aimed at the

transfer of property for use. Therefore, the parties should not stipulate it, as it follows from the nature of the contract. Another feature of the contract is its ongoing nature, as the transfer of the thing does not complete the legal relationship between the parties.

A lending agreement takes an important role in a person's daily activities. The fact is that, handing over the thing for use, the lender does not receive any reciprocal satisfaction, no direct benefits.

The purpose of concluding a lending agreement involves the use of the thing, which is possible only in the case of transfer of the thing in the possession of the user. The parties of a lending agreement can be both natural persons and legal entities.

An essential term of the contract is the subject. The subject of a lending agreement is a thing that is determined by individual characteristics, and which retains its original form despite of repeated use (non-consumable thing).

As a lending agreement provides the temporary transfer of the property for use, it is a fixed-term agreement. The term cannot be considered as an essential term for a lending agreement in this regard, because under Article 831 of the Civil Code of Ukraine, in case the parties failed to establish a period during which an object will be used, such period shall be defined according to the purpose of its use. The contract can be concluded for a definite or indefinite period.

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THE INSTITUTION OF SEPARATION UNDER THE FAMILY LAW OF UKRAINE

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The Family Code of Ukraine is rightly considered as one of the best family codes in Europe. An essential novel of the new Family Code of Ukraine is the introduction of the institution of separate residence of spouses [1] or separation. Separation is one of the legal mechanisms for preserving the family and marriage, as it allows one spouse to live separately from the other spouse and at the same time retain the inheritance rights over the other spouse.

The institution of separation legally defines the right of personal liberty for each spouse. The introduction by the legislator of the regime of separate residence of a man and a woman is explained by the desire to preserve the marriage by giving the spouses additional time (which is not set by law) to consider their decision to stay married, some moments of their family life, analyze their behaviour in the family, about the possibility of further living with one family or, perhaps, to raise the issue of divorce [3]. Separation is a test before you dare to divorce.

The regime of separate residence of the spouses may be established by a court: a) on the mutual application of the spouses, when the husband and wife cannot live together and agree to establish this regime. This can be caused by certain problems in the

family, if the couple has not yet finally resolved the issue of divorce and wants to test their feelings, find out further intentions to save or not save the family; b) at the request of one of the spouses in case of unwillingness of the wife or husband to live together. In this case, the initiator of separate residence is only one of the spouses [1, Art.119].

The main meaning of the regime of separate residence is to suspend two presumptions: the presumption of joint spousal property acquired in marriage and the presumption of paternity. Therefore, the property acquired by the wife and husband after the establishment of separation is considered as personal private property of each of them. After the separation is established, the presumption of paternity also lasts for another ten months. A child conceived thereafter is not considered to be descended from a married parent.

Summing up all of the above, the introduction of the separation regime in the domestic legislation was an extremely positive and necessary novel for many Ukrainian families. Separation is the first step to ending a marriage, it is a sanction, but it gives hope for the renewal of a full-fledged marital relationship.

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MASS MEDIA LITERACY

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Living in an intelligent environment, a modern person could not imagine a single day without news on Facebook, Telegram, YouTube, Twitter or TV. Information communication technology has influenced every aspect of our lives. It surrounds us everywhere, but should we trust it? Mass media literacy has become a must for the modern society. This is a way to curb the torrential flow of fake information and clickbait. It should be a conscious choice for the consumer to become the master of his own thoughts and judgements.

Manipulation of consciousness has always existed, whether we like it or not. In the past, newspapers were the only place where we could find out about our local or country events and there were few ways to check it. But now, with modern knowledge, we have a chance to educate people "...because media literate personality may grow up only as a result of media education" [1]. Indeed, after 12 years of schooling it is quite possible to get acquainted with the media environment and the pitfalls in it. As long as this discipline continues to be something supernatural for our society, we will go on reaping the benefits of ignorance and lack of critical thinking of the young who are accustomed to unbiasedly believe all information they consume.

Today we cannot perceive any article as the ultimate truth. Everything should be criticized and questioned, all information must be verified. Media literacy is a permanent process that involves constant analysis, drawing information from different sources not limiting ourselves to certain issues because it blunts objectivity [2].

Media literacy means safety. It is worth mentioning the

biggest Facebook data leak in 2016. Personal information of 50 million network users was leaked. This incident helped former president Donald Trump to promote his election candidacy through subtle manipulation. All private information was collected from users' accounts which helped to create a portrait of the voter and during the campaign “pull the right strings” therefore manipulating the opinion of the electorate [3]. However, there is a need to understand that everything we post on our social media can and will be used against us at the first opportunity because each of us is just another voice or item in some illegal database.

Thus, being media literate means taking care of our privacy and security. Undoubtedly, there are a great number of threats in the virtual world but by developing and improving our media awareness will make it harder to fall into the trap of a fraud.

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UKRAINE DURING THE TOTALITARIAN-REPRESSIVE SYSTEM

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The period of totalitarian-repressive system in Ukraine started when after the February Revolution of 1917, the Soviets of Workers', Soldiers', emerged in Ukraine as revolutionary bodies taking power in the regions. The resolution of central election commission on December 17, 1917, provided for the formation of a Soviet government, the Public Secretariat, of which more than 80% were Bolsheviks.

All the actions of the Bolsheviks, namely military communism on the territory of Ukraine, had a purely aggressive nature, which did not have the explicit support of the Ukrainians. On January 6, 1919, the Provisional Workers Government approved a new name for the Ukrainian state, the Ukrainian Socialist Soviet Republic (USSR). The government was named the Council of People's Commissars of the USSR. On December 30, 1922, the First All-Union Congress of Soviets adopted the Declaration establishing the USSR.

During the Soviet era, Ukraine had the legal status of a union republic, but in reality the power in the country was completely usurped and seized by the Communist Party. In fact, the anti-Ukrainian policy of assimilation was very actively pursued, by eliminating the difference between Ukrainians and other peoples of the Soviet Union.

During the 1930s, the Soviet government pursued a policy of repression that killed millions of innocent people, and between 1937 and 1938, a period of great terror took place in Ukraine, during which 30,000 cultural figures, writers, and scholars were convicted. On March 5, 1953, the totalitarian system was left

without its leader. Khrushchev came to power and started a period called "thaw". One of the key elements of the "thaw" was de-Stalinization - the debunking of the cult of personality of Stalin and the elimination of the consequences of his regime. The second important element of de-Stalinization was the elimination of the Gulag and a mass amnesty – release from criminal liability along with the mitigation and repeal of repressive laws.

The process of de-Stalinization led to the emergence in the early 60's of a new generation of Ukrainian intellectuals, called the "sixties", dissidents, but they all were repressed during the next 10 years because of appointment of V. Shcherbytsky as the head of the Ukrainian SSR who supported Russification and repressions against the Ukrainian cultural figures. In the last years of its existence, the USSR was in an unstable situation, which led to the collapse of the union, a change in the legal status of the Ukrainian SSR, and the declaration of independence.

Summarizing the consequences of the totalitarian-repressive regime in Ukraine in 1917-1991 it should be noted that the country has endured very great social trials, the consequences of which can be seen to this day.

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CESSATION OF CIVIL SERVICE: ITS GROUNDS AND PROCEDURE

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The study of the topic of cessation of civil service by an employee is relevant due to numerous changes in the legislation of Ukraine and reforms in general. A civil servant is a person who carries out professional activities, holding positions in state bodies and their staff, for the practical performance of tasks and functions of the state and receives a salary at the expense of state funds. Thus, the legislator enshrined the concept of “civil servant” in the narrow sense. The Law of Ukraine “On Civil Service” defines many grounds and types of cessation of civil service, among which the cessation of civil service at the initiative of the subject of appointment is singled out.

Dismissal of an employee is regulated by Article 87. The purpose of the article is: 1) protection of civil servants from arbitrary dismissal by determining a clear and exhaustive list of grounds for such dismissal at the initiative of the subject of appointment; 2) protection of public interests, which consist in maintaining a professional and stable corps of civil servants.

In this article, several norms have a constitutional basis, in particular, related to: Part 1 of Article 43 of the Constitution, which stipulates that everyone has the right to work, which includes the opportunity to earn a living by work which he freely chooses or agrees to; Part 6 of Article 43 of the Constitution, which guarantees citizens protection against unlawful dismissal.

The legal basis of the commented article is also a component of the principle of stability of the civil service – the appointment of civil servants indefinitely, except as provided by the law (Article 4 of the Law).

The article also takes into account paragraph 16 "Dismissal from public service" of Recommendation № R. (2000) 6 of the Committee of Ministers of the Council of Europe to member states of the Council of Europe on the status of civil servants in Europe, according to which dismissal should take place only in cases stipulated by the law.

Cessation of civil service at the initiative of the appointing entity is a means of unilateral cessation of civil service relations, which is possible if there are legally defined grounds. The initiative of the subject of appointment is the result of the forced choice due to a change in the conditions of activity, or is the reaction of the subject of appointment to an unsatisfactory assessment of the performance of a civil servant.

The grounds for cessation of civil service at the initiative of the subject of appointment are: 1) reduction of the number of staff of civil servants, reduction of the position of the civil service due to a change in the structure or staff list of a state body without reduction of the number or staff of civil servants, reorganization of the state body; 2) liquidation of a state body; 3) establishing the incompatibility of a civil servant with the position held during the probationary period; 4) getting by a civil servant of a negative assessment based on the results of performance appraisal; 5) committing a disciplinary misdemeanour by a civil servant, which causes the dismissal.

Civil servants are primarily ordinary employees, and, therefore, they may also be subject to some extent to the current labour legislation of Ukraine. Since Ukraine began the process of integration into Europe and the European legislation, all civil service standards have changed, so this research is always needed.

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PROBLEMS OF LEGAL REGULATION OF LABOR PROTECTION AT THE MODERN STAGE OF REFORMING LABOR LEGISLATION

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Labor legislation is a system of normative legal acts adopted by authorized bodies of state power, local self-government and officials in accordance with their authorities in legal regulation of social and labor relations, such legal acts establish rules of conduct for their participants. The notion “labor legislation” in the sphere of labor law is a key one in the current research because of its fundamental role.

The notion was introduced by ancient philosophers. The worker was a working unit, the property of his master. Traces of this are observed in the Middle Ages, as well as in Ukraine in the IX-XI centuries. From the XV-th century until the abolition of slavery (in 1848 under Austria and in 1861 under the Russian Empire) there were times of serfdom and slavery in Ukraine and under the feudalism of labor relations, working and living conditions of the workers depended totally on the master.

With the rapid development of industry in the XIX-th century labor relations transformed into obligations governed by civil law. The worker sold his work to the entrepreneur for a fee. Labor became a commodity. During the First World War the employer strengthened his position more than before. The view that

human labor is not a commodity but a certain social value spread very fast. Therefore, an employer could not be the subject of civil law. Since then the slow separation of labor law from civil law began.

Labor protection is a system of legal, socio-economic, organizational-and-technical, sanitary-hygienic and treatment-and-prophylactic measures and means aimed at preserving human life, health and ability to work in the process of labor activity. The importance of the notion “labor protection” in the sphere of labor law is very high. Clear definition of the notion in legislation helps the judge to protect the injured party.

Research and compliance with occupational safety and health is a relatively recent phenomenon. Labor movements arose in response to the workers' concerns, due to the impact of the industrial revolution, when the workers' health began to be considered as a labor-related issue.

Otto von Bismarck was the first, who introduced the Social Insurance Act in 1883. In 1884, the first Workers' Compensation Act was created. It was the only one Workers' Compensation Act in the western world. Similar acts appeared in the other countries later, partly in response to the workers' protests.

It is worth mentioning that there were numerous violations of the labor legislation, especially in the private sector. It was work without employment contracts, receiving salaries “in envelopes”, unsafe and unhealthy working conditions, and massive staff reductions. Now the situation has not changed considerably, so, the labor regulation needs to be strengthened by the authorities aiming at ensuring and protecting the labor rights of citizens.

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ADAPTATION OF UKRAINIAN LABOUR LEGISLATION TO LEGISLATION OF EUROPEAN UNION ON GENDER EQUALITY

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The adaptation of labour legislation of Ukraine to the legislation of the European Union can be understood as the activities of state institutions to study the regulatory framework of the EU's labour legislation. It is also the process of comparative assessment of national legislation for compliance with the level of European legal regulation of these relations. To add more, it can be regarded as summarizing and providing proposals for gradual adoption, implementation of the results of rule-making activities in law enforcement practice [6].

The EU's strategy in the area of employment includes increase of women's employment and reduction of the level of female unemployment; reduction of segregation in the labour market; equal pay for equal work. An important place in the EU strategy is occupied by the policy of coordination between work and family life of women and men. Reintegration policy for returning women to work after maternity leave is also significant. The strategy aims to integrate the principles of gender equality into all employment strategies.

The EU encourages employers and trade unions to introduce a flexible work schedule in order to harmonize professional and private life. Particular attention should be paid to

women in order to transform the developed stereotype and support gender equality. In the legislation of Ukraine there is a concept of flexible working hours. Article 60 of the Labour Code states that flexible working time regime is the form of labour organization that allows the establishment of a different working regime than defined by the rules of internal labour regulations providing that the established norm of working hours is followed [1]. Thus, by written agreement between the employee and the employer of the enterprise, institution, organization, flexible working hours may be established for the employee.

Equal pay for equal work of equal value for male and female employees is the basic principle for the EU. Despite this, women continue to earn less than men [4]. Gender pay gap in recent years remains quite high. It is higher in the private sector if compared to the public sector. Therefore, the elimination of this difference still remains the priority of European policy. There is Article 21 of the Law of Ukraine "On Remuneration of Labour" in Ukrainian legislation, which prohibits any reduction in the amount of remuneration depending on gender [2]. At the same time, article 17 of the Law of Ukraine "On Ensuring Equal Rights and Opportunities for Women and Men" states that the employer is obliged to pay equally women and men with equal qualifications and equal working conditions [3]. Thus, it will be possible to apply this norm to protect one's rights in case of discrimination in remuneration only when it comes to different remuneration of employees of different genders for identical work – the same job responsibilities, working conditions, qualifications of employees. However, the concept of "work of equal value" is not limited to the same (identical) work or work performed at the same time. The work performed by women and men may involve different working conditions and qualifications, but at the same time may be equivalent and, accordingly, the pay for such work should be the

same. Nowadays, we do not have such concept in Ukrainian legislation, so it needs to be included.

Having estimated the level of adaptation of Ukrainian labour legislation to legislation of the European Union we are able to observe notable achievements in Ukrainian labour law on gender equality, such as flexible working time regime and equal pay for equal work, but there are still some aspects that have to be addressed immediately in national law. Thus, we have to work on the question of gender equality further.

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THE INSIGHT INTO “THE WORLD VALUES SURVEY” OF RONALD INGLEHART

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Every human community has its own value system [3]. Values are delusions for the simple reason that values cannot exist in isolation from society. Instead of creating their own values, people's values always arise from a social context [5]. Values are identified as principles that help a person to differentiate between right and wrong, and how to act in different situations [6]. S. Mintz identifies them as “basic and fundamental beliefs that guide or motivate attitudes or actions” [4]. The theme of human values is well developed, we know everything about it. But the problem of values still remains on the agenda. Paradox? Actually, no. Values are not a constant phenomenon, but a dynamic. The world we live in is rapidly and constantly changing. The world of our ancestors is not the same as ours, so, accordingly, the worldview and values are different. A bright example of such phenomenon is the sociological research of Ronald Inglehart.

R. Inglehart, the Professor of Political Science started the chain of research called “The World Values Survey” which explores people's values and beliefs and how they have changed over time, and what social and political impact they have had [2]. Since 1981, a worldwide network of sociologists have conducted their values survey research in almost 100 countries all over the world. Social scientists monitor and analyse criteria such as: support for democracy; tolerance of foreigners and ethnic minorities; support for gender equality; the role of religion, and changing levels of religiosity; the impact of globalization; attitudes toward

the environment, work, family, politics, national identity, culture, diversity, insecurity; subjective well-being.

Obviously, this sociological research is not objective enough because the criteria of analysis fully corresponds to the agenda of the western-world which can not be relevant for all world countries. In the context of a western-world agenda we take a closer look into tolerance to all sexes, genders, social minorities, migrants etc, individualism, support for mass social movements and so on. That is why on Inglehart's map such countries as Qatar are located very low though its economic resources and standards of living are on a high level. But since this is the only research of this kind that we have, we must be guided by it and consider it true.

The results of a research by R. Inglehart did show us that our society entered an era of post-materialism. The term "post-materialism" was popularized by him in 1977 in his book "The silent revolution" [1]. In sociology this is understood as a transition from individual material values to individual values of autonomy and self-expression. It happens, obviously, under the influence of social-economic development. The justification of this fact is that new generation, since they do not have any deficit to begin with, accept their material security and stability as something that goes without saying - they just have it, so values are transiting from keeping, saving, and accumulating material resources to values of self-identification, self-expression, protection of the environment, freedom of speech, gender equality etc.

Over the years, this transition of values has only spread and intensified. It resonates with R. Inglehart's words, that with the growth of well-being, such post-material values will gradually increase in the society of developed industrial societies. And we are the main actors of such revolution now. Maybe people can not see it or feel it because of our ancestor's lack of experience but the fact still exists and research confirms it. It is a passive, unstoppable

revolution, which will continue for centuries and will carry the waves of changes in every generation's worldview and their values system, which, in turn, will be changing existing reality.

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THE PROTECTION OF INTELLECTUAL PROPERTY RIGHTS IN THE FASHION INDUSTRY

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The abstract highlights the overall legal definition of the fashion law, concerns basic mechanisms of legal protection in this area and emphasizes the significance of protection of designers. Nowadays fashion industry is becoming more and more popular and profitable. Unfortunately, due to the rapid development of

fashion people are facing new problems such as legal nihilism, plagiarism and piracy. In an uncertain world, brands, retailers and designers are required to act strategically and choose the optimal form of protection. Therefore, it is crucial to discover the legal nature of fashion law.

Fashion law seems to be described as a complex area of law that includes related areas specifically civil law, labor law, IT law, intellectual property law, commercial law and corporate law [1]. This brand-new field of law focuses on the protection of designs, inventions and regulates fundamental issues concerning licenses, patents, investments, import, export, marketing and management.

It is known that one of the most important guarantees of realization of intellectual property rights is establishment of effective mechanisms of legal protection. First of all, designers, inventors, developers and authors are able to protect their creative ideas they have developed by means of copyright. The main aim is to prevent invention from wrongly profiting [2]. What is more, it grants an opportunity to earn back the money they invested in developing a product. Copyright exists automatically, so there is no requirement of registration or application for it. The downside of copyright is the difficulty of proving your rights.

Logos, slogans, domain names, brand names and titles should be protected too. It is widely recognized that trademark is the most effective and useful tool. This instrument is used for identification of goods or manufacturers. A great example of trademark in fashion industry is the case «Louboutin v. Yves Saint Laurent». The court declared that in order for a trademark to be protectable, the mark must be «distinctive» and not «generic». Thereby, the colour of sole is an essential element of trademark.

Having discovered the legal nature of copyright and trademark, specific attention is paid to industrial designs. The concept of it is to protect the physical appearance, functionality and

manufacturability of goods. The design must be original and capable of industrial application in order to register it and gain exclusive rights. Exclusive rights mean that you are able to prevent others from using, offering for sale, selling and importing creations.

As a result of the scientific research, it was established that fashion law is in the stage of formation. Currently, the law of fashion industry is regarded as a combination of various areas of law. Violation of intellectual property rights is one of the most burning issues. The ideal solution is to apply different protection measures in the comprehensive way. The most sufficient legal instruments are copyright, industrial designs and trademark. However, protection of intellectual property rights needs remarkable improvement and modification of national legislation.

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FEATURES OF SPECIAL LEGAL STATUS AND ACTIVITY OF THE ANTIMONOPOLY COMMITTEE OF UKRAINE

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The research deals with the special legal status of the Antimonopoly Committee of Ukraine and its role as the main public authority in the area of protecting competition in the sphere of economy in this state. However, the main notion that, as I

believe, reveals the essence of the Committee's activities and explains the reason for the existence of a special legal status is "competition policy of the state".

The notion "competition policy of the state" is a key one in the current research because it reveals the content of the special legal status. Proper legal regulation of the state's competition policy in the area of economy is an important task of the state, so the role of the Antimonopoly Committee of Ukraine is extremely significant [2]. The victory of a fair market economy over both: a planned economy, which was characteristic of Ukraine in the Soviet period, and the oligarchs and monopolists, who destroy small and medium-sized businesses, depends on the activities of this institute.

In my opinion, in order to understand what the special legal status of this public authority is, it is useful to provide a specific definition of what the Antimonopoly Committee of Ukraine is. This definition is contained in the first article of the relevant Law of Ukraine "On the Antimonopoly Committee of Ukraine": "The Antimonopoly Committee of Ukraine is a public authority with a special status, the purpose of which is to ensure state protection of competition in business and in the area of public procurement" [4].

The next part of the same article reveals the content of the special status of the Antimonopoly Committee and states the reasons of this public authority special status: "tasks and powers, including the role in the competition policy" [4].

Therefore, in order to understand the importance of this public authority and its role in the system of public authorities, we have to find out what is the competition policy of the state, because it is the main reason for the existence of this public authority.

When we talk about the competition policy of the state, we mean not the competition between ordinary people in the random sphere, but the competition that takes place at the market between

business entities [5]. The existence of fair competition at the market leads to rapid economy growth, which in the long run means the wealth of the whole nation. This indisputable fact is proved by historical experience. After all, it is now obvious that socialism and the planned economy, which existed during the Soviet period, repeatedly proved their economy incapacity [3].

The word “policy” in the context of this terminological combination also has its special meaning, denoting the formation of the regulatory framework necessary for the regulation of economy competition in the area of economy relations, generalization of law enforcement practices of competition law and implementation of its control powers over business entities and other actions which contradict the current legislation and are aimed at the development of economy competition in a market economy.

So, now, knowing the meaning of these terms and relying on the meaning of Art. 42 of the Constitution of Ukraine, which guarantees one of the fundamental economic rights of a person, who is a participant in civil relations: the right to entrepreneurial activity, which, however, is not devoid of public law elements, because the existence and proper protection of this right is necessary to satisfy the public interest [1]. We suggest the following definition of the term “competition policy of the state”:
competition policy of the state is the activity of public authorities within their competence, defined by the legislation of Ukraine, and aimed at protecting competition in the activities of business entities and preventing unfair competition.

Thus, the Antimonopoly Committee of Ukraine differs from most executive public authorities for it directly forms and implements state policy in its area of activity, which undoubtedly occupies an important place among the activities of the state and plays a key role in the economy growth, welfare and ensuring the existence of a “healthy” market economy.

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COMMERCIAL AND BANK SECRECY AS OBJECTS OF CRIMINAL OFFENCES UNDER ART. 231 & ART. 232 OF THE CRIMINAL CODE OF UKRAINE

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The considered notions are important for banking and commercial secrets have a completely different legal nature, which allows them to be distinguished as separate objects of criminal law protection. Actualization of the issue of protecting intellectual property rights necessitates the allocation of certain norms in the Special Part of the Criminal Code, in general, and in regards to Art.231 and Art. 232, in particular [5]. Because of a different legal nature commercial and bank secrecy serve different independent objects of criminal law protection, which necessitates an in-depth investigation of various aspects of this problem.

The Civil Code of Ukraine clarified that “trade secret belongs to the objects of intellectual property rights. It is information that is secret in general or in a certain form and

combination of its components that are unknown and not readily accessible to persons who are usually dealing with the type of information to which it belongs, in connection with it has commercial value and was subject to measures that were adequate to the existing circumstances to preserve its secrecy by the person, who legally controls this information” [4]. The definition of trade secret given in the Civil Code of Ukraine is formulated on the basis of modern international legal approaches to the understanding of commercial secret. Trade secret may include information of technical, organizational, commercial, industrial or other nature, except the information, which cannot be classified as a trade secret under law.

The next notion is defined in the Law of Ukraine "On Banks and Banking" as follows: "the information on activities and financial position of a client, which has become known to the bank in the course of servicing the client and maintaining relations with the client or has become known to third parties through rendering services to the bank shall be bank secrecy".

Commercial and bank secrecy are regulated by the Civil Code of Ukraine and the Law of Ukraine "On Banks and Banking". The the Criminal Code of Ukraine provides for the responsibility for violating these two types of secrecy. As one can see, the legislation on protection of trade and commercial secrecy in Ukraine is fragmented and insufficiently regulated.

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PROCEDURE OF ACTIVITY OF THE CONSTITUTIONAL COURT OF UKRAINE AS AN OBJECT OF LEGAL REGULATION

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Article 55 of the Law of Ukraine “On the Constitutional Court of Ukraine” states that a constitutional complaint is a written submission submitted to the Court to verify the constitutionality of the law of Ukraine (certain provisions) applied in the final court decision of the subject of the constitutional complaint. This notion is a key one in the current research because constitutional complaint is a new tool. Most Ukrainians are not yet trained to use it and do not even know about its existence.

The Verkhovna Rada introduced this term in Ukraine on June 2, 2016 by the Law of Ukraine “On Amendments to the Constitution of Ukraine (Regarding Justice)”. The law states: "Everyone is guaranteed the right to file a constitutional complaint with the Constitutional Court of Ukraine on the grounds established by this Constitution and in the manner prescribed by law." General investigation of the problem was made by V. Lemak, O. Petryshyn, Y. Barabash, D. Belov, Y. Bisaga, I. Bodrova, P. Evgrafov,

M. Getsko, V. Horodovenko, S. Seryogina, O. Sovgiryra, M. Teslenko, and others. A significant contribution to the development of the theory and practice of constitutional complaint in Ukraine was made by the scientist and judge of the Constitutional Court of Ukraine M. Gultai.

We base our research on the definition that is enshrined in Ukrainian law. We take into account the content of Article 55 of the Law of Ukraine "On the Constitutional Court of Ukraine", which states that a constitutional complaint is a written petition to the Court to verify the constitutionality of the law of Ukraine (its provisions) applied in the final court decision. This may be explained by the fact that the enshrined legislative norm is duly justified. We cannot take as the basis of the research concepts of scientists based on their assumptions.

Thus, it can be concluded that a constitutional complaint is an opportunity to protect one's rights at a completely different level by appealing to the Constitutional Court, challenging one or another provision of the law according to which a court decision was made. This is confirmed by the existing practice and the first decisions on constitutional complaints.

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PECULIARITIES OF ENGLISH-GERMAN TRANSLATION

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Contrastive analysis allows us to reveal the differences between native and foreign languages and it also enables to draw a special attention to these diversities in the process of foreign language acquisition. In case of translation, contrastive analysis is a method in which the translator should pay attention to the differences between foreign and native languages on the semantic and syntactic levels, which, to some extent, also implies to overcome them.

As in any language, the greatest difficulty for translators is the right choice of the word meaning. Even the stem of a word in German may have very different meanings depending on the subject in which it is used. All meanings are combined by a rather extensive general scheme, which the translator must understand intuitively rather than at the level of memorized dictionary meanings.

When translating into German, it is necessary to find a more specific correspondence that requires the translator to have compulsory knowledge of the subject, especially when performing technical translation from or into German. The difficulties inherent in both oral and written translation into German include, for example, the need to choose the correct form of the past tense. The specialist who is engaged in translation to the German language should know the distinctive features of German. To begin with, the German language differs from with the uniqueness of its dialects. It is worth noting that German is unusually flexible and malleable. It refers to the variety of languages, in which new words easily take root. It is not surprising that the importance of the word order in

German is vital. Grammar and sentence construction in German have a certain feature. One should not forget that each country has its own culture and traditions, which every translator must take into account. Germans take life with somewhat greater seriousness than some other nations. That is why they are so committed to the rules. "Order is above all" is their favourite saying. Also, in order to avoid an awkward situation, it is necessary to take into account that the humour of the German-speaking peoples, like all other languages, does not always coincide with other languages. Their style seems too harsh to some cultures. But, in the aspect of German translation, there is a peculiarity - German humour can be lost in translation into English or other languages.

Pragmatic problems arise because of the differences between formal and informal ways of dealing with the use of "you", as well as idiomatic phrases, proverbs, irony, humour and sarcasm. These difficulties may also include other problems; for example, when translating a text from English to German, in particular, with the translation of the personal pronoun "you". The translator must decide what is more appropriate – formal "you" (Sie) or informal (du), and this decision is not always unambiguous.

The last are cultural issues. Cultural problems can arise due to differences between cultural references, such as the names of dishes, festivals, and cultural connotations in general. The translator will use language localization to properly adapt the translation to the target culture.

To summarize all mentioned above, we can arrive at a conclusion that translation is believed to be a challenging issue. Translators always deal with lots of problems and to solve them a translator should be properly educated, aware of difficulties and build the capacities and resiliency in carrying out their job in a proper way.

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ISSUES OF IMPROVING THE LEGAL STATUS OF NATIONAL MINORITIES IN UKRAINE

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Interethnic relations are currently one of the most acute and difficult problems not only in Ukraine but in the world as a whole, so it is difficult to underestimate the importance of the legal status of national minorities. Ukraine as a state that presents itself as a democratic, sovereign and independent state, enshrined in Article 1 of the Constitution of Ukraine, according to all international pacts must attach great importance to the practical and legislative aspects of ensuring the rights and freedoms of national minorities in Ukraine.

The determination of the term "minority" is based on a comprehensive approach, which includes all typologies and varieties of species based on general standards. In particular, it teaches such criteria as quantitative criteria and duration of

residence in the national territory, non-dominant criteria, citizenship, stable ethnicity, religious and linguistic characteristics and sense of unity. In Ukraine, according to the Law, "minorities" are the groups of Ukrainian citizens who are not divided by nationality, and among them reveal national self-consciousness and a sense of community. This shows that the main criteria for determining ethnic minorities (number of people living in the country) in many countries / regions are not decisive in Ukraine.

Ethnic minorities is a group of people who settle in a particular state. Compared to the nominal state, these populations are actual minority, or make up less than 50% of the total population, and educate their sense of national identity, which is similar to most citizens. The difference is in ethnic origin, language, culture or religion, understanding of their racial identity.

The purpose of this work is to identify the political and legal problems of national minorities in Ukraine and improve their constitutional and legal status in Ukraine.

The constitutional and legal status of national minorities in Ukraine is determined by the Constitution of Ukraine, Laws of Ukraine and International Treaties. Thus, Article 11 of the Constitution of Ukraine states that the state promotes the consolidation and development of the Ukrainian nation, its historical consciousness, traditions and culture, as well as the development of ethnic, cultural, linguistic and religious identity of all indigenous peoples and national minorities in Ukraine.

Article 1 of the Law of Ukraine "On National Minorities" clearly states that Ukraine guarantees citizens of the republic, regardless of their national origin, equal political, social, economic and cultural rights and freedoms, supports the development of national identity and self-expression.

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TECHNOLOGIES AND THEIR IMPACT ON EDUCATION

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Studying is the trend of 2021. Technologies are affecting the way we learn and receive information. These days we can truly feel how introduction of technology into studying process has changed its format and content. In fact, it destroyed the old way of learning.

What is the effect of using technology in education? First of all, it increases the role of students, which has resulted in turning them into active participants of their own education. This method requires students to search, explore, analyze, and create. Technology is a multi-purpose tool. Thus, by the feeling of their own input, students are more involved in learning than before.

Secondly, the amount of the information and its resources has risen in the past twenty years. `Information overload` is a term well-known since the publication of Toffler`s book [4]. Specialists claim that this state can lead people to feeling permanently overwhelmed and stressed. On the other hand, it lets students consider different points of view thus forming their own attitude.

Thirdly, technologies provide communication for students worldwide. This way students gain skills of new cultures, develops

the ability of distinguishing intercultural differences, develops their language skills, and teaches how to work in multinational environment. Global youth community becomes a reality [3].

Moreover, we cannot imagine education without using technology in the circumstances of quarantine. And now we see the result of modernizing education. Besides, mobile technology, or mobile apps, are taking education out of the classroom and putting it into the pockets of the learners. That is undoubtedly a positive development of educational process.

According to ComScore, students in the age group of 18 - 24 years old spend an average more than three hours a day on their smartphones [2]. Even if students waste a lot of time online, specialized apps can help them use their downtime for educational purposes. Another key advantage is that the app provides individually focused learning. While the teacher is unable to focus on each student, the app only has to reach one user at a time.

Last but not least, technology also popularizes learning among adults who keep searching for knowledge. In fact, modern studying is a lifestyle, not a boring obligation. That is the real impact of technology in education.

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ACTIVITIES OF THE JACOBIN DICTATORSHIP IN FRANCE (1793)

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The French Revolution became the most grandiose political event of the 18th century. It was this revolution that started the wave of mass revolutions in Europe. The events took place extremely rapidly: firstly, class privileges were abolished, constituent assemblies were convened, and new bodies of the state power were formed, adopting historically important documents.

After power in France passed to the Jacobin group in 1793, which was the most radical, revolutionary force in the history of the French Revolution, it began to represent the interests of the lower classes. The Jacobins destroyed the remnants of feudalism, the land was now distributed among Christians, property was confiscated from opponents of the revolution, and the right of people to revolt was secured. The new government even decided to introduce and develop a new religion. The Jacobins came to power in the republic at the most critical moment in its life. In that threatening situation, Jacobin leaders such as Robespierre, Marat, Couton, Anrio and others decided to give the country a new democratic Constitution. An outline of the Constitution was immediately drafted, after which it was discussed in the Convention, and on June, 24 it was adopted and approved by the people in a plebiscite (referendum). The Constitution was preceded by the Declaration of the Rights of Man and of the Citizen, prepared by Robespierre. It was based on the Declaration of 1789, but with significant changes and additions.

The new declaration turned out to be more democratic. It was twice as large, consisting of 35 articles. To the list of rights proclaimed by the Declaration of 1789, there were added the right

to petition (Article 32), the right to assembly and freedom of religious worship, the choice of citizens to work (Articles 7, 17) and others. The Declaration of 1793 repeats the provisions of the Declaration of 1789 on the important principles of criminal law, process and guarantees of the inviolability of the person. In particular, everyone was presumed innocent until proven guilty. The Jacobin constitution was no less interesting and radical. It consisted of 124 articles. The Constitution proclaimed that in the form of government France is a republic, a unitary state, united and indivisible. Under the Constitution, the people have many rights and freedoms.

Under the Constitution, the highest authority still was the National Convention that got the highest power and became a single government. There was no separation of powers. The Convention had the right to make laws and govern the country through a system of various committees and commissions. The Jacobins reorganized the army. A mass recruitment drive was announced. The patriotic upsurge made it possible to create a mass army – only the first set gave 450,000 men. In less than 10 months of their administration, the Jacobins took a number of important measures: they finally abolished feudal duties for the peasantry, democratized the state apparatus, and abolished slavery in the colonies. The Jacobin dictatorship became more and more brutal, and it was obvious that few liked it, but the Jacobins continued their terror, and all those who disagreed or were dissatisfied with their rule were awaited by the terrible invention of the French guillotine revolution. By June 4, 1794, 2,607 people had been executed. This could not last forever and a revolt was committed against the Jacobins. On July 27/28, 1794 the well-known Thermidorian reaction took place. According to the custom of the revolution, all Jacobin leaders were arrested and later executed.

So, as it has been mentioned above, the Jacobins came to power in the republic at the most critical moment in its life and did a lot for the country. First of all, they gave people a new democratic Constitution with revolutionary new and necessary rights and freedoms. Also, Robespierre, one of the Jacobins leader, prepared the Declaration of the Rights of Man and of the Citizen and the last appeared to be more democratic, bigger and advanced in comparison with the Declaration of 1789. Both of these documents became historically important, as the person is considered to be treasure, something valuable and protected by the country and its authority. Furthermore, today many countries use these texts as a model for their legislation.

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LEGAL LIABILITY

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The term of legal liability has theoretical and practical significance. The increased attention paid by legal science to the problem of liability is explained, first of all, by the importance of this security institution. The social role of legal liability is determined by the fact that most often it is the presence of liability for certain anti-social acts that motivates people to a certain positive behavior. It protects society from unwanted offenses, prevents their commission. The existence of legal liability in public life ensures the principle of inviolability of human rights and freedoms. With its help it is possible to restore the violated rights, compensate the damage caused by the offense, and punish the offender.

The notion of legal liability originated in ancient times, thus, it is unknown who introduced it. It is now believed that it arose in combination with social liability and religious beliefs of ancient people as a need to maintain order in the society.

The term *legal liability* is interpreted differently and there is no single definition in the legislation of Ukraine, therefore, discussion on the comprehensive determination of the term is still going on. P. Rabinovych, M. Tsvik and O. Petryshyn define “legal liability” as: a means of state coercion provided by law, which is carried out in a procedural manner by state-authorized entities to a person who has committed an offense, which causes negative consequences for him [1-2]. L. Luts and M. Kozyubra connect this term only with the obligation of the offender to suffer negative legal consequences of the committed offense [3-4]. L. Yavich and

E. Leist explain legal liability as the application of an appropriate sanction of a violated rule of law [5].

We base our research on the definition given by the first group of scholars. We think it is relevant to expand the definition by adding to it the following characteristic feature: legal liability occurs only for the violation of legal norms formulated in the law. Thus, we determine “legal liability” as: a measure of state coercion provided by the sanction of the legal norm, which is carried out by the subjects authorized by the state to the offender who has committed an offense, which has caused negative consequences. We also want to note that legal liability occurs only on certain grounds: the fact of committing an offense, the existence of the rule of law imposing appropriate sanctions, the absence of grounds for exemption from legal liability and the law enforcement act in force.

As far as there is still no comprehensive definition of the notion “legal liability” further research is necessary. The institution of legal responsibility is important, because with its help law and order are maintained and the violated rights of individuals are restored.

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FASHION TERMINOLOGY EVERYONE SHOULD KNOW

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Fashion begins with one person who turns the thing into mainstream in whichever area, be it in appearance, clothing, footwear, music, movies, etc. We all as social beings depend on trends, even if we deny their influence. Watching TV, reading the magazines or surfing the Internet we notice new waves of fashion which tend to engage us instantly.

It is a common knowledge that the clothes we put on every day tell a story about who we are to people around us and can have a primary impact on our condition [1]. Furthermore, vogue is involved in a lot of essential issues, such as a condemnation of sexism, racism, environmental problems, incurable illness, struggle against violence, poorness, stereotypes.

Accordingly, there are major terms and definitions one should be aware of or at least understand. Androgynous – androgyny refers to a look that is of indeterminate gender (gender-neutral). Most commonly this look features garments and style traits that are commonly associated with the opposite gender to the wearer. i.e. women wearing ties, brogues and oversized dress shirts; man wearing blouses, skirts [3].

Cultural appropriation – this term is used when some one inappropriately adopts the fashion of a minority and somehow makes a mimicry of it without respecting the particular culture. Diffusion clothing line – a range of clothes made by a top fashion designer for a high-street retailer [2].

Eco-friendly – is about minimizing anything that would negatively affect that balance. Things to consider include what material the product is made from, such as organic cotton or hemp,

whether it is dyed with organic dye or chemicals and how much water is used to grow the fabric [4].

Fast Fashion – is an approach to designing, creating, and producing products based on fast-moving trends and cheap prices. While cheap and trendy, this is dangerous because it results in overproduction, waste, environmental degradation, and the overworking of factory makers [4].

Textile recycling – is the process by which old clothing and other textiles are recovered for reuse or material recovery [5]. Vegan fashion – no animal-derived materials are part of the products. Vegans try to avoid participating in what they consider to be cruelty to animals for man's benefit. Leather, fur, wool, and lambskin are all examples of clothing materials that vegans choose not to wear [4].

All in all, neologisms that emerge in fashion area are vastly used in other social fields, and the process of coining terms should be studied on a regular basis.

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WORK-FOR-HIRE AS AN OBJECT OF COPYRIGHT

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As a result of the performance of official duties by representatives of creative professions, works of literature, culture and art can be created and acquire one or another material form. In general, it is necessary to agree with L. Litvinova on the possibility of distinguishing the following features as features of the official work: 1) the work must be created by the author as a result of official duties; 2) the work must be created in accordance with the job or employment contract between the author and the employer; 3) the performance of work may be carried out both during working hours and extra working hours, regardless of the place of creation of the official work; as with the use of such tools and materials [2].

Copyright consists of personal non-property and property rights. Copyright consists of personal non-property and property rights [1].

As with any work, the author must be rewarded for creating and using his or her work. The amount and procedure for payment of remuneration to the author is set in accordance with the employment contract and civil law contracts. Thus, contracts are a means of proving authorship [4]. An employment contract may provide for the conclusion of civil law agreements between the employee and the employer for the creation of objects of copyright and related rights. Royalties are defined in the contract as a percentage of income from the use of the work, or in the form of a fixed amount or otherwise. The rates of royalties may not be lower than the minimum rates set by the Cabinet of Ministers of Ukraine. Royalties are determined in the contract as a percentage of income

from the use of the work, or in the form of a fixed amount or otherwise. In this case, the rates of royalties may not be lower than the minimum rates set by the Cabinet of Ministers of Ukraine [1].

It should also be noted that there is a conflict due to different regulation of the legal consequences of the creation of the object of copyright under the Civil Code of Ukraine and the Law of Ukraine "On Copyright and Related Rights".

Thus, on the basis of the above, it can be concluded that the official work is a work created by the author in the performance of official duties in accordance with the official task or employment agreement (contract) between him and the employer [3]. The features of a work may include the fact that such a work must be created by the author in the performance of official duties, must be created in accordance with the job or employment contract, the work may be performed both during working hours and extra working hours.

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CONCEPT OF “BREAKING INTO RESIDENCE, OTHER PREMISES OR SHELTER” AS A QUALIFYING FEATURE OF CRIMINAL OFFENCES AGAINST PROPERTY

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Quite often there are problematic questions in practice about the presence or absence of a qualifying feature of “penetration” in crimes against property. Article 13 of the Constitution of Ukraine declared that all forms of ownership are equal. There are private, communal and state forms of ownership. The subjects of these forms are individuals, legal entities, the state and territorial communities.

Property right is a natural and inherent human right, socio-economic value, the encroachment on which undermines foundations of economic system of the state and significantly violates human rights. Additional obligatory objects of such crimes as violent robbery, robbery, extortion, threat of destruction of property are health, mental or physical inviolability of the person.

Breaking into residence, other premises or shelter creates a particularly aggravating circumstance of theft, robbery and burglary. Intrusion is the unlawful breaking into the residence, other premises or shelter in any way for the purpose of committing a crime. Such an invasion can be carried out both secretly and openly, both unhindered and by overcoming the resistance of people or by deceiving them. In order to qualify a crime on the basis of penetration, it is necessary to establish that it was committed for the purpose of committing a crime. Breaking into the residence, other premises or shelter may be accompanied by destruction or damage to property, encroachment on life or health, etc. It requires additional application of the relevant articles of the

Criminal Code, if such actions are not covered by other corpus delicti.

Residence is a building intended for permanent or temporary residence of people. Residence is also equated with those parts of it in which property can be stored, except for utilities not directly related to dwelling itself. The term “other premises” includes a variety of permanent, temporary, stationary or mobile buildings or structures intended to accommodate people or property. Shelter should be understood as a certain place or territory set aside for permanent or temporary preservations of valuables that have protection from unauthorized.

Consequently, it can be concluded that there are many shortcomings and inaccuracies in the Ukrainian legislation concerning the classification of a criminal offence with a feature of breaking into the residence, other premises or shelter. In my opinion, we need to use more judicial practice and make changes to the regulation of sentencing for this kind of crimes. Guarantees of a fair sentence should also be improved, as a person's right to property is protected at the constitutional level.

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PUBLIC AUTHORITIES IN MODERN UKRAINE

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History is actually a very interesting science. Examining the issues of the past problems that arose due to various factors, and solutions that were applied in specific situations], we see the development of law, society and civilization. Very often we can draw a parallel with the modern world and learn from the mistakes of the past, instead of repeating them over and over again. This is the actual practical significance of the research of the course work.

Investigating the issues of my research, I studied the works of the following authors: B.Y. Tyshchuk, L.V. Voitovych, N.B. Kozak, Yu.V. Ovsinsky, M.I. Chorny, V.F. Semenov, S.P. Karpov, E.V. Gutnova, L.M. Brachina and some others.

The purpose of the study is 1) to study and analyze the causes, preconditions and consequences of the Norman conquest of England by William the Conqueror; 2) study and evaluation of positive and negative sides in the reforms of William the Conqueror and Henry II.

If we consider the reasons and preconditions for the Norman Conquest, then, in addition to the weak power of the king and the lack of support for the king by the nobility and the population, we can also determine the personal desire of Duke William to inherit the British throne. Therefore, after the death of the British King Edward the Confessor (with whom the Duke was in distant family ties) when Harold was elected the next king by Witanagemot, William expressed his claim to the throne. Since they were not legal and the throne was occupied by Harold, William, gathering an army, in September 1066 landed on British soil. After winning the battle, he established a strong feudal monarchy, began

to distribute land to the Norman nobles, resulting in a mixture of Norman and Saxon nobility and erased the cultural characteristics of the Anglo-Saxons. And in fact the Saxons lost their state. It was a reward for the lack of unity among the Saxon nobility and for not supporting the king at a significant moment.

Speaking of reforms, most of them were aimed at strengthening the royal power and giving it broad competence, which for the state, as an institution of power, was a big plus. However, this was accompanied by restrictions for certain segments of the population, the introduction of high levies and duties, which can not be defined as a positive consequence of the reform. New state bodies were also organized and reorganized to help the king govern the country, which was apparently a good reform. Henry II's judicial reform was a rather powerful shift in the field of law. He established the institution of traveling judges, defined their powers, and thus limited the jurisdiction of arbitrary baronial and ecclesiastical courts; created a single judicial system where the king's power was the highest source of law; introduced the jury institute; as evidence, instead of ordeals or court duels, polls of the local population were now used. All this raised public confidence in the court. The practice of royal courts began to produce in England a single system of national law - royal law, which was also an unconditional advantage. The English system of law, based on precedents and certain laws, began to take shape as a result of these reforms.

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SPORTS LAW: DETERMINATION OF NOTION

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Sports law is a branch of law that fundamentally influences the sports industry and consists of various kinds of law. The importance of the notion “sports law” is explained by the fact that this group of several different kinds of law regulates the activities and relationships in the sphere of the Olympic, professional, amateur, and youth sports. Sports law is a very important area of legal relations today, because the sportsmen need quality representation by sports lawyers who carefully control all the aspects of contractual agreements made up by the employers. It guarantees the sportsmen’s security. Legal regulation of sponsorship in the sphere of sports is also very important. Law firms that work in the sphere of entertainment deal with this issue, for instance: sponsorship with such brands such as: Adidas, Nike, Reebok.

Edward Grayson is a man who is undoubtedly considered the father of sports law. He died on September 23 at the age of 83. He was a sports lawyer who worked on the legal framework for sports.

The term “sports law” is interpreted diversely by different scholars. For instance, the Belarusian scientist O. Danylevych notes that sports law comprises the rules reconciling sports relations. A similar definition is proposed by Alekseev: sports law includes the rules of sports law, which are under the protection of the state.

A. M. Aparov states that sports law consists of the rules that arise between different entities (athletes, spectators, fans, organizers of sports events, government agencies and municipal institutions) in the process of organizing and conducting various physical culture, health, and sports events.

I base my research on the definition that sports law is a compound branch of law, including a combination of private and public mechanisms of legal regulation and a special legal regime.

Sport is one of the most important spheres of public life, which is necessary to preserve the health of the population, and sports law regulates sports relations. So, the constant development of sports requires the improvement and codification of sports legislation.

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BUDGET DECLARATION IN THE SYSTEM OF STATE PLANNING AND PROJECTIONS

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Medium-term budget planning in Ukraine is an approach to planning and management of public finances, which expands the horizon for the formation of fiscal policy for three years and allows you to plan and project budget incomes and expenses needed to implement strategic goals of fiscal policy in the medium term. The system of medium-term budget planning in Ukraine is occupied by the Budget Declaration, which is the main document that is taken into account when drafting the Law of Ukraine "On the State

Budget".

Under the Budget Code of Ukraine, the Budget Declaration is a medium-term budget planning document that defines the principles of budget policy and state budget rates for the medium term and is the basis for drafting the State Budget of Ukraine and local budget projections. In particular, it includes many figures that the Ministry of Finance analyzes and includes in the Budget Declaration, such indicators are: the main projection macro performances of economic and social development of Ukraine for the medium term, compiled and submitted by the Ministry of Economy, Trade and Agriculture of Ukraine; projected at the exchange rate and projected profit to be transferred to the State Budget, submitted by the National Bank of Ukraine; figures of the High Council of Justice on the financing of the judiciary and its independence; proposals on the distribution of expenditures between the main managers of the state budget in the field of national security and defence, submitted by the National Security and the Defence Council of Ukraine; the most important element that is taken into account when drawing up the budget declaration are budget proposals submitted by the main managers of budget funds, which contain information on the objectives of state policy in the relevant field, the formation and / or implementation of which provides by the main manager of the state budget. The Ministry of Finance of Ukraine consults with members of the Cabinet of Ministers of Ukraine and independent experts during the preparation of the Budget Declaration for approval of budget policy (including budget indicators for the medium term). Therefore, analyzing all these above targets, the Ministry of Finance of Ukraine draws up a Budget Declaration and submits it to the Cabinet of Ministers of Ukraine by May 15 of the year preceding the planned one. It approves this declaration, draws it up with its resolution and submits it to the Verkhovna Rada of Ukraine, which

considers this declaration according to a special procedure and adopts it.

The main provisions contained in the Budget Declaration are: deficit (surplus) of the state budget, performance on the main sources of financing of the state budget; the size of the minimum wage, subsistence level and the level of its provision; the relationship of the state budget with local budgets; general indicators of revenues and financing of the state budget, return of loans to the state budget, general limits of state budget expenditures and granting of loans from the state budget, limit figures of state budget expenditures and granting of loans from the state budget to the main managers of state budget funds (with division into general and special funds), as well as state policy goals in the relevant field of activity, formation and/or implementation of which is provided by the main state budget manager and performances of their achievement according to the results of the previous budget period, expected in the current one period and projected for the medium term within the defined thresholds etc.

To sum up, the Budget Declaration is the main document of medium-term budget planning, which is the basis for the preparation of the State Budget of Ukraine and has a special procedure for forming and defining the main parameters of the state budget and budget policy, including the stabilization of public finances by gradually reducing the state budget deficit and reducing public debt relative to gross domestic product in the face of risks caused by high payments on public debt in the coming years and significant dependence on foreign exchange course. The Budget Declaration lays down the foundations and principles for formation of growth budgets and joint work of all branches of government to build a strong, fair and prosperous Ukraine for all its citizens.

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CARPATHIAN UKRAINE AND CONSTITUTIONAL ACTS

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In the interwar period in Europe the Carpathian Ukraine was called the smallest country with the greatest national ambitions. This can be explained with the fact that this state played an important role in the Ukrainian history of statehood. That is why we are obliged to know the history of the Carpathian Ukraine, existence of which was one of the stage of the proclamation of the Ukrainian independence in 1991 [1]. Until 1939 the modern territory of the Transcarpathian region was an autonomous part of Czechoslovakia. In early March, this republic was liquidated by Hitler's order and the Ukrainian land remained a tidbit for European states. On the 14 March, 1939 the Kingdom of Hungary with the support of the Third Reich started a war against the

Carpathian Ukraine, but despite this on the next day the Carpathian Ukraine had declared the state independence [2]. Augustyn Voloshin, who had fought for the autonomy of the Carpathian Ukraine for 20 years, became the president. Unfortunately, the Carpathian Ukraine was independent only 3 days and on the 18th of March most of its territory was occupied by Hungarian army. Detachments of the Carpathian Sich fought for the independence until the end of May, 1939 when according to various estimates from 2 to 7 thousand people died.

On March, 15 1939 at the first session of the Sejm the government said that this land had become free and independent and proclaimed to the whole world that it wanted to be UKRAINIAN. The government also emphasized that even if this young state was not destined to live long, this land would remain Ukrainian forever, because there was no such force that could destroy the soul, the strong will of the Ukrainian people [3]. At that time under the terms of the Saint-Germain peace treaty of reparations, the territory of Transcarpathia was ceded to the newly formed Czechoslovakia as a broad autonomy. But de-facto the autonomy was not completely obtained until the collapse of Czechoslovakia in 1938. The Subcarpathian Russia had become autonomous only on September, 30, 1938 after the signature of the Munich Agreement, which marked the beginning of the dismemberment of Czechoslovakia. Augustyn Voloshin was appointed as the head of the government of the Subcarpathian Russia. On the 30th of December the Subcarpathian Russia was renamed the Carpathian Ukraine. Along with the change of the name, some administrative reforms were carried out such as educational reform called as Ukrainization and the military reform. Furthermore, the election to the Sejm of the Carpathian Ukraine and the first secret voting also took place. The real proclamation of the statehood was the adoption of constitutional acts that settled the

most important issues. The blue and yellow flag and the Ukrainian national anthem "Ukraine is not dead yet" were recognized as the national flag and anthem of the republic. From the first days of its existence, the autonomous Carpathian Ukraine was invaded by Hungary and on the 2nd of November 1938 the arbitration commission in Vienna transferred the south-western part of Transcarpathia to Hungary. This part of Transcarpathia, which area was nearly 1 700 square km, contained the most fertile land, major railway junctions and the largest cities of Uzhgorod, Mukachevo and Beregovo. The city of Khust also became the new capital of the region. Faced with hostility from neighbouring with Hungary, Poland and Romania the Carpathian Ukrainian government was forced to seek allies in Germany. In the last months of 1938, Hitler began to support the Carpathian Ukraine, planning to use it in the future to support the anti-Polish movement in Galicia and Volhynia as well as to blackmail the USSR.

On December, 7 in 1938 the German-Carpathian agreement was signed. Having preserved the Carpathian Ukraine, Hitler left in his assets serious means of pressure not only on Hungary, but also on Poland and USSR at the expense of whose territories Ukraine could be created over time. In turn, Augustyn Voloshin did not have enough strength, weapons and time to create an independent state. Hitler, finally destroying Czechoslovakia, decided to make a gift to Hungary: to occupy the Carpathian Russia. In the end, after long manipulations, Transcarpathia still withdrew to the USSR under the Molota-Ribbentrop agreement [4].

The Carpathian Ukraine has existed for an extremely short period of time. This was the second attempt after the 21 of January, 1938, when the Act of Unification was signed with the aim to declare to the whole world the readiness and desire for unity. The significance of the act of proclamation of the Carpathian Ukraine is greatly important because it was only the consolidation of

Ukrainians, but also the formation of the nation's self-consciousness in the Ukrainian diasporas abroad. Thus, for Ukrainians, the Carpathian Ukraine was a real renaissance of the state idea, which, however, was very soon buried alive.

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PSYCHOLOGICAL ASPECTS OF THE PROCESS OF FORMING TESTIMONY

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In Criminal Procedure testimony is one of the procedural sources of evidence among the objects, documents, expert opinions. According to the Code of Criminal Procedure of Ukraine, testimony is information provided verbally or in writing by a suspect, accused, witness, victim, expert during questioning on known circumstances in criminal proceeding that are relevant to the criminal proceeding [1].

Psychological aspects alongside with procedural actions are integral parts of forming testimony, but psychological nuances have taken action long before the process of interrogation occurs, or in other words, long before the procedural stage. This research is devoted to psychological parts.

The first step in the process we are talking about is perception. Perception is not only the sum of sensations, but also the activity of thinking. Feelings are subjective information source, and, therefore, feelings and perceptions depend a lot on the development of the nervous system, the state of the body, the level of human development, etc.

Furthermore, it can be clearly stated that perception depends on two big groups of factors: subjective and objective [2]: subjective is the state of human senses, its subjective ability to properly perceive reality, and objective - conditions of perception, weather, lighting, duration of the event which is observed. The correctness of perception in any certain case heavily depends on final compilation of these factors.

The second step is preservation or remembering - the ability to make, retain, and restore conditional connections. It is naturally selective: a person does not remember everything that s/he perceives, but only what causes deep emotions, vivid impressions or is essential to them. Even intentionally made memories may be greatly distorted or twisted over time, no need to mention how unstable can be involuntary made memories, this phenomenon may lead to gaps and misconnections during the reproduction.

The third step is the reproduction of the perceived. It depends on the conditions, including physical and mental state of the person at the time of reproduction. The ability of a person to express their thoughts plays a very important role. This ability is individual for each person and depends on their cultural level, intelligence, vocabulary. At the same time, the statements used by

the investigator during interrogation, individual phrases, words, and wording of questions play a significant role. Reproduction is directly connected with interrogation itself – processes described in this paragraph occur while a person is interrogated. By the way, some well-known tricks to overcome gaps in testimony which are usually used during interrogation are additional questions, reminding questions, using a lot of associations to stimulate the memory, showing some material evidence directly connected with the range of issues which come up during questioning [3].

In conclusion we can state that psychological stage of forming testimony deals with inner processes of a certain person during perception, preservation, reproduction; it begins before any procedural event may occur; it is still inseparable with procedural stage (also known as “legal stage”) and only together they organically form the entire cycle of forming testimony as evidence in Criminal Procedure.

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REIMBURSEMENT OF DAMAGE CAUSED BY STATE BODIES, LOCAL GOVERNMENTS, AND THEIR OFFICIALS

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The issue of liability of the state, its bodies, and officials for

non-fulfillment of its duties and compensation for damage caused by them is a very important issue today. In the beginning, it must be noted that Article 56 of the Constitution of Ukraine enshrines a provision that guarantees the right to compensation at the expense of the state or local governments for material and moral damage caused by illegal decisions, actions, or omissions of public authorities, local governments, their officials and officials persons in the exercise of their powers. The procedure for compensation for damage is regulated in more detail in Chapter 82 of the Civil Code, in Art. 1172 -1176.

The causing of harm is the basis for the emergence of a civil obligation, a type of which is a tort that has the same structure. Its components are subjects, object, and content. As in all other civil obligations, the parties to the tort are the creditor and the debtor. The creditor is the one who suffered from the damage (victim), and the debtor is the person who caused it and is responsible for it.

The judicial practice has formed a presumption of harm, public authorities, and local governments, and therefore they must prove their innocence in court under Article 72 of the Code of Administrative Procedure. The peculiarity and difference of this type of damage from others are that it applies to all areas of law in which legal liability is provided, namely criminal, administrative, disciplinary, civil, and constitutional. Therefore, when deciding on the amount of compensation by the subjects of power, the basis of court decisions will be Chapter 82 of the Civil Code.

From the analysis of Article 21 of the Criminal Procedure Code, it can be assumed that claims for damages caused by illegal decisions, actions, or inactions of the subject of power or other violation of the rights, freedoms and interests of public law entities are considered by the administrative court if they are stated in one proceeding with the requirement to resolve the public law dispute. Otherwise, such claims are decided by courts in civil or

commercial proceedings. In other words, it is not necessary to establish the illegality of an act of power in administrative proceedings in order to file a claim for damages. In accordance with Article 1175 of the Civil Code, it can be concluded that for courts conducting civil proceedings, it is necessary to first recognize the legal act as illegal and abolish it, so that the claim for damages was legal. It can be seen that in addition to proving the existence of harm to a person, there is an obligation to point out the illegality of the adopted acts, which makes the process of compensation in relations with public authorities more difficult.

In conclusion, all the above is guaranteed in the law that court decisions that have entered into force are binding on all public authorities, local governments. With some obstacles, but in general in the right direction, the legislation is being improved in order to establish and ensure human rights and freedoms, as well as to consolidate the responsibility of the state for its activities.

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CONTRACT OF AGENCY

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The formation of market economic relations in Ukraine necessitates a radical reform of both civil law, in general, and its individual components, in particular. Contractual relations, which in modern conditions should serve to improve the civil law regulation of public relations. The general investigation of the problem was carried out by E. Braginsky, O.V. Derry, O.S. Ioffe, N.S. Kuznetsova, A.V. Lut, E.O. Sukhanova, M. Shevchenko, V.V. Vitryansky, and other scientists.

Contract of agency is a contract in which one party (attorney) is obligated to perform certain legal actions on behalf and at the expense of the other party (the principal). The deed committed by the attorney creates, changes, or terminates the civil rights and obligations of the principal (Art. 1000 of the Civil Code). This agreement is: 1) consensual (provides for the consent of the parties on all material terms); 2) bilateral (regulates the rights and obligations of both parties to the agreement).

The parties to this agreement are the principal and the attorney. Attorney is a person who undertakes to perform legal actions, and the principal is a person who in his/her turn instructs the attorney to perform all actions.

Generally, the contract is concluded by the proposal of one party to enter into an agreement (offer) and acceptance of the proposal (acceptance) by the other party (Part 2 of Article 638 of the Civil Code of Ukraine).

The content of the power of attorney comprises the rights and obligations of the parties. The contract is concluded both orally and in writing.

According to Art. 1008 of the Civil Code of Ukraine, the power of attorney is terminated on the general grounds of termination of the contract, as well as in the case of: 1) refusal of the principal or attorney from the contract; 2) recognition of the principal or attorney as incapable, restrictions his civil capacity or recognition as missing; 3) death of the principal or attorney.

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MAIN MODERN CONCEPTS OF LAW

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In fact, a number of different concepts of law have been established in the legal literature. There are a large number of them, but the main task of my course work is to clearly explore this issue and identify the most basic concepts of law, as well as to draw my own conclusions on this issue. In general, what is the concept of law? The concept of law answers a number of traditional legal questions, such as "What is law?", "Should laws be rules?", And "What is the relationship between law and morality?".

At present, scholars engaged in the study of jurisprudence identify a number of basic concepts of law, which can be divided into three main groups: 1) the concept of natural law; 2) the concept of positive law; 3) libertarian-legal concept of law. The concept of natural law is based on the dualism of law, that it is

believed that along with the positive law, which is created by the state, there is a higher - natural law, which is inherent in all people by nature. Law, according to positivists, is a set of norms, given objectively, which do not require ideological justification. Its role in society is to ensure social compromise. According to people who profess liberal law, law is not rooted in laws, but in society itself. Therefore, its source should be sought in the behavior of people who exercise the law. Thus, it can be argued that modern legal science is characterized by "pluralism" of concepts of law, and the content of law is not only the law, bylaws, judicial lawmaking, but also morality, traditions, customs, habits, etiquette, legal consciousness of different social groups. Norms, including the law, may not be complied with. A judge or a certain body, a citizen must coordinate their actions not only with the norms of laws and bylaws, and the principles of justice and humanism may be a priority; customs may be stronger than the law.

The theoretical and methodological basis of the work are the works of such researchers as Shafirov V.M., Shershenevich F.G., Baitin M.I., Rabinovich P.M., Grote G., Polyakov A.V., Tumanov V.A., Alekseev I.S., Kistyanovsky B., Kopeychikov V.V., Palienko N.I., Bentam B., Osgin D.

The purpose of the research is to study the purpose of law, as well as to summarize the results of the study and provides the following tasks: 1) to consider the basic concepts of law, namely: the concepts, characteristics and types of concepts of law; 2) to explore modern concepts of law; 3) talk about the difference between different concepts of law and their similarities. In conclusion, I would like to say that for jurisprudence, defining its main concepts is an important mission, which I am happy to explore.

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THE MEANING OF THE TERM "STORAGE" IN AGGRAVATING CIRCUMSTANCES OF CRIMINAL OFFENCES AGAINST PROPERTY

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The valid Criminal Code of Ukraine provides a wide range of aggravating circumstances of criminal offences against property, one of which is "penetration into housing, other premises or storage". This qualifying feature can be found in Articles 185 (Theft), 186 (Robbery) and 187 (Brigandage) of the Criminal Code. Perhaps the most controversial issue is the problem of understanding of meaning of concept "storage". Unfortunately, the Criminal law does not provide a single interpretation of this concept that leads to different court decisions. Paragraph 22 of the decision of the Plenum of the Supreme Court of Ukraine of November 6, 2009 № 10 "On judicial practice in cases of crimes against property" determines "storage" as "a certain place or territory set for the permanent or temporary keeping of tangibles, that have means of protection from access by third parties (fencing security guard, alarm system, etc.), as well as railway tanks,

containers, refrigerators, similar storage facilities, etc.

We can find the similar definition in the decision of the Supreme Court of Ukraine of January 31, 2013 in the case № 5-33x12: "storage" means certain places or areas of territory set aside for the permanent or temporary keeping of property, that are equipped with a fence or technical means or equipped with other protection (mobile stalls, refrigerators, containers, safes etc.). The decision states that according to the approaches established in the doctrine of the criminal law, storage is always a certain place or territory that is used for permanent or temporary keeping of valuables and has any means of protection from access by the third parties (for instance fence, guard, alarm system) that make free and unimpeded access impossible (significantly difficult).

A question on whether a car interior can be considered as a storage often arises in judicial practice. For example, in the decision of the Criminal Court of the Cassation of March 17, 2020 (case №653/3/18) it is stated that the interior or/and luggage compartments of cars can be defined as a storage due to their design features, presence of devices or means of protection, including technical, which prevent free access by the third parties as well as other features that allow to identify these places as such that except other purpose are intended for permanent or temporary keeping of any property (recognized as a storage).

In the decision of November 19, 2018 (case № 205/5830/16-k) the Joint Chamber of the Criminal Court of Cassation declared that fenced area, including private households, can be defined as "storage", based on its characteristics (size, construction, integrity, etc.), presence of other devices, means (alarm system, lighting, dogs, locks on gates and wickets, etc.) that make it impossible or difficult to enter by the third parties and can be used for permanent or temporary property keeping. However, the fence that does not prevent the penetration of third parties due

to incompleteness (some parts of the yard do not have a solid fence), damage, design features (low height, no gate or wicket etc.) can not be defined as "storage". Also such a yard, that is publicly accessible, in particular, when there are objects of public use (for example, toilet, well) or there are common communications (in particular, a path) through it or the arranged devices which facilitate access to the yard.

In conclusion, we want to mention that relevant Ukrainian legislation and court practice have many problems due to different understanding of term "storage" and it is important to determine universal terminology through special law adoption.

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FAILURE IN PAYING ALIMONY AS A SUPPORT OF CHILDREN

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Creating conditions for maintaining healthy family relations, for protecting childhood, fatherhood, motherhood, encouraging mutual respect of family members, providing support and care for minors and disabled people in families is the key to building a civil society based on the humanistic ideals of the Ukrainian nation. Therefore, one of the urgent tasks of the domestic legal system is to improve the means of protecting the family as an important social institution, ensuring the protection of the rights and legitimate interests of all participants in family relations. Article 194 of the Criminal Code of Ukraine [2] states that one of such means is to establish in the Criminal law liability for malicious evasion of child support to children or parents, as well as for evasion of maintenance of a minor or incapacitated child. The most vulnerable group of subjects of family relations are minors and disabled people.

A socially dangerous act of a crime under Article 164 of the Criminal Code is in malicious evasion of payment of child support (alimony) established by a court decision, as well as malicious evasion of parents from the maintenance of minor or incapacitated children who are dependent on them [3].

Thus, this norm establishes two types of actions: 1) malicious evasion of payment of child support (alimony) established by a court decision (hereinafter - malicious evasion of alimony for children); 2) malicious evasion of parents from the maintenance of minors or disabled children who are dependent on them (hereinafter - malicious evasion from the maintenance of

children) [4]. The main direct object of evasion from the payment of maintenance for disabled parents (Article 165 of the Criminal Code) coincides with the main direct object of evasion from the payment of child support. From the objective point of view, the crime under Art. 164 of the Criminal Code of Ukraine [2] is expressed both in the form of action, and in inaction which find display: a) in malicious evasion from payment of the means for the maintenance of children (alimony) established by the court decision; b) in malicious evasion of parents from the maintenance of minor or incapacitated children who are dependent on them.

It can be concluded that in Ukrainian Criminal law the current version of the legal norms of Art. 164 of the Criminal Code of Ukraine do not fully protect property family relations in terms of maintenance by some family members to others. Thus, according to the current Family Code of Ukraine, the circle of family members with property family responsibilities is much wider. For example, under Art. 75 of the Family Code of Ukraine, the wife and husband must support each other financially. The right to maintenance (alimony) has the spouse who is incapacitated. Article 91 of the Family Code of Ukraine provides for the right to support a woman and a man who are not married to each other, but have lived in the same family for a long time. Those of them who became incapable of work during their cohabitation are entitled to maintenance in accordance with Article 76 of the Family Code of Ukraine [1].

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**FORMATION AND DEVELOPMENT OF
ANCIENT BABYLONIAN STATE:
SOCIAL ORDER, STATE SYSTEM, CAUSES OF DECLINE**

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To begin with, the study of peculiarities of the formation, establishment, development and fall of the Babylonian state has a great historical meaning. The theoretical and practical importance of this study, based on thorough analysis of the state and legal experience of ancient Babylon gives us an opportunity to learn more about the state and legal realities of today.

According to numerous studies by scientists, the first states appeared in ancient Mesopotamia. The main reason for the formation of states in this territory is that interfluvium of the rivers Tigris and Euphrates created favorable living conditions for the human community. Warm climate and fertile soils allowed to harvest several crops per year. Another factor, which influenced the formation of Babylon were wars, that all the nations of the Ancient East waged among themselves for the acquisition of new territories and captives, who were then turned into slaves. Moreover, it is essential to take into account the development of trade and economic relations. The development of production resources on the basis of intertribal specialization, the exchange of products between clans and tribes led to the development of a network of trade contacts that led to close economic cooperation and primitive forms of integration.

The basis of Mesopotamian kings' legitimacy was the perceived closeness of their relationship with gods. The king who neglected the temples was inviting the wrath of heaven and the fury of his people. The sixth king was Hammurabi (1750 BC), one of the most famous rulers of antiquity. It was Hammurabi's sustained military success, particularly against Larsa, Babylon's powerful southern rival, that transformed the relatively prosperous city-state into a major regional power. He is better known, however, for the so-called Code of Hammurabi, which is a series of hypothetical statements that judges could use as a guide in adjudicating the real cases. During his reign, science, economics, medicine, art, and trade reached the peak of their development at that time. Numerous sources indicate that Hammurabi proclaimed himself as "the king of kings", "greatest among kings", "god's vicegerent on earth".

The social structure did not have clearly defined social and class boundaries. Belonging to a particular community and attitude to the service of the state determined the legal capacity of social groups. In Ancient Babylon, the population was divided into free people and slaves. People deprived of property or became slaves due to non-payment of debts, as well as slaves, belonged to the dependent population. However, those in debt were not slaves and were free from dependence after three years. Mostly foreigners and prisoners of war were slaves.

In general, the state apparatus of ancient Babylon had three levels of government - central, regional and local, with the central apparatus consisting of various departments. Volodymyr Utvenko says, "The privileged stratum of civil servants were the clerks, who controlled all office work. In Babylon for the first time the material support of civil servants was introduced (in cash, as well as the allotment of land in conditional possession); state control over the activities bureaucracy was established" [1].

The fall of Babylon is often explained by the violation of all of God's commandments, as stated in the Bible: “And Babylon, the beauty of the kingdom, the pride of the Chaldeans, shall be destroyed by God, as Sodom and Gomorrah. It will never be settled, and there will be no inhabitants in it” [2]. Besides, its decline can be explained by real economic and geopolitical circumstances. Quite interesting version of this event was proposed by L.M. Gumilev. According to his studies, the irrigation system in Babylon was organized quite rationally. In 582 BC King Nebuchadnezzar married Nicotris (Egyptian princess), proposed to build a new canal to expand the area of irrigated land. As a result of that construction the flow of the Euphrates slowed down, the irrigation system began to fill with alluvium, and the aridity of the soil increased. Thus, agriculture became unprofitable; the population began to leave Babylon, which in 129 BC became the prey of the Parthians [3]. Thus, the Babylonian state became the first social organism brought to crisis by the vices arising in the process of civilization.

To sum up, this research seeks to outline the process of establishment, development and decline of the state-legal system of one of the oldest state formations - Ancient Babylon. It can undoubtedly be called a unique state. It is not possible to single out any other states of that time that could compare with its greatness and success in political, social and legal systems.

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ADMINISTRATIVE AND LEGAL STATUS OF THE ACCOUNTING CHAMBER OF UKRAINE AS A SUBJECT OF FINANCIAL CONTROL

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Legal entity is an organization established and registered according to the procedure specified by the law. Legal entity is vested with legal capacity and capability and may act as a plaintiff or a defendant in court.

A legal entity has property that may belong to it on the right of ownership or be in its operational management. Thus, property separation is important for the legal entity to achieve certain goals, for example, for manufacturing products, running cultural and educational activities, achieving creative success. The purpose of the legal entity must be enshrined in its constituent documents (memorandum, articles of association). Based on the legal definition, it should be stated that the legal form of legal entities has not been changed. Regardless of the area of their activities (*commercial* or *non-commercial*) or belonging to the sector of either private law or public law, all legal entities are created in the form of an organization.

This term was analyzed by both Ukrainian and foreign scientists and practitioners in the sphere of civil law, among them: T. Blaschuk, V. Chirkin, , V. Kisel, S. Kovalev, V. Kravchuk, I. Kucherenko, R. Maidanik, N. Merkusheva, K. Nekit, I. Spasibo-Fateeva, E. Sukhanov, A. Venediktov, A. Vlasov, O. Yastrebev, and V. Zubar.

The legal framework of the research comprises the Constitution of Ukraine, laws of Ukraine, and international acts related to the issues studied.

Each legal entity has its own property, which may belong to it according to the rules of ownership or legal management. The need for professional property creates the material basis for the independent existence of the legal entity. Without appropriate means of production, money and other values, any purposeful activity is impossible. Combining these funds in one property complex is characteristic of a private organization. Property separation requires a legal entity to achieve certain goals. Part 3 of Art. 96 of the Civil Code stipulates that the participant (founder) of the legal entity is not responsible for communication with the legal entity, and the legal entity is not responsible for the obligations of its members (founders), except the cases provided by law.

Conclusions, summarizing the above, I want to emphasize that municipal legal entities functioning under public law have property of quasi-independence: they can acquire property rights (*e.g.*: as a gift or inheritance). However, property, which is "transferred" to such territorial communities and which is the basis for their current activities, cannot belong to them on the right of ownership.

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INTELLECTUAL PROPERTY CONTRACT

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Extant works do not always meet the needs of the user, so there is a need to create new one. In this case, the user orders the author to create a new work. The author's contract of the order is widespread enough in practice. So let's find out which legal clauses are mandatory to consider this assignment concluded.

According to the definition contained in Part 6 of Article 33 of the Law of Ukraine "On Copyright and Related Rights", under the intellectual property contract, the author undertakes to create a work in the future by the terms of this agreement and transfer it to the customer. The customer is obliged to pay the author royalties. The executor in this contract can be only the physical person who has created the objects of intellectual property by the creative work using their own material and technical resources, but not the legal entity. The origin or adaptation of the original creation is carried out by the author under the requirements, which are usually set by the customer in the terms of reference, which is an integral part of the author's contract.

Another equally important condition is the term of the work. Thus, the author is obliged to create, remake the object within the period specified in the contract. The contract price should include payment for the author's work to create a new craft or derivative, as well as payment of royalties for the transfer of property rights to the object.

As we have already noted, the author acquires the intellectual property rights as a result of the creation, but some of them he must transfer to the customer. It is worth saying that the Ukrainian valid legislation quite controversially regulates this issue. The moment of transfer of exclusive property rights must be

clearly defined, as well as the scope of property rights. As the general rule defined by the Civil Code of Ukraine, the parties mutually acquire property rights to the created object of intellectual property rights by order. The original work of fine art becomes the property of the customer, while the property copyright to this work remains with its author.

In case of breach of contract, it is important to determine the order of settlements between the parties. Article 34 of the Law of Ukraine "On Copyright and Related Rights" establishes liability for non-completion of an author's contract: "A party who has not fulfilled or improperly fulfilled the terms of the contract is obliged to compensate the injured party for all damages, including lost profits" [2]. All disputes related to non-fulfillment or improper fulfillment of the terms of copyright agreements are resolved in the court.

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CRIMINAL OFFENCE AND ITS EVOLUTION IN THE CRIMINAL LAW OF UKRAINE

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A crime, like any other offence, is a human act. That is why

it has all the objective and subjective features that characterize human behaviour: physical properties – a movement or its absence, the use of physical, chemical, biological and other laws of the world; psychological properties – the manifestation of consciousness and will, a certain motivation of behavior, its purposefulness. The composition of a criminal offence is a kind of legal abstraction established by the science of the criminal law. The legislative definition of the basis of criminal liability provides an opportunity to identify the following characteristics of a criminal offence: 1) it has a variety of features of objective and subjective nature; 2) the composition of a criminal offence is the legislative concept of a crime and indicates only those of its features that are enshrined in the law on criminal liability.

Given the modern domestic criminal law, we can conclude that a criminal offence is a specific act of conduct of a person, and the composition of a criminal offence is a legal abstraction, its legislative model, without which a specific act can not be considered criminal composition of a criminal offence, but also the concept of the composition of certain groups of criminal offences that infringe on homogeneous social relations, such as sexual freedom and sexual integrity of a person (Articles 152-156 of the Criminal Code), property (Articles 185-198 of the Criminal Code). The components of certain criminal offences (murder, robbery, smuggling, arbitrariness, etc.) are determined by the relevant provisions of the criminal law. The dispositions of these norms provide for the most characteristic and specific features inherent in a particular criminal offence. The composition of specific criminal offences includes not only the completed criminal offence, but also the preparation or attempt, as well as the actions of accomplices in committing a criminal offence. Thus structures of such criminal offences are defined not only by means of norms of the Special part of the Criminal Code, but also with use of norms of the General

part of the Criminal Code, containing the characteristic as objective and subjective signs of these types of criminal activity.

The concepts of the criminal offence and the concept of the composition of a criminal offence are closely related, but not identical. They differently reflect the essential features of the same phenomena of public life – criminal offences. The concept of a criminal offence is specified in the criminal law in the form of individual components of criminal offences, which act as a kind of measure, the scale of the criminal offence. The concept of a criminal offence answers the question that is common to all criminal offences, and the concept of the composition of a criminal offence exactly what distinguishes one criminal offence from another. Thus, the concept of the criminal offence and the concept of the composition of a criminal offence are in the ratio of form and content. At the same time, the concept of the criminal offence is a form, and the concept of the composition of a criminal offence is the content.

To conclude, the significance of the composition of the criminal offence is that it is the only and sufficient indicator of the existence of a criminal offence, the only basis for criminal liability. Only after the establishment in the actions of a person of all the elements of a criminal offence there is a reason to claim that the person committed a specific criminal offence.

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CONCEPT OF CRIMINAL LAW PROVISION

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There is no common understanding of the criminal law provision in the doctrine of criminal law. It should be noted that a large number of professionals generally refer to the criminal law rule as the one that establishes liability for a particular offence.

However, there are many other legal provisions in criminal law. Although primarily enshrined in the General Part of the Criminal Code, some of them apply to all norms or to large groups of criminal law provisions, the others regulate the grounds for criminal liability and its conditions, others are individualized in the sentencing process, while others are exempt from criminal liability and punishment. Therefore, the concept of criminal law provisions cannot be limited to referring only to the features inherent in the Special Part of the Criminal Code, but they must include general elements of all criminal law provisions.

N. I. Panov marks that criminal law provisions constitute a normative complex presented in the Special Part of the Criminal Code and in separate articles of the General Part of the Criminal Code. L. V. Inogamova-Hegay states that the crime norm is a criminal law norm, which includes several rules or regulations of the General Part of the Criminal Code and one rule-prescription of the Special Part of the Criminal Code. T.B. Maple states that criminal law is the law of lawful conduct.

Thus, taking into account the opinions of scholars, we can form our definition of a criminal law norm as follows: a criminal law norm is a system of generally binding rules or principles that determines the rights and duties of individuals who are the subject of legal relations within the governing jurisdiction at a given point of time. The normative framework comprises the Criminal Liability Act of Ukraine

and corresponding orders (mandatory orders contained in the articles of the General and Special Parts of the Criminal Liability Act of Ukraine).

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VIOLATION OF OFFICIAL DISCIPLINE AS A BASIS FOR DISCIPLINARY LIABILITY OF CIVIL SERVANTS

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Civil service is a state-legal and socio-political institution. It is a kind of public service, one of the aspects of organizational activities on the functioning of public authorities and their personnel and provides for the professional activities of persons holding positions in state bodies and their staff to perform the tasks and functions of this state. The work of state agencies is based on the principles of professionalism, legality, democracy, humanism, priority of human and civil rights and freedoms and others.

There are a number of features of the civil service, in particular: is a socially useful activity; is carried out in order to implement public policy; is carried out by authorized persons - civil servants; the activities of civil servants are financed from state funds.

In general, the establishment, legal regulation and control of the civil service is a complex task and it is the responsibility of the

state. This process is long and involves constant updating to meet the demands of the times. The development of such an institution involves structural changes in the state apparatus, the emphasis is on the executive and judiciary, the settlement of issues at the legislative level, training and selection of personnel, measures for periodic refresher courses.

Civil servants have a number of rights and responsibilities under the law. The concept of discipline becomes important. It can be defined as the conscientious performance by civil servants of their official duties and internal regulations and compliance with the Civil Servant Oath.

In case of violation of official discipline, a civil servant must be brought to disciplinary responsibility. The basis for disciplinary liability of such officials is the commission of an illegal culpable act or omission, defined in law as a misdemeanor. In this case, the commission of a misdemeanor by civil servants is subject to a penalty. The legislation of our state, namely the Law of Ukraine "On Civil Service" 889-VIII of 10.12.2015, provides an exhaustive list of penalties that may be applied to civil servants, such as rebukes, reprimands, warnings of incomplete compliance and dismissal from public services. In order to ensure the degree of guilt and gravity of the offense, disciplinary proceedings are carried out. In the scientific literature, this concept is interpreted as a procedure initiated by the appointing authority to determine the presence or absence of disciplinary misdemeanor, the degree of guilt, nature and severity of disciplinary misdemeanor, carried out in respect of civil servants holding civil service positions of all categories.

The purpose of the research is to characterize disciplinary liability as a type of special responsibility, to define the concept of "disciplinary process" and "penalty" and to study their types and to disclose the features of disciplinary implementation. Some aspects

of these problems were covered by K. Vashchenko, A. Gorzov, O. Dolgy, N. Panova, V. Skorikov, N. Yanyuk, O. Kuzmenko, I. Kartuzova, Ye. Lipiy, A. Komzyuk A. and others.

To sum up, the issue of discipline of civil servants is important because it involves the conscientious activity of civil servants, and disciplinary liability, in turn, as well as other types of liability, is primarily a kind of safeguard against illegal actions of these persons. The procedure for bringing officials to justice is clearly regulated by law, practical and in line with reality.

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PROCEDURAL SIGNIFICANCE OF STATUTES OF LIMITATIONS IN TAX RELATIONS

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In the tax law, the institution of prescription is the least researched, there are only a few works on certain aspects of the statute of limitations in tax relations, but the definition of statute of limitations in the tax law in these publications does not exist. The statute of limitations in tax relations is provided by the tax legislation the period during or after which it is acquired or the right of the subject of tax legal relations is lost. The structure of the legal structure of prescription is formed by the following obligatory elements: 1) fixation of time moments of the beginning and the expiration of the period to which they are related or other legal consequences; 2) the legal consequences themselves; 3) the object in connection with which the legal relationship arises; 4) subjects of law, in the actions of which the rules of law governing a particular type of statute of limitations are implemented.

Based on the balance of public and private interests, the construction of the statute of limitations in the tax right performs a dual function: on the one hand, it guarantees taxpayers predictability in relations with the state, on the other hand, statute of limitations force the state in the person of the bodies authorized by it operatively exercise their powers of calculation and accrual of taxes and fees, tax control, bringing to tax responsibility, repayment of tax debt, etc. [4].

Article 102 of the Tax Code of Ukraine provides for statutes of limitations and their application regarding the payment of the taxpayer's monetary obligation, and in paragraph 114.1 of Article 114 of the Tax Code Of Ukraine it is determined that the deadlines for the application of penalties (financial) sanctions (fines) to

taxpayers meet the statute of limitations for accrual of tax liabilities specified in article 102 of the Tax Code of Ukraine [1].

Currently the term of the claim prescription (right to file a claim) depends from use or non-use by the payer taxes of the administrative appeal procedure. If the taxpayer does not decide the tax authority in the administrative procedure appealed, the deadline for submission of the application is 1095 days from the date of receipt of the contested decision of the tax authority. In case the taxpayer uses the administrative appeal procedure, the deadline for filing a statement of claim is one month from the date of its completion [2].

When a taxpayer applies to the court with a claim to invalidate the decision of the supervisory authority, the monetary obligation is considered uncoordinated until the date of entry into force of the court decision. It is characterized by certain features, namely the statute of limitations for appealing against decisions of regulatory authorities. Appeals are one of the most important ways to ensure the protection of violated rights in the field of public relations, is not an exception and tax relations, the subject of appeal in which are the decisions of the supervisors bodies [3].

Appeals against decisions of regulatory authorities can be carried out in administrative or in court. It is important in the appeal procedure that the choice of judicial appeal procedure exclude the possibility of appealing the decision of the supervisory authority in the administrative order. The procedure of administrative appeal is considered to be a pre-trial procedure for resolving the dispute and does not exclude the possibility of further court appeal. Administrative procedure for protection of rights taxpayers is to resolve disputes between taxpayers and government agencies tax service within the tax system bodies without referring the dispute to court [3].

Therefore, the statute of limitations in the tax law is provided by the tax legislation the period during or after which it is acquired or the right of the subject of tax legal relations is lost. The statute of limitations in tax law is designed to ensure the stability and certainty of tax legal relations, and guarantee the reality and efficiency of protection of subjective rights of interested persons and interests of the state.

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POSTMODERN ART AND GLOBALIZATION

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Globalization is an ubiquitous phenomenon that covers economics, politics, cultures, individuals. There are different

scenarios according to which cultural globalization can flow [1, p. 318]. Investigation into processes that take centuries to develop and form is of a great interest for many scholars.

Postmodern time proved to be a witness of globalization. The art can be called as a universal indicator which displays all changes and shifts caused by globalization. R. Inglehart emphasizes in his research on its importance: "humans' values change but no one notices that art changes as well" [2; 8]. Every major change is considered with regard to important historical processes; it has been accompanied by a shift of values and the art has been changing simultaneously with them [8]. The art cannot predict the future, but it can display the present.

Last five decades have been the age of a stormy globalization and fundamental shifts of values. "When hard times happen, there are artists that have gone to abstraction" [6]. Modern art was a reaction to twentieth century historic events, like industrialization, economic depression, WWII and many others. That was a time of "shifts" and also a time of postmodern art occurrence [7]. Classic art displayed past and present realities, modern art displayed present and future realities. Classics and modern artists tried to describe or create a reality, artists of a new society [4] are not trying to create something new, they are trying to rethink everything we have already got. Needless to say, that postmodern art is caused by globalization and its main feature is an absolute freedom [5, p. 986]. Postmodern artists are limited by nothing except of their own morality – main reason why forms of present art are so different and quaint. Artists can perform as they like, and what is more, they are not judged for that. 21st century consumers want this quaintness - they are becoming more and more adaptive and broad-minded [5, p. 988].

In order to fully understand the essence of this concept we are to look deeper into the reason of globalization, especially

technical - the one that is inseparably linked to progress in technologies of communicating. If to look back into our past in terms of intercultural communication, one problem arises - it is absence of understanding between people from different cultures. What we have now is a factual erasure of borders in communication due to the Internet and social media. A Ukrainian can easily and effortlessly communicate with a Japanese. This easy communication serves as an explanation to population that becomes broad-minded and open.

Versatility is another feature of postmodern art. It is revealed in cinema with its arthouse works, “intended to be a serious, artist work, often experimental and not designed for mass appeal” [3], literature, architecture, the most alien form of art – anime and others. Freedom of artists and freedom of consumers make it real for quaint forms to exist. It is neither good nor bad, it just displays a postmodern shift. The demand of new works of art demonstrates a need of our society – safety.

According to R. Inglehart safety replaces the value of economic welfare. People now struggle not for opportunities to make money, but for individual rights. They want to be themselves and not to be oppressed for that, i.e. one of the postmodern art functions. The reason why people are ready to perceive something that is strange, something bizarre, eccentric is that they are becoming more tolerant. They start to respect each other's weirdness as their own, moreover, they identify themselves with postmodern artists, with one difference – artists express themselves, but the consumers do not. The last issue makes it worthy of further examination.

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THE ANIMAL AS THE SUBJECT OF LAW

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The animals have served as a signifier and symbol of law in the long history of human civilizations. Now they should have a place not only in law but also legal philosophy as the subjects of law [1]. The relevance of the concept “the animal as the subject of law” has increased lately because of increasing environmental disbalance in the field of wildlife protection and conservation of endangered species. Major part of the research is aimed at ascertaining the extent to which animals should be granted consideration and protection, for instance in the sphere of civil law [2].

General investigation of the issue of the legal status of the animal was made both by the Ukrainian and foreign scientists, namely: D. Zakharov, E. Chincevych, K. Goodpaster, K. Stone,

M. Bernstein, O. Rozgon, P. Singer, P. Taylor, R. Garner, R. Nash, T. Reagan, V. Shekhovtsev, and others. The concept of “the animal as the subject of law” has not been introduced into any legislation, as the animal has been regarded as the object of law and personal property. However, in 1822 the first modern animal protection legislation was enacted in England to protect some animals from human abuse and violence [1].

The meaning of the term “the subject of law” is clarified in law as a physical or juridical person who has the capacity to realize rights and juridical duties [3]. This term is interpreted differently by the Encyclopedia of Civil Law of Ukraine. It clarifies that among the subjects of civil law are individuals, legal entities, and public entities [5], so the animal is not on the list of the subjects of civil law.

In this research, we consider animals as “specific subjects of legal relations” that are endowed only with the capacity to have rights, but not the capacity to act upon those rights [4]. The animals have only natural rights: to be protected from cruel treatment, to euthanasia, to communicate with their peers, to the humane treatment of them, etc.

As far as the term “the animal as the subject of law” has appeared not so long ago, its determination needs further clarification and comprehensive definition.

In the conclusion it is relevant to state that since the animal is not endowed with the capacity to act upon the rights, it can enjoy legal rights only through its representative, so it is considered somewhat premature from a legal point of view to recognize the animal as the subject of law.

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EXEMPTION FROM CRIMINAL LIABILITY OF MINORS WITH THE USE OF COERCIVE MEASURES

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Since the entry into force of the Criminal Code in 2001 and until today, the purpose of reforming the Ukrainian criminal law is to strengthen and clarify the provisions guaranteeing the rights of victims of certain criminal proceedings at all stages of justice, increasing the dependence of punishment on the severity of the offence and the offender. This should be largely due to the specifics of criminal liability and the punishment of minors as the most vulnerable category of perpetrators.

Exemption from criminal liability and punishment of minors, according to current criminal law, can be allowed only if the performance of duties under the Criminal Code is impossible without the application of the most serious criminal measures: without criminal liability or without the appointment and effective execution of punishment. The implementation of these rather

complex institutions should concern only a certain category of people who have committed a socially dangerous act – minors. To a large extent, these contradictions are not clearly defined and there is a lack of provisions directly related to coercive measures of an educational nature. And above all, they reproduce them in the order of their content, essence and purpose of these activities. Age as a characteristic of a person is one of the factors on which the formation and consolidation of the legal status of a juvenile suspect depends.

The court may apply to a juvenile such coercive measures of an educational nature as: reservation; restriction of leisure and establishment of special requirements for the behavior of a minor; transfer of a minor under the supervision of parents or persons replacing them, or under the supervision of the teaching or labor team with his consent, as well as individual citizens at their request; imposing on a minor who has reached the age of fifteen and has property, funds or earnings, the obligation to compensate for property damage; referral of a minor to a special educational institution for children and adolescents for his correction, but for a period not exceeding three years. The conditions of stay of minors in these institutions and the procedure for their leaving are determined by law.

The general principles (rules) of application of coercive measures of educational character should be given own separate legislative fixing in the General part of the Criminal code of Ukraine. There is an obvious need to reform the system of coercive measures of an educational nature, as the existing system is not effective enough. Ukraine's integration into the international community is impossible without the harmonization of national legislation with generally accepted international standards, including coercive educational measures, on international law on the application of the Criminal law to minors.

Therefore, I believe that the courts should pay more attention to increasing the value of education and introduce coercive measures of an educational nature in cases of juvenile delinquency.

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LABOUR LEGAL RELATIONS OF CIVIL SERVANTS: PROBLEMS OF LEGAL REGULATION

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Under the Law of Ukraine “On Civil Service”, a civil servant is a citizen of Ukraine who holds a position of civil service in a public authority, another state body, its staff receives a salary from the state budget and exercises authority established for this position, directly related to the performance of tasks and functions of such a state body, as well as adheres to the principles of civil service.

Different scientists, including I. V. Kudriavtsev, note that the main differences between the work of civil servants and employees of other enterprises, institutions and organizations are, first, the focus of activities on the tasks and functions of the state; secondly, in pay at the expense of state funds; thirdly, in holding the relevant position - determined by the structure and staff

list of the primary structural unit of the state body and its staff, which is entrusted with the established by regulations the range of official powers. But I.P. Hrekov, distinguishing the civil service as a profession among other types of socially useful activities, identified its following characteristics: firstly, the sphere of this professional activity is public authority; secondly, this type of occupation has its own name - civil service; thirdly, the subject of the work of this type of occupation is information; fourthly, the products of professional activity are the relevant management decisions and their consequences. The researcher also notes that the work of civil servants has its own professional characteristics, such as, participation in government and management structures, thus, the ability to influence the adoption and implementation of decisions by the state; knowledge of the law and strict adherence to the rule of law; requirements of state discipline, regulation of hardware work; high level of responsibility for management decisions and actions for their implementation; increasing the moral and psychological burden in the process of civil servants performing their official duties; public-law nature of relations with citizens and organizations with which they interact in the performance of public administration.

So, we can conclude that the civil service is a special form of professional employment of population. The peculiarity of such activity is explained by the legal status of civil servants as subjects of public activity. The main features which distinguish it from other types of employment are: performance of tasks and functions of the state; special requirements for individuals applying for civil service; special procedure for competitive selection for admission to the civil service; features of the procedure for appointment to a civil service position; restrictions on appointment; career features; responsibility.

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INTELLECTUAL PROPERTY RIGHTS: THE PLEDGE CONTRACT

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Under the pledge contract, one party transmits a pledge of its property rights of intellectual property to another party as a guarantee of the enforcement of monetary obligations under the main agreement.

According to Art. 424 of the Civil Code of Ukraine, the intellectual property rights are: 1) the right to use the object of intellectual property rights; 2) the exclusive right to allow the use of the object of intellectual property rights; 3) the exclusive right to prevent the misuse of the object of intellectual property rights, including the prohibition of such use; 4) other property rights of intellectual property established by law [1].

Part 1 of Art. 574 of the Civil Code of Ukraine: the pledge arises on the basis of a contract, law or court decision. The law contains the definition of «pledge». This is the way of providing obligations, unless otherwise provided by law.

The pledge is quite multipurpose, so it is widely used for securing other obligations. The pledge agreement may be independent, separated from the agreement under which there is a secured obligation. However, the pledge may be included to the main contract, which confirms the derivative nature of the pledge, enshrined in Part 3 of Art. 3 of the Law of Ukraine «On Pledge»: The pledge is derived from the obligation secured by it [2].

Even in case of default by the debtor (mortgagor) secured by the pledge obligation the creditor's rights are still protected. By virtue of the pledge, the creditor (pledgee) has the right to obtain satisfaction from the value of the pledged property mainly to other creditors. Scholar Kalyatyn V.O. notes that the subject of the pledge must have a certain value so that the creditor can be sure of the amount of money that belongs to him.

Property rights can be the subject of the pledge if they have property value: «... not the thing itself, but its value is the basis of pledge» [3]. In fact, there is a kind of substitution of concepts, the subject of the pledge can be understood not as the property, but its value. As we have noted, in accordance with Art. 4 of the Law of Ukraine «On Pledge» the subject of the pledge may be property rights. It is necessary to dwell on the possibility of copyright collateral. It should be noted that the subjective rights of the author are divided into two types - personal and property.

Personal rights of the author are the right to authorship, the right to the author's name, the right to publish his/her work and its inviolability. These rights are inalienable and therefore cannot be the subject of the pledge [4].

Intellectual property rights may, in accordance with the law, be a contribution to the authorized capital of legal entity, the subject of the pledge agreement and other obligations, as well as used in other civil relations [1]. Information on the subject of the

pledge may be recorded by the state registrar of one of the parties to the State encumbrance register.

The state registration of encumbrances on movable property is carried out in order to ensure the fulfillment of obligations and protection of the rights of legal entities and individuals in relation to movable property and to provide information on the presence or absence of encumbrances on movable property.

Summing up, I would like to emphasize the need for further legislative regulation of relations connected with the conclusion, execution and termination of the contract of pledge on intellectual property rights. The basic concepts are specified in the legislation, but only if you try to find something specific, you can immediately notice a gap. Due to these problems, there is an urgent need for modernization of legislation in this area.

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ADMINISTRATIVE LIABILITY FOR DOMESTIC VIOLENCE

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Violence is one of the most common forms of human rights violations. The most common and most difficult to counter is domestic violence. Domestic or domestic violence is common in

many countries, despite their positive legislative, political and practical achievements.

Domestic violence is a global problem of today, which has been on the focus of lawmakers, academics and practitioners at both the national and international levels for decades. Violence against women and domestic violence constitute a serious violation of human rights, rooted in inequality between men and women and gender discrimination. The problem of violence against women is relevant for all countries and societies without exception.

In particular, if we talk about Ukraine, domestic violence here still remains a latent phenomenon, which comes to the surface only when it is no longer possible to hide the problem. The notion that violence occurs only in socially disadvantaged families is not true: it occurs in all categories of the population, regardless of class, cultural, socio-economic aspects. As for Ukraine, in 2001 our country was the first among the CIS countries to adopt special legislation aimed at preventing domestic violence and bringing perpetrators to justice.

In particular, world and, in fact, national experience gives grounds to say the following: 1) domestic violence occurs in the family regardless of social status, religious beliefs, sexual orientation or ethnic origin; 2) both men and women can be victims of domestic violence. But most brutal and repeated attacks are still carried out by men against women - their partners; 3) compared to men, women are more often victims of violence during their life; more often become objects of repeated victimization; more often receive bodily injuries and need medical care; they are more likely to be threatened, and they are more likely to experience fear and anxiety about it; 4) in a practical context, the consequences of domestic violence due to conflicts over housing, finances and the upbringing of children are much more serious for women than for men.

During the first half of 2020, the police received 101,000 calls due to domestic violence. This is 40% more than last year. According to the Ministry of Social Policy, among all complaints of domestic violence - the most from women: 86%, men - 12% and 2% - children. However, statistics show that every 5th woman in Ukraine has experienced some form of violence at least once. In particular, in the last year, the increase in such cases is due to the outbreak of COVID-19 and the adoption of quarantine measures, when victims are forced to remain in isolation with their perpetrators. Therefore, we believe that this problem in Ukraine and in the world is urgent and needs to be improved in the legal field and in the area of responsibility for the outlined actions.

Also with regard to liability for domestic violence, the updated legislation for the commission of domestic violence or violence on the basis of the article provides for the application of civil, administrative and criminal liability to the offender.

Administrative liability is the most common measure against illegal acts in the form of domestic violence. Therefore, I decided to explore the features, problems and areas of development of this form of responsibility in my research

The topic of domestic violence has attracted the attention of many scientists, among which are the following: O.M. Bandurka, O.B. Blaga, O.V. Boyko, T.V. Zhuravel, Y.M. Kvitka, K.B. Levchenko, D.G. Zabrodu, V.V. Pyvovarova, M.I. Havronyuk and others. However, it is specified the subject needs new research in connection with the adoption of new legislation.

Actuality of research: in a democratic, legal and social state, there is no place for violence, and the rights of everyone must be respected and realized. It is primarily about human dignity and honor, which are the defining characteristics of each person. The object of this administrative offense is public relations in the field of human rights. Domestic violence violates a number of human

rights: equal protection before the law; for protection against gender discrimination; for protection against ill-treatment; for life and physical integrity; to the highest standards of mental and physical health. Therefore, according to the statistic, this problem needs to be effectively addressed or at least reduced the dynamics of growth of this negative trend, because so far it is only gaining popularity.

The purpose of the research is: 1) analysis and statistics of domestic violence as a phenomenon that takes place in our country; 2) types of liability for committing domestic violence, and in particular, features of administrative liability for committing the outlined acts; 3) analysis of the implementation of responsibility for domestic violence in Ukraine and the difficulties that arise in the process of consideration of the case; 4) recommendations for improving the situation with domestic violence in Ukraine.

The object of research is to substantiate domestic violence and administrative liability for it in the Ukrainian and world society. The subject of research is domestic violence and administrative liability for it in the Ukrainian and world society.

Domestic violence remains widespread in Ukraine and around the world. Such an offense degrades human honor and dignity, discriminates against the individual and endangers his or her physical and mental health. Therefore, this problem needs to be addressed immediately or to reduce the growth of negative dynamics, in particular, by improving the legislation and strengthening the responsibility for the outlined actions.

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ESTABLISHMENT OF FASCIST DICTATORSHIP IN ITALY: STATE ORGANISATION DURING THE PERIOD OF FASCIST DICTATORSHIP

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After World War I, Italy was economically exhausted. The first post-war years in Italy were marked by economic crisis, increasing inflation, unemployment and political instability, and, as a consequence, growing popular discontent.

In 1920, in the north of the country, workers seized individual industrial enterprises, organizing production on them under the leadership of their committees. The government, did not dare to use force against them. Benito Mussolini, once a prominent figure of the Italian Socialist Party, took the advantage of the difficult situation in Italy by creating the National Fascist Party, which later monopolized the power.

The National Fascist Party was the fundamental structure of the "corporate state," the mechanism, which not only governed, but also controlled. The structure of the party was highly centralized and constituted as a hierarchical system, resembling a state body. Emergency decrees banned all "anti-national" parties, non-fascist organizations and their press.

At the same time, the party united with the state. Democratic principles of forming the highest representative bodies of power were eliminated. All of them were formed by the fascist party. The fascist dictatorship in Italy relied on a powerful repressive apparatus of police control and coercion and mass political terror of dissidents.

After the fascist party led by B. Mussolini came to power, the form of government that had developed in Italy at that time was formally saved. Technically, the Statute of 1848 remained valid, although the state system was radically changed by a number of acts adopted or issued in 1923-1928. In addition, the role and importance of the king in the sphere of domination was gradually eliminated: he became a ritual institution, which often ensured external legality of the emerging fascist regime.

In 1922, under the impact of political and economic elites and seeing the inability of traditional right-wing parties to overcome the postwar crisis in the state, unwilling to take revolutionary actions, King Victor Emmanuel III of Italy appointed the National Fascist Party leader Benito Mussolini as the Prime minister. The new minister assured that the new fascist government would ensure complete freedom for private enterprise and would not intervene into the private sector."

During 1922-1925, the course was really corresponding to the principles of non-interference of the state in economy. Free competition was encouraged, taxes were reduced, legislative control and trade restrictions were weakened, budget expenditures were reduced, and the budget was balanced. During this period, welfare increased, and by the mid-1920's production exceeded the prewar level.

However, the "corporate system" in Italy began to form later. Mussolini strongly opposed the doctrine of socialism based on the class struggle and emphasized the corporatism of fascism:

"Outside the state there is no individual, no groups (political parties, societies, trade unions, classes)."

Furthermore, one of the main ideas of building a corporate state was absolute financial independence of Italy from other states. Thus, the idea of a closed, self-sufficient trading state - was put forward.

The basic (declarative) tasks of corporatism were the consolidation of the whole nation around a common ideal and elimination of interclass antagonisms, reconciliation of interests of labour and capital, the development of a new political anti-capitalism and anti-communism with socialism ideology, and economic self-sufficiency. The idea of a corporate state was reflected in many acts adopted and issued in Italy in the relevant period.

Thus, during the rule of Mussolini and his fascist party, Italy gradually became a totalitarian state, which led to an increase in the powers of state bodies in all spheres and led to the restriction of the fundamental rights of citizens.

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THE DEVELOPMENT OF CONSTITUTIONAL LEGISLATION IN THE UKRAINIAN SSR (1919–1978)

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Building a democratic state governed by the rule of law and the formation of civil society in Ukraine requires a high level of constitutional and legal regulation of the most important social relations. The adoption of the Constitution of Ukraine on June 28, 1996 did not complete the constitutional construction in our state. Constitutional laws are adopted to detail and clarify the norms of the Fundamental Law, and the Constitution itself is not a "dead" dogma for all time. At the same time, the improvement and development of constitutional and legal norms should be based, as emphasized in the current Constitution, on the "centuries-old history of Ukrainian statehood." The constitutional law of Ukraine has its own history of origin, development and formation, associated with the struggle of the Ukrainian people for their independence. The history of the state and law is the memory of the modern generation about the state and legal systems of the past, which allows us to better navigate not only in the present and past of state and legal systems, but also in their near and long term developmen.

The object of our research is the process of constitutional development in the USSR and their legal framework.

The subject of research is the patterns of constitutional development in the period of the USSR, its theory and practice.

The chronological framework of the study covers 1919–1978. This is the time of constitutional development that took place during the existence of the USSR. Our purpose is a comprehensive, systematic, scientific, logical and structurally determined clarification of general and special features, patterns of

constitutional development in the USSR, which we would try to achieve in our research by completing following tasks: 1) to analyze the constitutional development in the USSR, its stages and features, the influence of objective and subjective circumstances on it; 2) to find out its connection with the general process of nation-building; 3) to show the main directions in the development of the constitution and the factors that influenced it; 4) to determine the place and significance of constitutional acts for the Ukrainian SSR in the further development of domestic constitutional law as a branch of law and science.

Our research proved that the process of the Ukrainian state formation and constitutional and legal development has long historical traditions. Its foundations were laid during the times of Kievan Rus and the Ukrainian state of Hetman Bohdan Khmelnytsky. The Constitutions of the Ukrainian Soviet Socialist Republic of 1919, 1929, 1937 and 1978 were mainly declarative documents, the authors of which sought not the real consolidation of human and civil rights, the settlement of certain social relations, but only the acquisition of certain segments of the population support by the populist slogans that were expressed in these documents. Adoption of the Constitution of independent Ukraine by the Verkhovna Rada on June 28, 1996 became the final stage of state and legal aspirations of the Ukrainian people. That was the first time in the world that democratic values and traditions were reflected and consolidated in Ukrainian constitutional-legal acts which were later developed and improved by leading legal scholars around the world.

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PANDEMIC NEOLOGISMS AND SHIFTS IN VOCABULARY

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With the spread of the virus, the necessity arose to name newly created notions and revise those not used for decades. The spread of Covid-19 influenced people's behavior and their lifestyle. A lot of media became directly involved in the news about the virus, showing online statistics about the cases, their severity, and consequences. Numerous websites also became the sources of newly adopted rules and restrictions implemented by many countries.

Covid-19 not only restricted the freedom of all humankind, but it also affected their life bringing along destructive consequences. With the rapid spread of the new coronavirus, such words as *endemic* and *pandemic* became extremely popular [3]. Alongside these words, such terms as *infectiousness* and *contagiousness* have spread in the information field of the media. *Severity* became one of the main criteria to show the intensity of the disease and its effect. Such words as *total lockdown*, *virus outbreak*, and *PPE (personal protective equipment)* started to be used by people all over the world [2]. .

Inevitably, the media got deeply involved in the pandemic atmosphere that also caused the use of such words as *infodemic* and *disinformation* [4]. The panic caused by the virus provided humankind with an enormous load of information some of it misleading.

Another term is *Blursday* – refers to any day of the week in the time of the covid-19 pandemic, from the fact that it is sometimes difficult to know which day it is [1]. Thus, Blursday became a term commonly used around the people who became lost in the days of the lockdown.

While the world is fighting the virus, new terms also appeared. One of them became *V-day*, which is to notify the day when the vaccination against the coronavirus started in the UK. The *vaccine stamp* followed as a consequence [1]. . It defines a mark stamped in the passport to show that a person has got vaccinated against Covid-19.

As humankind and languages are constantly developing, any events affect this development. No wonder the appearance of Covid-19 has made a significant impact on the language. The new virus not only formed its own vocabulary, which combines all-known medical terms but led to the introduction of neologisms.

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SHIFT IN TRADITIONAL RECRUITMENT PROCESSES DUE TO COVID-19

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The coronavirus pandemic is affecting daily life for the whole world [4]. Dramatic changes caused by the new coronavirus have unprecedented implications on companies around the globe and influenced human resource management profoundly. Uncertainty is the only thing that people are certain of [5]. Social distancing technique is being used to help contain the spread and at the same time ensuring that employees remain productive to ensure business continuity. Anyway, it is hard to say that the job of a recruiter has become much more difficult due to the transition to online. There are both positive and negative sides. Human Resources leaders, managers and practitioners (HRs), in particular, have been at the centre of their organization's rapid response to this crisis, and have been playing a central role in keeping the workforce engaged, productive and resilient [3]. The process by which graduate recruitment is conducted is likely to shift online [5, p. 16]. The biggest impact from a business perspective of the COVID-19 outbreak is on the way we work. HRs have quickly responded to the changes and moved the recruitment processes online. Another reality is forming quickly [2, p. 153] that results in: developing relationships with new sources of candidates (e.g. gig platforms); improving our candidate experience through the use of technology (e.g., AI screening, chatbots, gamification, web-based tools); better time management as there are no more face-to-

face interviews; the possibility to employ foreign citizens and cross-border commuters to better suit the position needs; redesigning the whole recruitment process as COVID-19 has changed the hiring needs; reducing almost all kinds of costs and many others.

Shifting the whole recruitment process fully online/developing new effective e-recruitment strategies has been a huge challenge for most companies. The one common thread throughout each stage of the recruitment tunnel is communication as most recruitment activities are expected to be delivered online. Apart from this there are other drawbacks, namely: fewer open positions on a labor market, including fewer jobs for young people and other labor market entrants; onboarding now happens remotely that can have a negative impact in future; poor communication. A number of issues have to be considered while developing e-recruitment strategy, like: security and data protection; confidentiality; lack of sound metrics; difficulties in effectiveness' measurement, moreover on-line recruitment can attract fraudulent applicants, there could be lost labor hours and many other shortcomings to be taken into account. Negative impacts that can be summed up in so-called three C's concept: communication, connection, culture [6]

COVID-19 is unlikely to end suddenly. It seems that sooner or later the world will get tired of sitting at home, people will want to return to offices, drink coffee together in the kitchen and enjoy office life. That's why organizations must plan for multiple scenarios. A right approach will greatly enhance the candidate-employer relationship and help redirect the COVID-19 recruitment strategy in the right direction [1]. We conclude that the nature of employment and recruitment has changed forever and when the recovery happens it will be in a very different world to the one we left behind as the new recruitment reality is being shaped. In order to be effective in this new world of recruitment Human Resources managers have to be aware of all the changes happening worldwide and build strong strategies for e-

recruitment. E-recruitment is more than just technology. It is about the use of e-tools in the recruitment system to effectively attract the right candidate, to make the selection process sound and credible and the tracking process being able to integrate with existing systems. But most significantly, it is about cultural change.

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МІНІСТЕРСТВО ОСВІТИ І НАУКИ УКРАЇНИ
ЛЬВІВСЬКИЙ НАЦІОНАЛЬНИЙ УНІВЕРСИТЕТ ІМЕНІ ІВАНА ФРАНКА
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