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**CONSTITUTIONAL LAW; MUNICIPAL LAW**

**HALUNKO V.V.,**  
Doctor of Law, Professor,  
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**PATRIOTIC WAR OF 2014-2015 YEARS OF THE UKRAINIAN PEOPLE**

The Patriotic War of Ukrainian people is a social and military movement Ukrainian people repel concerning all existing ideological and political and economic and military means of military aggression the Russian Federation against Ukraine. In the Patriotic War Ukrainian people, along with the Armed Forces of Ukraine and other military formations, taking tens of thousands of volunteers, thousands of volunteers, millions of citizens who transfer their funds for the war. On the temporarily occupied territories of Donetsk and Luhansk oblasts carry out armed resistance guerilla. The aim of the Ukrainian people in the war of liberation is the Ukrainian lands from Russian invaders, restoration of the territorial integrity of Ukraine and the possibility of Ukrainian people to choose their destiny: political, economic, defense and counteraction the ideology of “Russian peace”, which is not human and providing conditions for economic development, entrepreneurship, implementation management, especially anti-corruption reforms in Ukraine and upbringing the Russian people, instilling in them Western values that they could live in dignity in the European Community.

**HULAK O.V.,**  
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(*National University of Bioresources  
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**WAYS OF BUILDING EFFECTIVE STATE INSTITUTIONS:  
CHALLENGES OF OUR TIME**

The article analyzes the main components towards building effective public institutions; based on the works of Western scholars to optimize the system of public administration studied its components; formed and set out own views on the studied subject.

Every society has its own history of development, its own way of development. But any society seeking to construct a developed and strong state, formed ways of building effective public institutions in general for different communities are very similar. Therefore Ukraine has set clear vector of development aimed at fostering a priority sustainable democratic, social and legal values, including the values of the European Union, integration which is one of the key objectives for our country.

It was made a conclusion that some changes to optimize public management as the state in general and the construction of efficient and effective public institutions are seen possible primarily through the implementation of certain components, including:

- common (with maximum participation of society and scientific public) development and implementation of the new rules of coexistence, as embodied in the Constitution of Ukraine and laws and regulations in the normative legal acts;
- in the process of formatting updated in public institutions, attract a wide variety of resources, including human, material, information, expert recommendation, technological, etc., in order to ensure the most effective operation;
- delegation of authority to persons in their philosophical, intellectual and human qualities are able to exercise their functions with maximum efficiency for the state;
- providing organizational and legal capacity of society to control the decision-regulatory rules and their implementation.

**CIVIL LAW AND CIVIL PROCEDURE;  
FAMILY LAW; COMMERCIAL LAW**

**BOBRYK V.I.,**  
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Academy of Law Sciences of Ukraine)*

**MATERIAL DIFFERENTIATION OF CIVIL PROCEEDINGS:  
PROCEEDINGS CONCERNING THE RECOGNITION  
OF UNJUSTIFIED ASSETS AND RECLAMATION**

In the article the substantive and procedural nature of a new kind of action proceedings in the Civil Procedure of Ukraine – proceedings concerning the recognition of unjustified assets and their vindication. It determines the effect of this type of production in the industry further material differentiation of civil procedural law. We analyze the position of the legislator when adopting the relevant legislative changes. Disclosed basic procedural framework that the legislator should take into account the introduction of procedural control features of claim proceedings on the recognition of assets and their unjustified reclamation.

Procedural law also imposes on the Prosecutor procedural obligations regarding proof in this category of cases, providing that if the claim against the aforementioned persons, the prosecutor take measures to establish property in respect of which there is evidence that it is received or that person above it uses or disposes (disposed of) such person. It is observed that in the case of such property, are also binding claim against the entity, which is its owner (user).

Moreover, the new procedural mechanism provides and substantive grounds recognized in court Assets unfounded, namely the court finds unjustified assets if the court on the basis of the evidence not established that the assets or cash needed to purchase assets for which the submitted claim for recognition of their unfounded, were acquired lawfully.

Thus, the study of the legal nature of proceedings on recognition unjustified assets and their vindication leads to the conclusion that introduced in the civil procedural legislation of Ukraine the mechanism of confiscation of assets outside of criminal proceedings require more detailed procedural regulation, which is essential for building an effective mechanism of civil procedure regulation features action proceedings in cases of unjustified assets and recognition of their vindication. The introduction of such a mechanism and practice must promote industry-material differentiation civil procedural law and in other cases action proceedings civil proceedings.

**VOITENKO T.V.,**  
judge  
(*Podolsk district court of Kyiv*)

### **CHANGING GENDER AS GROUNDS FOR TERMINATION OF MARRIAGE**

The article discusses the question of the biological sex change of the individual as grounds for termination of the marriage.

The number of countries that have allowed same-sex marriages in the world increases annually. Problems caused by biological sex change and the increasing number of same-sex unions remain relevant also in Ukraine.

The aim of this article is to research problems of sex change as one of the grounds for termination of marriage.

Solving problems at the legislative level about termination of marriage when change sex by one of the spouses stays current. It is not found practical proof offered by the alleged need comparisons of sex change to social death of the person or the preservation of marriage between spouses when sex change one of them. It is given the fact that on the one hand, marriage can only be the union of a man and a woman, on the other hand, change of sex does not cease registered marriage under Article 104 of the Family Code of Ukraine believe that eliminate the conflict rules could, adding part 1 article 104 Family Code of Ukraine following grounds for termination of marriage as a sex change, so that it would have next content: «The marriage is terminated due to the death of a spouse, changes sex or declare him/her dead».

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**PECULIARITIES OF COLLATERAL PROPERTY  
RIGHTS ARISING FROM LEASE AGREEMENT**

The article is devoted to the issues of security of pawning property rights, which arise from the lease agreement. The possibility of using property rights, which arise from the lease legal relationships, as the pledge deposit is examined.

The question of the definition of legal nature of the collateral remains one of the most complicated problems of civil law. As to the possibility of certain types of collateral property rights arising from the lease, then the domestic science of civil law research in this area require deep analysis.

The aim of article is an analysis of issues of theoretical and practical, research of the problem of determining the security of property rights, the analysis of the basic theoretical concepts and laws of Ukraine to address this issue, disclosure of the legal nature of the collateral, which will contribute to the achievement of certain goals both scientific and practical.

Thus, analyzing some aspects of security of property rights arising from lease relations, conclude that this pledge is possible, although not expressly provided for national legislation. The development of modern civil turnover requires more detailed regulation of this type of mortgage property rights.

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**PROCEEDING ON PREPARATION OF A CIVIL CASE FOR CONSIDERATION  
BY COURT OF APPEAL AND COURT OF CASSATION**

The legal nature, content and peculiarities of civil cases preparation for trial court of appeal and court of cassation are researched. The ways of improving of legal regulation of the institutions are suggested.

The task of civil proceeding is fair, impartial and timely consideration and resolution of civil cases to protect violated, unrecognized or disputed rights, freedoms and interests of individuals, rights and interests of legal entities, state interests.

Thus preparation of civil cases for consideration of appeals and cassation courts as a legal activity that is defined by civil procedural rules system proceedings of the court, persons involved in the case and other stakeholders to prepare the case for trial at the stage of appeal and cassation proceedings is the key to rapid and effective review and resolve the case. For improvement training institute proceedings to review the appellate and cassation court should amend the civil procedure Law that regulates it.

It should be replaced the word "get" with words "opening appellate proceedings or decision by the Court of Appeal in connection with newly revealed circumstances or receiving the judge-rapporteur of the case, which is aimed at new appellate review" in the first sentence part 1, Article 301 CPC of Ukraine, in the part 2, Article 301 CPC of Ukraine after the words "the Code" complement with the words "with the exceptions and additions set this chapter", item 6 part 1, Article 301 CPC of Ukraine and part 4 Article 332 CPC of Ukraine need to be deleted.

**KOROED S.A.,**  
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**WAYS TO PROTECT CIVIL RIGHTS, CORRECT DEFINITION  
AND APPLICATION AS ONE OF THE TASKS OF CIVIL PROCEEDINGS**

In article it is explained that the professional and legal responsibilities of judges in civil proceedings, reduced to its passive role in the process, and do not meet the ethical foundations of the legal profession. It is provided with the criticism of procedural prohibition for the judge to change the incorrect way or to use the right way to redeem the violated rights on his own initiative as obstacles of accessibility to effective justice. It is argued the conclusion that it is the court, acting on behalf of the State, shall provide citizens with their right on an effective remedy and effective way of judicial protection. In this regard, the author of this model is supporting the following conduct by judges on the application of methods of protection of the violated right when courts will not be allowed to deny a claim based on a wrong way of remedy and will be allowed to ignore the wrong way of remedy chosen by the plaintiffs, and to solve the dispute on the basis of the general principles of protection of rights, freedoms and interests as defined by the Constitution of Ukraine, Convention for the Protection of human Rights and Fundamental freedoms.

Given the above, we believe that the intervention of the court in discretionary and competitive law the plaintiff would be socially equitable and necessary in rightly purposes and interests of the plaintiff's character, as referring to the court for judicial protection and with the aim to resolve the dispute, restoring a court their law or prompting the defendant to perform certain actions, the plaintiff, therefore, agree to a "service state" because the main task of the court is precisely the same legal dispute, resulting in a legal dispute is finally terminated either by proof of the parties certain legal or award compensation to the plaintiff or defendant in encouraging enforcement of the obligation in kind.

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**ESSENCE AND SIGNIFICANCE OF REVISION OF JUDGMENTS  
IN CONNECTION WITH NEWLYDISCOVERED CIRCUMSTANCES**

In the article the analysis of the questions, touching the judicial stage of revision of entering into legal force court decisions in connection with the reopened circumstances, are considered in the real article. In the article pay attention to the decision of concept “the reopened circumstances”, the list of court decisions, subject to the revision in connection with the reopened circumstances is determined, grounds and judicial order of such revision are analyzed.

The importance of theoretical study of civil procedural institute judicial review due to new circumstances predetermined legal practice needs and objectives of the legislation, namely the definition of effective mechanisms that would guarantee the abolition of illegal and unreasonable judgment in connection with the establishment of new circumstances; the need to develop legislation to amend the Civil Code of Ukraine, which made it impossible to cancel the judgment, which became final without good reason and so on.

Process order (procedural form) proceedings on new circumstances complying with modern standards for the protection of rights and legal interests of which are based on the rule of law. Access to justice at the stage of execution of judgments should be guaranteed the same level as in the stages that precede it.

Thus, the constitutional right to judicial protection is not subject to any restrictions, and the competence of the Court shall extend to all cases without exception on the protection of rights, freedoms and legal interests. Despite the large number of changes to the Civil Procedure Code of Ukraine, the Institute of review of judicial acts in connection with the new circumstances, still devoted only a few rules (Articles 361-366) regulating it only in general terms.

**CHERNENKO O.A.,**  
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**COMMUNAL ENTERPRISES LIKE BUSINESS ENTITIES  
IN THE BRANCH OF AMBER MINING**

According to item 3 part 1 Article 1 of the Law of Ukraine «On state regulation of mining, production and use of precious metals and precious stones and control over transactions with them» of 18 November 1997 № 637/97-VR amber (for raw materials, finished and rough) belongs to jewels organogenic. In addition, amber belongs to the mineral resources of national importance (List of minerals of national importance, approved by the Cabinet of Ministers of Ukraine Resolution of 12 December 1994 № 827).

The article is devoted to research problem issues related to the provisions of the draft law «On production and sale of amber» for the establishment of specialized utilities companies engaged in mining and sale of amber.

The aim of the article is an analysis of the legal status of communal enterprises in the mining and sale of amber according to the Law of Ukraine «On production and sale of amber».

It was concluded that legal form utility company cannot solve the existing problem of illegal mining, sale and processing of amber. It is needed to pay more attention to prospecting activity carried prospectors and prospecting gang in the fields of minerals nonindustrial meaning thereby regulate social relations in the sphere of production, use and sale of minerals nonindustrial value between public authorities and local governments with prospectors.

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### ACTUAL PROBLEMS OF THE ECONOMIC LAW

It is considered actual problems of commercial law in the article. It is made classification of economic relations. It is singled out two main areas of improvement of economic legislation.

Economic law relations is ideological relationship, resulting onset established legal facts and embodies the public interest. Economic law relations are a manifestation of economic relations in the legal plane and are the model behavior of individual economic relationship.

There are two main directions of improvement economic legislation:

1) improvement of norms of the EC of Ukraine by such ways:

- avoid unnecessary duplication in the EC of Ukraine the provisions of the Central Committee of Ukraine, unless it is caused by certain peculiarities of legal regulation of economic relations;
- expand the scope of legal regulation of economic relations norms EC of Ukraine (including through repossession norms "economic and legal direction" from the current CC of Ukraine and their inclusion in the EC of Ukraine) as an act of direct action, maximum possible reduction in the number of acts current legislation;

2) improving existing acts' norms of economic legislation by such ways:

- bring them into accordance with regulations of the EC of Ukraine;
- take account to its EC of Ukraine during development and adoption of new draft law.

**LABOR LAW; SOCIAL SECURITY LAW**

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**THE NATURE OF RELATIONSHIPS ON SOCIAL SECURITY BENEFITS  
FOR THE BIRTH AND UPBRINGING OF THE CHILD**

The paper studies the essence of the relations of social security benefits in connection with the birth and upbringing of the child. Given the position of scholars on this topic. Identified and discussed symptoms of subjective rights in legal social security benefits in connection with the birth and upbringing of the child.

In the literature on social security law common characteristic of relationships on social security as unilateral, i.e. as relationships in which one entity owned exclusively rights (this is called an authorized) and another (liabilities) – only responsibilities. However, others expressed views on the content of the legal characteristics regarding social security.

However, material and procedural legal relationships are in close connection, indicated as their contents. It is necessary, in particular, noted that in view of the fact that the application for a particular type of assistance in connection with the birth and upbringing of the child is an implementation of the existing subjective right to this type of support and at the same time legal fact which entails the emergence of a procedural relationship we consider the rights and duties of the subject the recipient to provide information proving entitlement to benefits as the content is not material and procedural legal relationship.

Consequently, considered a legal obligation in the legal sense on social security benefits for the birth and upbringing of the child. Obligations in legal entities on social security state itself (through social security) and the Fund. Therefore, speaking about the content of a legal obligation on social security legal assistance in connection with the birth and upbringing of the child, we are talking about the duty of these subjects.

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**HISTORICAL AND LEGAL ESSAY INVOLVING UKRAINIAN WOMEN IN SOCIALLY  
USEFUL WORK IN THE SECOND HALF OF XIX – EARLY XX CENTURY**

The changes of legislation and legal practice between the second part of the XIX century and the beginning of the XX century in relation to bringing in of women to publicly useful work and officially-labor activity as to the important factor of progress in achievement of equality of rights of women with men.

The situation of women in employment in the second half of the XIX century was directly related to the level of economic and political development of the country, with the changes taking place in the economic, administrative, legal and cultural spheres of the Russian Empire.

One of the main reasons that hindered the successful organization and development of women in types of work, was serfdom. Almost a third of the female population had no personal freedom and the right of full disposal of own money. The very employment for women has a different meaning. For women secured income, sewing classes, music, dancing and housekeeping were nothing more than entertainment. It was this work that they could leave at any time at will. For other similar classes were exhausting hard labor.

As events showed, the woman did not become fully free and equal. Her desire for independent status, freedom and equality led to the fact that women preferred factory work to housework. In relations wage legislation in the workplace autocracy was more conservative and discriminatory against women.

**ADMINISTRATIVE LAW AND PROCESS;  
FINANCE LAW; INFORMATION LAW**

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**ESSENCE MECHANISM TO ENSURE THE IMPLEMENTATION  
OF HUMAN RIGHTS AND FREEDOMS IN THE ADMINISTRATIVE  
AND JURISDICTIONAL ACTIVITY OF TRAFFIC POLICE**

In the article the problem of determination of the nature of the mechanism ensuring human rights and freedoms in the administrative and jurisdictional activities the State, examines components of this mechanism, we have the role and importance of such an institution as “legal activity” in its legal implementation.

The aim of the research work is to elucidate the nature, components of the mechanism ensuring human rights and freedoms in the administrative and jurisdictional activity of the State and its legal establishment stages of implementation.

The constituent elements of this mechanism we stand out: 1) the legal activity of participants of legal relations; 2) regulations implementing the mechanism of rights; 3) guarantees of human rights; 4) acts as a result of enforcement by public authorities.

It was determined that one element of ensuring the constitutional rights and freedoms of citizens in the administrative-jurisdictional activity is its legal regulation, which is the material basis of legal guarantees legality of this activity. In this case a special legal remedies (law and legal sanctions) to ensure compliance with the laws and departmental regulations stakeholders relations arising in the use of special forces, means and methods, as well as restoration of their violated rights.

The mechanism of protection of rights and freedoms in the administrative– jurisdictional activity of the State Ministry Ukraine goes through several stages of legal implementation. The first stage is defined by providing normative legal regulation of administrative– jurisdictional activity of SAI of the Ministry of Internal Affairs in Ukraine. The second stage concerns the actual process of implementation of legal rules governing the use of methods and means of administrative and jurisdictional activity of SAI of the Ministry of Internal Affairs in Ukraine, guaranteeing the legality of the implementation of its forms and methods. The third optional stage mechanism to ensure implementation of administrative and jurisdictional activity of SAI of the Ministry of Internal Affairs in Ukraine turns judiciary and other law appeal form by the performance of this government entity.

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**NOTION AND FEATURES OF ADMINISTRATIVE RULEMAKING  
DEPARTMENTAL IN MECHANISM OF IMPLEMENTATION LAW  
ENFORCEMENT FUNCTIONS OF STATE**

It is found out meaning of departmental administrative rulemaking in administrative and legal system providing of implementation the law enforcement functions of state. Its essence and key features are discovered. It is defined specificity of departmental normative legal acts which authorized to take different subjects of implementation enforcement functions of the state, including law enforcement authorities. It is suggested ways of improving the quality of departmental administrative rulemaking to implementation the mechanism of law enforcement functions of the state.

One of the main preconditions for effective implementation of the law enforcement function of state is developing an appropriate regulatory and law framework. Systematization of departmental normative legal acts, checking for compliance with the Constitution of Ukraine and laws of Ukraine, establishment of an effective system monitoring of mentioned acts become important. This will allow identifying and eliminating existing gaps, contradictions and conflicts in regulations timely. Introduction the only terminology used in the standard-setting process also becomes important.

It is made conclusion that today in Ukraine important meaning get departmental administrative rulemaking; clear definition of entities implement state law enforcement function with the right to participate in departmental rule-making process; determine the limits of their powers to adopt departmental regulations. Also special attention by all entities implement state law enforcement functions should be given to ensure the correct balance of legislative acts of departmental regulatory acts that will eliminate the negative tendencies that lead to contradictory national laws in administrative law in law enforcement sphere.

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Senior Lecturer of administrative  
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**LEGAL ANALYSIS OF SERVICE IN THE POLICE  
TO COMBINING AND COMBINATION WITH OTHER ACTIVITIES**

This article deals with the problems of service in the police in combination with other activities. Analyzed and defined the basic concepts related to part-time police office and made their interpretation. The author concludes, on the recognition of corruption actions not to pure research or teaching, if it is a source of legitimate and rationally reasoned by size of income has nothing to do with the selfish actions (inaction) of a person with direct discharge of her official is required bonds.

Social and economic and technological development of Ukraine at the present stage associated with addressing the problems of state building and strengthening the rule of law, intellectualization of society. The current legislative activities of the Verkhovna Rada of Ukraine have a rather stormy character. All laws especially those that limit human rights, stifle it behavior require deep sociological and legal analysis.

The aim of the article is realization of legal analysis of service in the police in combination with other activities and defines basic concepts about combining police official.

With the aim to make efficient use of time public officials legislature may provide for additional licensing arrangements (regulators) that regulate their participation in research and teaching activities are not the main job but not by recognizing these actions corruption and establishment of administrative responsibility only for the fact not in his or her leisure time. We must bear in mind that any restriction of human and civil rights must be not only legally justified but also socially justified and adequate.

Треба виходити з того, що будь-яке обмеження прав людини та громадянина повинне бути не тільки юридично обґрунтованим, а й соціально виправданим і адекватним.

**BOROVKOV R.O.,**Researcher of the Department  
of Constitutional, Administrative  
and Financial Law*(Open International University  
of Human Development "Ukraine")***THE ADMINISTRATIVE AND LEGAL REGULATION  
OF MOBILE COMMUNICATION**

The article that the administrative and legal regulation of mobile communications in Ukraine is focused on the impact of administrative law in order to ensure the rights of Ukrainian citizens to free, accessible and high quality mobile communications. Administrative and legal regulation carried special public administration, especially the National Commission for Communications Regulation of Ukraine with the help of law prescribed administrative means. It was revealed that the main administrative and legal arrangements legal regulation of mobile communications are supervision, licensing, defining the principles of interconnected telecommunications networks, regulation of tariffs, allocation of numbering resource; assignment, account number resource.

Rights mobile market made many fields of law: constitutional, administrative, civil, economic, environmental, financial and others. This list rules of administrative law belongs weighty role, because with their help made a special legal interaction between the public administration and users of radio frequency resource used for the needs of mobile communications.

Administrative and legal regulation of the mobile market by its legal nature is a form of legal regulation of telecommunications services, which in turn is a type of information together with the legal regulation of print media and legal regulation of electronic media (television and radio).

In our opinion, the right to a mobile telephone is a natural human right, and no one, including the state and the law can not prevent it. This is confirmed by the fundamental principle of the first in the telecommunications sector – consumer access to publicly available telecommunications services they need to meet their own needs, participation in political, economic and social life.

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**OPTIMIZATION OF ADMINISTRATIVE  
AND LEGAL MECHANISM TO EXPEL FOREIGNERS:  
PROBLEMS OF THEORY AND PRACTICE OF ADMINISTRATIVE JURISDICTION**

Examines the legal grounds and procedures for forced expulsion of foreigners from Ukraine. Found that forcible removal defined view of administrative penalty for committing an administrative offense, but applied by the Administrative Court in the order of another jurisdiction and has the status of an administrative penalty. The conclusion about the need for procedural assignment of cases to deport aliens to the general jurisdiction of the local courts in order administrative tort production, with fixing specific administrative violations (which would provide for sanctions expulsion of an alien from Ukraine), for which fulfillment of Foreigners shall prepare a protocol administrative offense and brought before the local courts is common as cases of administrative offenses, with the provision of such aliens trespassing all the rights and guarantees of the person brought to administrative responsibility.

Thus, judging from the content of art. 24 of the Code of Ukraine on Administrative Offenses, expulsion of aliens is a type of administrative punishment for an administrative offense and shall be applied by drawing on this alien authorized officials of the protocol on administrative offense and its referral to the authority of administrative tort jurisdiction authorized to consider on the merits of appropriate administrative offenses and impose administrative penalties that apply in administrative tort procedure in accordance with the rules of the Code of Ukraine on Administrative Offences.

Our conclusion is confirmed by the draft Code of Ukraine on administrative offenses, prepared by a working group at the Supreme Court of Ukraine, which deported administratively as a form of administrative punishment devoted to art. 41, according to which the administrative expulsion of foreigners and stateless persons outside Ukraine is deprived of the right to stay in Ukraine for the resolution of the authorized body and are required to leave its borders. Foreigners and stateless persons who avoid starting to be expelled by force.

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### LUSTRATION AS A TOOL OF PERSONNEL POLICY

The article studies the lustration as a means to implement personnel policies. The necessity of constant improvement of professionalism of human resources. Consider new approaches to implement the formation and implementation of personnel policies Ukrainian government, the so-called selection civil servants. There was paid attention to the negative side of lustration.

Significant role of crisis that occurred in our country, plays a weakness of modern management system. Most of the measures should apply to the formation of an effective state personnel policy. It is attributed to the following factors: the quantity and quality costs of human resources, low level of professionalism, high turnover of public service, irresponsibility, corruption, low level of general culture, lack of patriotism.

State personnel policies and multifaceted activity of its implementation is a social regulatory process, deliberate and highly organized instrument of power, one of the administrative levers. Patriotic personnel policy objectives is to build generating professionally trained, highly moral and honest public servants. The Constitution of Ukraine, the Law of Ukraine "On civil service", decrees of the President of Ukraine on issues of staff management and development of civil service regulations and orders of the Cabinet of Ministers of Ukraine significantly strengthened the legal framework of personnel policy.

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## **OBJECT OF ADMINISTRATIVE AND LEGAL JUDICIAL APPOINTMENTS**

The article proved that firstly appointment of judges in Ukraine as an object of administrative and legal regulation this right citizens defining Constitution of Ukraine of who have a law degree and meet other qualifying conditions to appointed a judge. Secondly appointment of judges in Ukraine as the object of administrative and legal regulation of a system of stages, phases and activities of special public administration on the selection, training, inspection capacity to administer justice and formal legalization of candidates by President of Ukraine.

One of the successful conditions for the establishment and development of Ukraine as a legal, democratic and European state is to improve and reform the legal system and mechanism of the state, the further development of economic, political systems, and to ensure law and order at a much higher level that is expected and required today from the state civil society.

One of the keys to ensuring law and order in society is the effective work of the judiciary, as there is virtually no scope, which would not affect the activities of the court. Activity court extends to all legal in the country and must guarantee the reality of the rights and freedoms of man and citizen, to ensure efficient operation of all other branches of government. This is the strategic role of the judiciary.

Thus, the appointment of judges in Ukraine as an object of administrative and legal regulation – is the Constitution of Ukraine the right of citizens of Ukraine who have a law degree and meet other eligibility conditions, to be appointed judges, and the system of stages, phases and activities of special public administration ( High Qualification Commission of Judges of Ukraine, the High Council of Justice, the National School of Judges of Ukraine) on the selection, training and inspection capacity to administer justice and formal legalization of candidates the President of Ukraine.

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