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Amelicheva L. P., Melnikov N. V. *Legal regulation of justified salary in light of the concept of decent work. – P. 3.*

The role and place of the decent work conception as a global aim and priority at the contemporary paradigm in the science of labour law, and also situation with actual legal problems of remuneration of labor are analysed in the article.

The authors analysed the terminological differences between «on remuneration of labor» and «salary» based on the monographic research. It also defines the main features of justified salary and how to realize the rights on justified salary in Ukraine.

This article is also devoted to clarification of the scope of rights on justified salary.

The author argues that rights on justified salary are related to social economy rights, belonged to every people, who through his labor must receive ample resources for ensuring honorable living standard for himself and other family's members. Notwithstanding an employer, an employee and, in general, the society are interested in justified salary receiving.

Antoniuk O. I. *Terms of legal interference with property due to the public interest, which can lead to right to protection in case of breach. – P. 10.*

The author examines the conditions of lawful state interference in property rights with the aim of meeting the needs of society.

Such conditions included a legitimate objective of interference, namely, meeting the interest of community, compliance with equitable balance between the means, which were carried out, and the aim of the interference, correspondence to the Law. The author offers to refer first and second terms to formulation of general principles of civil law on the inadmissibility of deprivation of property rights.

Interference for the convenience of public interest covers achievement of economically, politically, socially and technologically relevant purposes of the society, including the strengthening of social justice by dint of mandatory transfer of property from one individual to another.

The proportionality of the legitimate aim of the interference and selected means will be abided in case of exceptional necessity, effectiveness and adequacy of the interference. Violation of the terms of the legitimacy of the objective and proportionality of means of interference, even if grounds for interference are enshrined in law, generates a right to protection.

Buga G. S. *General provisions on compulsory insurance of civil liability of vehicle owners. – P. 19.*

The notion of compulsory insurance of civil liability of vehicle owners. Today, most car owners liability insurance is an important tool to protect against any risks associated with the use of the vehicle. Here and there is a need to introduce legal mechanisms, one of which is the insurance of civil liability of owners of vehicles. In this context, analyzing the current legislation, it is necessary that compulsory insurance of civil liability of vehicle owners – a protection mechanism implemented to ensure compensation for damage caused to life, health, property of people injured as a result road accidents. Insurance of civil liability of owners of vehicles are common in the world of socially relevant type of insurance. Compulsory insurance of civil liability is to ensure compensation for damage caused to life, health and / or property of victims of the accident and protect the property interests of policyholders. The problems arising from the application of compulsory insurance of civil liability of vehicle owners is the lack of confidence in the insurer, the insurance company no liability for failure to perform its obligations, the insufficient level of explanatory and information work and insurance culture. So, having considered the issue of features insurance of civil liability of owners of vehicles in Ukraine, can come to the conclusion that Ukraine held a job in the direction of development and formation characteristics of insurance of civil liability of owners of vehicles, such as – yet 01 July 2004 adopted a special Law of Ukraine «On compulsory insurance of civil liability of vehicle owners» who is and regulates this type of insurance. However, in our view, there are a lot of problems in this area, and which do not provide insurance in Ukraine to draw near to the European standards of insurance. Thus, this study demonstrates the need for further development in the field of compulsory insurance of civil liability of owners of vehicles, due to the rapid development of the national economy, and is one of the ways to integrate our country into the European automobile traffic.

Mikhaylina T. *Steady economic development as a one of prerequisites for sense of justice increase. – P. 24.*

In terms of modern legal and economic doctrine the approach towards the priority of economic processes in relation to legal ones is considered dominating. But, representing dialectical links between these two fundamental subsystems of the system of society, the law carries out a reverse regulatory impact on economic relations. Sense of justice can be considered one of the most characteristic elements of the legal system, through which its interrelation with other subsystems, including the economic one, is possible.

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Interrelation of the low level of citizens' sense of justice with the ineffective functioning of other aspects of the society system is most vividly realized in the field of economy. Steady economic development is impossible without using a set of adequate and carefully thought out events of legal influence, which, in their turn, are impracticable without the general increase of sense of justice level of population that is oriented to the group of actually legal, economic, organizational, social, political and other events.

Turchenko O., Ovcharova A. *«Security» as an interdisciplinary category.* – P. 30.

Under the conditions of globalization processes, the changes in the international system, as well as in nature of threats, the modern system of general, national security is also being transformed. Security space is transformed from a primarily military in the «complex», which includes elements from the neighboring subject areas of world interaction. In this connection there is an expansion of security space and alignment of priorities in different areas of the so-called «general security».

In the article it is grounded, that consideration of security through the prism of analysis of its separate elements with next extrapolation on all of the system uncorrectly. Accordingly, except for the guided, organizational processes (ideology, strategy, tactic, technologies of safety) a necessity is research and such processes as formation of structures, chaos, order. In the article has been analyzed the narrow and wide going is considered near the study of security, different methods of research of the system of security; it is based the necessity of application of system methodology, methodologies of system researches; has been analyzed the narrow and wide going is considered near the study of security as an interdisciplinary category.

Zaharchenko A. M. *System of management subjects by the objects of state domain : the state and basic directions of improvement.* – P. 40.

The thesis researches the modern state of systems of subjects, that carry out the management of state domain objects in Ukraine.

Taking into account the maintenance and the range of plenary powers of the marked subjects, seven links are conditionally distinguished in this system: 1) the Cabinet of Ministers of Ukraine; 2) the Ministry of economic development and trade of Ukraine; 3) the Ministry of finance of Ukraine; 4) State property fund of Ukraine; 5) other public authorities; 6) the National academy of sciences of Ukraine, branch academies of sciences; 7) state economic organizations. The main role of each of these links in the system of subjects of management of state domain objects is described.

Factors that prevent to the effective functioning of the marked system are educed. Basic models according to that the systems of subjects of management of state domain objects are formed in other countries (decentralizing model, double model, centralizing model) have been considered. The great attention on positive experience of foreign countries in relation to the process of creation and functioning of state managing holding companies had been accented.

On the basis of undertaken research the core directions of improvement of control system by the objects of state domain reasonable in Ukraine had been made, offers bringing the corresponding changes to the normatively-legal acts were given.

Koval I. F. *About participating of higher educational institutions in innovative relations. – P. 59.*

In the article a study of problem questions of participation of higher educational institutions is undertaken in innovative relations. It is set that participating of higher educational institutions in innovative processes by commercialization of intellectual ownership rights embraces the complex of facilities of legal, economic, technical, organizational character, that are incorporated by a general orientation on providing of the legitimate and unimpeded involving of these rights in innovative activity. It is reasonable, that legislative settlement the questions of legal form and order of bringing need by higher educational institutions of intellectual ownership rights in the charter capital of innovative structures; financing and organizing of activity of transfertechnological centers in composition higher educational institutions. It is noted that an important role in the implementation of intellectual property rights relies directly on these institutions, which should become full participants in the national innovation system of the country with private participation strategy in innovative ways. The elements of innovation management, that must accompany the process of commercialization of intellectual property, are: valuation of intellectual property rights, their economic and financial mapping; the implementation of the economic audit; definition of legal protection forms of intellectual results, including the procedures of national, international or foreign patent, searching for licensees, negotiating licensing agreements and monitoring of their implementation; marketing.

Pavlyuchenko Y., Ibragimova N. *Vicarious liability holding company for obligations of corporate enterprises. – P. 66.*

The article analyzes the reasons and conditions of vicarious liability for the obligations of the holding company of the corporate enterprises. The study is based on the analysis of general theoretical understanding of vicarious liability and its features in combination with the analysis of the norms of the Commercial Code of Ukraine regarding the establishment of a holding company subsidiary liability for obligations of corporate enterprises and their application. The study analyzes the

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international experience of establishing the responsibility of the parent company for the obligations of its subsidiaries on the basis of «lifting the corporate veil», which is taken into account when drawing conclusions. It noted the need to expand the grounds of vicarious liability of the holding company by the inclusion of non-performance or improper performance of the corporate enterprise business obligation or breach of the rules of economic activity. In the study of the conditions of vicarious liability holding company paid attention to the analysis of the concept of abuse of rights. On this basis, it proposed as a condition of vicarious liability for the obligations of the holding company of the corporate enterprise abuse by this company the right to manage such an enterprise.

The study findings are formulated with respect to the bases and conditions of vicarious liability for the obligations of the holding company of the corporate enterprises are prompted to enter the subsidiary liability of the holding company.

Scherbakova N. V. *Directions of improvement of legislation on questions of combination corporation reorganization of legal entities.* – P. 75.

In the article a study is undertaken on questions of application of new models of corporation reorganization procedures. It is set that fixing at legislative level of realization of combination corporation reorganization will allow to optimize system of functioning and management an enterprise, to pass assets from one managing subject to other, minimizing to labour, financial, tax resources.

The input of procedure of realization of combination corporation reorganization is reasonable with simultaneous application of its different forms (consolidation, merger, division, acquisition, change in form – change from one type of company to another) and at participation of legal entities of different legal forms.

In addition, it is necessary to revise the possible models of change in form of legal entities of different legal forms, taking into account legislative limitations, foreseen by Ukrainian Law about joint-stock companies, Civil and Commercial Codes and to co-ordinate applications of combination reorganization with the proper possible charts; to eliminate norms which forbid joint-stock companies to conduct reorganization with other types of enterprise legal entities.

Garadjaev D. Y. *On the Amendment of the Constitution: the Experience of the Republic of Azerbaijan.* – P. 84.

The article covers the history of constitutional development of the Azerbaijan Republic (both the historical facts of the development and formation of the Azerbaijani nation and the constitutional acts that were passed during nearly a century) and describes the current Constitution (1995) in terms of modifications and supplements. Because of the constitutional reform in Ukraine this experience may be of interest to those scientists, that researches this problem.

The Constitution of Azerbaijan meets all of the characteristics of the modern Basic Laws. Special attention is given to the mechanism of amendments and additions to the text (Chapter XI «Amendments to the Constitution of the Republic of Azerbaijan» and Chapter XII «Amendment to the Constitution of the Republic of Azerbaijan»).

The Constitutional Court of Azerbaijan Republic has the important role in the process of changing the text of the Basic Law of Azerbaijan Republic. Thus, if the changes were proposed by the Parliament (MilliMajlis of Azerbaijan Republic) or of the President of Azerbaijan Republic, their further consideration to be accompanied by a positive decision of the Constitutional Court of Azerbaijan Republic. At the same time, the Constitutional Court of Azerbaijan Republic is limited in its powers - namely, he «can not decide on changes to the text of the Constitution of Azerbaijan Republic adopted by referendum» (art. 154).

Martynyuk O. V. *Murder as a crime against a woman's life according to Lithuanian Statute. – P. 91.*

In the paper the institution of murder as a crime against a woman's life in three editions of Lithuanian Statute is considered. The attention is focused on basic concepts and legal structures of criminal law of that time, as well as factors that affect the degree of criminal punishment. The «golovnystvo» («holovschyna») is analyzed as a special legal institution of punishment system in Lithuanian Statute.

The author has concluded that the law of the Lithuanian-Russian State and the Polish-Lithuanian Commonwealth recognized the woman's priority in protecting her personality from criminal attacks. The size of the monetary penalty in favor of a woman had been affected by social, religious, and in some cases the victim's family status. The Statute protected the individual rights of women of all social classes. In the investigated period has being continued to approve the respect for girls, women and mothers and, destination of double size of holovschyna reflected, first of all, humanistic views of legislators at a fairly high position of women not only in the family but also in society.

Movchan R. A. *Criminal legal protection of land resources in the Ukraine during the soviet period. – P. 99.*

The article is devoted to the study and identification of the specific tendencies of the land resources penal protection in Ukraine in soviet period. The features of the regulation of responsibility for crimes in the sphere of land relations under the Criminal Code of the Ukrainian SSR of 1922, 1927 and 1960 as well as others uncodified sources of criminal law are consistently analyzed. The impact of the state-creative processes on the state of criminal protection of land resources and the dependence of the last one on the development of land relations is clarified. An

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author's interpretation and views on the rules of qualification of main types of land crimes under the sources of criminal law are produced.

On the basis of the relevant prescripts of the legislation analysis it is stated that the nature and content of the regulation of responsibility for crimes in the sphere of land relations were largely conditioned by the state monopoly on land which preceded the establishment of the elimination of all forms of ownership of land, except for the state ones. The author also grounds the idea that this circumstance has led to the fact that the criminal law that operated in Ukraine at that historic period all the land crimes attributed to land attacks against public order. It is also noted that all sources of soviet criminal law rather little attention paid to the issue of liability for damage (pollution) and wasteful use of lands what author accounts for the predatory relation of the state to the ground.

Novoshytska V. *To the question of using such terms as «compensations for loss» and «loss recovery» in the ordinary course of business. – P. 108.*

This article is devoted to researching and developing propositions concerning applying of such legal terms as «compensations for loss» and «loss recovery» in the ordinary course of business. Legal notion each of them was examined likewise as their application was. It was noted that judicial application practice of these concepts shows their identical treatment. Attention was drawn on fact that in legislation both terms «compensations for damages and loss» and «loss recovery» are mentioned without giving definition.

It was substantiated that «compensations for loss» is a way of voluntary compensation for loss by guilty party towards an injured party without the last one recourse to legal proceedings. The Article clarifies that sphere of use for «loss recovery» is an application of economic liability by enforcement proceedings, in case of voluntary compensation failure by guilty party, so injured entity has to seek legal redress. Thus «loss recovery» becomes measurement of responsibility. Also «loss recovery» is used with respect to authorized person (injured party) in favor of which «loss recovery» is made. Furthermore, the concept of «loss recovery», is used at the stage of enforcement proceedings, where after the adoption of certain decisions by the court, executive service provides loss recovery while the relevant party is called recoverer.

Based on the results of the study prepared proposals on changes to the Commercial Code of Ukraine.

Trehub O. A. *The organizational legal maintenance of waste management by the local government authorities. – P. 113.*

The present paper examines the problem of functional activity of local government authorities in sphere of waste management that is realized by means of

powers and attribution of such bodies. The main aim of this paper is to ground the directions for improvement of organizational legal maintenance of waste management by the local government authorities. Special attention is given to the pre-conditions for improvement of given maintenance, namely beginning the processes of cooperation and consolidation of territorial communities. It is grounded two main directions for improvement of organizational legal maintenance of waste management by the local government authorities. The first direction concerns reapportioning powers in sphere of waste management between local government authorities and local state administrations. It is concluded that major part of powers of local state administrations need to be deputed to the system of local government authorities. The second direction contemplates delineating the powers in sphere of waste management inside the system of local government authorities. Initially it is necessary to identify the level (basic, district or regional), at which exercising some powers will have the greatest social effect. The following action is to establish the competent body (council or its executive board) at one of named levels.

Bobkova A. G. *Training of specialists on the educational and academic, academic levels of higher legal education.* – P. 121.

The paper conducts an analysis of the effective and draft legislation on the training of highly qualified personnel in higher education. It is focused on such issues need to be determined as: coordination of academic research in the sphere of legal enforcement of the economy and social development; state order for priority legal research; establishment of special bodies for monitoring and implementation of legal research in law-making practices etc.

The proposals concerning preparation the applicants for higher education, doctor of philosophy degree, training of doctoral candidates in the educational and academic level of higher education, formation of the specialized academic councils' personnel are substantiated.

Serebryakova Y. A. *Regarding the experience of teaching the discipline «Rent property in the field of management».* – P. 125.

The features of teaching the discipline «Rent property in the field of management», defines the purpose and result of teaching.

Named subject discipline «Rent property in the field of management» and the content of each theme. Noted the inadmissibility of the amendment of this sequence of study of the discipline. The attention is focused on active and interactive methods of conducting lectures and practical classes on discipline «Rent property in the field of management» and clarifies the specifics of their use with students-jurists. It was noted that an effective means of revitalizing the study of the discipline is the use of this method of learning as a business game, the stages of training using the above

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learning method. Described the procedure of conducting classroom-based practical exercises.

The kinds of independent work of students at studying the discipline «Rent property in the field of management», and examples of practical and creative tasks for independent work of students.