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The Peculiarities of the Definitions «an Official», «an Officer», «a Representative of Power» Understanding and their Importance in the Legal Regulation of the Penitentiary Legal Relationships

After gaining independence, Ukraine took the course to update the law in all spheres. One of the areas of normative work is the introduction of new terminology, scientific substantiation of terms and definitions that appear in certain Law Drafts. Such definitions and terms provide an opportunity to understand the ideas of the legislator and realize them in the sphere of Law; they also help to adhere to the requirements of Law, to implement the rights, freedoms and duties of citizens in their full sense. The definitions «an Official», «an Officer», «a Representative of Power» took one of the most important places in the spheres of state management, criminal law, criminal proceedings and other branches of law and legislation.

These definitions must be fully implemented into the preparation of normative acts which are connected with the state service, regulations of the law enforcement agencies' activities. They also must determine the responsibility of persons of certain positions in the system of the state apparatus before the Law.

The authors determined that the legal science has developed many approaches to the definition of «an Official». It happened due to the versatility of the scientific positions of contemporary authors and a

plurality of selected methodological approaches. It is noted that these terms are not sufficiently defined in the legislation, especially in the regulation of criminal-executive service that negatively affects on the determination of the legal status of employees of the system. That is why the authors proposed their own ways to overcome these gaps.

It was established that in accordance with the current legislation in our country a special kind of officials who are the representatives of power, including, in particular, employees of state bodies and bodies empowered within their jurisdiction to present claims and to make decisions binding on natural and legal persons irrespective of their departmental affiliation or subordination must be created.

Keywords: state service; penitentiary service; an official; an officer; a representative of power.