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## **Forms of Implementation of the Powers of Local Self-Government Bodies and Ways of their Reform in Ukraine**

*This article is devoted to determining the forms of implementation of the powers of local self-government bodies in Ukraine. The article defines the legislative acts regulating the exercise of powers by local self-government bodies and outlines the most important forms of realization of the powers of local self-government bodies in modern Ukraine. The forms of realization of deputies functions are indicated.*

*The description of the implementation of power in the legal, organizational, legal and organizational frameworks is given. The paper analyzes the process of holding plenary meetings of councils, the form of the work of executive committees of councils.*

*The article contains a description of the work of standing commissions. The article defines the forms of work of officials of local self-government. The article contains, legally defined, a description of the forms of work of deputies of the councils. The normative legal acts regulating the activities of the secretariat of the local self-government body are determined.*

*The function of the state is to develop a strategy for the development of local self-government at the basic level with the aim of gradually increasing administrative and financial autonomy, increasing their competence and authority, as well as accumulation of organizational and financial resources for their implementation.*

*The circle of rights assigned to the territorial community, its direct participation in social and political life, control over local self-government bodies and limitation of such control are defined. The information on formation of elective bodies of local self-government (rural, urban, district in cities, district councils) is indicated.*

*The problems of full control of the community by the activities of local authorities and officials were identified.*

*The internal organizational form of work, aimed at ensuring the activity of the councils, their normal functioning is described. The problems of legislative consolidation of forms of realization of powers of local self-government bodies are determined, and the improvement of the said regulation is proposed.*

**Keywords:** Bodies of local self-government; powers of local self-government bodies; forms of realization of powers of local self-government bodies.

**Formulation of the problem.** To date, the implementation of local authorities by its authorities directly depends on the development of a democratic society in the country, and, through the forms of such powers, it is possible to determine how well the local self-government bodies in Ukraine are working. Different scholars in the field of constitutional law gives author classifications of the forms of implementation of their powers by local self-government bodies, as well as distinguish deficiencies and advantages. The actual state of implementation by local governments in Ukraine of its powers is not ideal and needs reforms.

The analysis of recent research in the field of the implementation of the powers of local self-government bodies in Ukraine provide: T. Andrievsky, V. Aver'yanov, M. Baimuratov, Y. Barabash, V. Barsky, O. Batanov, S. Bobrovnik, M. Burinskiene, L. Duguit, V. Fedorenko, O. Fritsky, V. Gorshenov, V. Hoffmann-Martinot, D. Ivanov, S. Kabishev, B. Kalinovsky, V. Kampo, V. Kolisnyk, A. Kolodiy, M. Kornienko, I. Kozyrev, M. Kozyubra, V. Kravchenko, P. Lyubchenko, V. Mamonov, GR Martin, T. Maslovskaya, M. Orzich, M. Pittsyk, V. Pogorilko, P. Pokataev, V. Prieshkina, M. Puhtinsky, A. Selivanov, S. Seregin, S. Seryogina, V. Seryogin, V. Shapoval, K. Shugrin M. Sidorchuk, O. Sinkevich, J. Smith, I. Storozhuk, Yu. Tikhomirov, Yu. Todyk, S. Ukhina, MA Vasil'ev, MP Voronov, G. Zadorozhnyya and others.

The activities of local self-government bodies concerning direct, operational and day-to-day management of economic and socio-cultural life take place in certain forms, which are directly related to the content of the powers of the respective bodies.

Definition of the form of activity of local self-government bodies is a set of ways to implement their competencies, which are carried out with the help of statutory, other regulatory acts, as well as the practice of councils, actions of these bodies, officials and deputies.

Usually, the exercise of authority is carried out in certain legal, organizational, legal and organizational frameworks (council sessions, meetings of executive committees, work of standing commissions, local self-government officials, work of deputies, etc.

Under the forms of activities representative bodies of local self-government are the basic, independent, specific, carried out within the framework of certain legal, organizational and legal and organizational frameworks of the councils, their bodies, officials and

deputies, through which the competence of local councils and their bodies is realized.

Analysis of the Articles of the Law «On Local Self-Government of Ukraine», which relate to the forms of activity of representative bodies of local self-government, allows us to conclude that their tasks and functions are carried out in legal, organizational and material-technical forms [1].

The legal form of the activity of local councils is manifested in the implementation of the powers of these bodies related to the rule-making and law enforcement activities of representative, executive and their officials, aimed at regulating legal relations.

The organizational form of activity, unlike the legal, does not provide for legal consequences and does not directly form legal relations. The actions that make up its content ensure the fulfillment of the tasks, functions and powers of the councils through the use of specific organizational forms not necessarily enshrined in the law.

The main place in this series is organizational and legal forms, directly enshrined in the Law. These forms include:

- sessions of councils of local self-government as the main organizational and legal form of their activity;
- meeting of executive committees of councils, standing commissions;
- work of deputies throughout the territory of the respective territorial community;
- organization and holding of local referendums, general meetings of citizens;
- local initiatives of members of a territorial community; public hearing.

Depending on the orientation and purpose, organizational forms of council activities are divided into general and specific institutions.

The general forms include the internal-organizational and organizational work of councils, their bodies and deputies [2].

The internal organizational form of work is aimed at ensuring the activity of the councils, their normal functioning. The content of this form consists in the preparation of sessions, meetings of executive committees, standing commissions, and the activities of deputies among the population. In-house organizational work is also needed in solving the issues of forming councils, improving the internal structure, the staff of the council. It is implemented by all bodies of

the council, but more in relation to the activities of the executive committee and the village or city mayor.

An important means of ensuring the leadership of the subordinate councils of enterprises, organizations and institutions is the organizational work of the councils, aimed at implementing their decisions in all spheres of economic, social and cultural construction management in their territory. An important role in implementing this form of work is played by the executive council of councils, which is called to implement acts of council.

Unlike internal-organizational, organizational work is less regulated by procedural and procedural rules. The experience of deputies, which is acquired on the basis of professional knowledge, practical skills, organizational skills, as well as concrete and substantiated measures being developed and implemented, is of particular importance in it [3].

If internal-organizational activity is more of a matter for the executive branch of the council, then the organizational work is inherent in both the council, its other bodies, the chairman and the deputies.

General organizational forms of activity of councils are realized with the help of concrete forms of work. The latter, in turn, depending on their role and importance in the leadership that the council carries out, can be divided into main and auxiliary ones.

The main organizational forms of the council's activity are direct organizational work of the chairman of the council, the executive committee and its bodies, standing commissions, the activities of deputies and the population in the bodies of its self-organization.

For the implementation of the preparatory work, verification of implementation and control by the council, they use the auxiliary forms of organizational activity, which include, in particular: the activities of the preparatory committees and working groups of the standing commissions; conducting production and operational meetings; seminars and conferences, etc. Depending on the range of bodies and persons engaged in organizational activities, distinguish its collegial and individual forms [2].

The first ones, in particular, include a session or a meeting and so on. Others include the individual work of deputies among the population, and others.

Depending on cases considered by the council and its bodies, distinguish organizational forms that are used for consideration of

general issues (session, meeting of executive committees, standing commissions) and special (work of departments of executive committees) competence.

The material and technical form of the activity of the councils has no legal and organizational character. It comes down to the provision of auxiliary measures (compilation of reports, case management, etc.).

The methods of council activity are means that are used within certain forms in order to exercise their powers.

The methods of activity of councils are distinguished by legal and organizational.

Legal method - this is a means of the adoption of councils and their bodies of relevant regulatory acts.

Organizational methods are means of achieving a certain goal within the appropriate forms of organizational activity.

There are also organizational and legal methods that are enshrined in the relevant regulations (for example, methods of organizing and checking execution, information provision for the work of the board, etc.).

Organizational methods depending on the orientation and purpose of the councils are divided into general and derivative from them, or specific.

The first ones, in particular, include direct management and coordination methods [3].

General methods are implemented based on the application of special methods, which in turn, depending on their role and importance in the process of implementation of the councils of leadership are divided into the main and auxiliary. Taken together, they constitute a system of organizational methods of councils.

Among the main methods of organizational activity, the most common are organizational planning of councils, forecasting, instruction, control.

Along with the main distinguished group of subsidiary methods of organizational activities of representative bodies of local self-government, which, in particular, include: providing assistance to the relevant authorities; ensuring timely performance of tasks; promotion of appropriate measures, etc.

Reforming local self-government at the basic level (rural and urban), in order to expand their competencies, powers, and means of their implementation, requires centralized government support [2].

Given the underdevelopment of civil society, the insufficient level of political culture, and the peculiarities of the political and cultural traditions of Ukraine, the initiative and control over the process of reforming the system of local self-government should be carried out by the central authorities. In particular, the state should develop a strategy for the development of local self-government at the basic level with a view to gradually increasing administrative and financial autonomy, increasing their competence and authority, as well as accumulation of organizational and financial resources for their implementation.

Despite the wide range of rights enshrined in the territorial community, its direct participation in the social and political life, the control over local self-government bodies is limited mainly to election functions: the formation of elective bodies of local self-government (rural, urban, district in cities, district, regional glad); election of elected officials of local self-government (village, settlement, city mayor). However, the elections do not guarantee the full control of the community for the activities of local authorities and officials.

Moreover, some cities specify the most important problems of local importance, defining the issue of housing and communal services and the local budget for consideration at public hearings. The issue of housing and communal services is mainly a question of obtaining quality services by citizens [4].

As the problems of control over their quality are the main concern of consumers, it would be expedient to introduce public control in the statutes of all territorial communities. Moreover, this norm must be made universal, that is, it should apply not only to the sphere of housing and communal services, but also to the whole range of services provided to the community.

The revision and such a rule as the procedure for taking into account the decisions of public hearings is needed. Usually decisions of public hearings are considered at the meeting of the executive committee of the city or regional council or at the session of the relevant council [5].

There remains an open question about the efficiency of state control in the field of local self-government. Scientists propose to

evaluate the effectiveness of control in the system of local self-government on the following indicators:

- a) a real and socially useful management goal;
- b) costs of resources and managerial energy;
- c) the timeframe for achieving the goal;
- d) the circumstances of the internal and external nature.

In modern conditions, the main direction of further improvement of these forms and methods of councils is the direct agreement of them with the specific tasks of these bodies in all spheres of activity of representative bodies of local self-government in Ukraine [6].

**Conclusions.** Having considered the forms of exercising powers by local authorities in Ukraine, it should be noted that some of them are more in theory than in practice, since not every citizen of Ukraine knows exactly how he can use public power. In fact, in practically all forms of exercising the powers of local self-government bodies, an ordinary citizen participates, who is not an official of a local government body. Moreover, not every citizen knows that he can control the exercise of power by local authorities through public control and other means. Such conclusions indicate that the level of democratization of society in Ukraine is not at the highest level and needs to be reformed.

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### **Форми реалізації повноважень органів місцевого самоврядування та шляхи їх реформування в Україні**

Визначено форми здійснення повноважень органів місцевого самоврядування в Україні. Проаналізовано законодавчі акти, які регулюють реалізацію повноважень органами місцевого самоврядування, й окреслено найважливіші їхні форми в сучасній Україні. Висвітлено форми реалізації депутатських функцій.

Наведено характеристику здійснення влади в правових та організаційних межах. Висвітлено процес проведення пленарних засідань рад, форми роботи їхніх виконавчих комітетів.

Досліджено роботу постійних комісій. Визначено форми діяльності посадових осіб місцевого самоврядування. Проаналізовано нормативно-правові акти, що регулюють діяльність секретаріату органу місцевого самоврядування.

Розглянуто функцію держави щодо розроблення стратегії розвитку місцевого самоврядування на базовому рівні з метою поступового розширення адміністративної і фінансової автономії та меж компетенції, підвищення їх авторитету, а також накопичення організаційних і фінансових ресурсів для їх реалізації.

Окреслено коло прав, закріплених за територіальною громадою, її безпосередню участь у соціальному та політичному житті, контроль за органами місцевого самоврядування й

обмеження такого контролю. Зазначено інформацію про утворення виборних органів місцевого самоврядування (сільські, міські, районні в містах, районні ради).

Висвітлено проблеми повного контролю громади за діяльністю місцевих органів влади та посадових осіб.

Схарактеризовано внутрішню організаційну форму роботи, спрямовану на забезпечення діяльності рад, їх нормального функціонування. З'ясовано проблеми законодавчого закріплення форм реалізації повноважень органів місцевого самоврядування, окреслено шляхи вдосконалення зазначеного регулювання.

**Ключові слова:** органи місцевого самоврядування; повноваження органів місцевого самоврядування; форми реалізації повноважень органів місцевого самоврядування.