

***Oleh Yemets** – Ph.D in Law, Senior Lecturer of the Department
of Special Equipment and Operative-Search Documentation
of the National Academy of Internal Affairs*

Legal Aspects of the Operative-Search Activity Performance by the Criminal Police

The work of the National Police of Ukraine, except the patrol police, which in some cities began before the general amount, has started at November 7, 2015. At the same time arouses the question as to how the work will be performed in the newly formed National Police Units in certain areas, especially in such specific sphere as the operative-search activity. Current organizational and legal changes in law enforcement structures make the study of various aspects of the implementation of operative-search activity by authorized entities necessary.

The article pays special attention to the fact that according to the edition of the Law of Ukraine «About Operative-Search Activity» from November 7, 2015, operative-search activity is carried out by

operational departments, including the Ministry of Internal Affairs of Ukraine – criminal and special militia, departments of internal security. Otherwise this activity is performed by the units which are not specified in this article (public, private organizations and individuals) that is prohibited. However, the Militia ceased to exist, but the National Police includes criminal police.

At the time of coming into the power of the Law of Ukraine «About the National Police» appropriate amendments to the Law of Ukraine «About Operative-Search Activity» were not made. This fact leads to a result that the divisions of criminal police are not identified as authorized to conduct operative-search actions. At the same time important questions that the criminal police should have the right to conduct operative-search activity in combating crime arise. The author developed and proposed amendments to some Laws of Ukraine to address the problem of providing the right of the criminal police operational units to carry out operative-search activity.

Keywords: crime; criminal police; operational units; operative-search activity; operative-search actions.