

THEORETICAL PROBLEMS OF JURISPRUDENCE

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Nelin Alexander – Dr. Hab.,
Professor of the Kyiv University
of Tourism, Economics and Law

NOTARY'S LEGAL RESPONSIBILITY: THEORETICAL ASPECT AND PRACTICAL MEASURES

The article is dedicated to the study of theoretical aspects determining the nature of a notary's legal responsibility.

One of the types of legal guarantees to protect the rights and lawful interests of citizens and legal persons by the commission of notaries, the law of Ukraine «On Notariate» notarial acts is a legal responsibility.

In the legal science there are various definitions of the notion of legal liability. Most domestic scholars to reflect any one sign of responsibility: as State measures of coercion; as the duty of the person exposed to adverse effects and experience of forced deprivation of certain values; How to measure the impact on the offender; as the legal relationship between the State and the offender.

Based upon the study it has been noted that the concept of notary's legal responsibility can be characterized by the three attributes: state constraint, existence of violation of law and its subject, availability of favourable effects for the offender.

The ground for legal responsibility is a violation of law where its offense is of particular importance, i.e. all the elements making it up are available (object, subject, objective side, subjective side) and act as an integral whole.

Notary's legal responsibility falls into administrative, disciplinary, civil and criminal ones.

The necessary is the norm, or at least the criteria when the notary has to compensate the damage to the person and when such

damage is considered to be by a notary, not a party to the Treaty. This is very important because it allows to find out when the treaty that is determined to be invalid or which caused a pity party, the notary is drawn as a defendant. To address these issues you want is the systematization of judicial practice, because the law does not give a definitive answer to these questions. This problem has become one of the priorities for the legislative.

Keywords: notary; notary's legal responsibility; sanctions; offender; legal offense; types of notary's legal responsibility.

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Vozniuk Andrii – PhD, Senior Fellow,
Leading Specialist of Scientific
Laboratory of the Problems of
Preliminary Investigation of the
National Academy of Internal Affairs

ORGANIZED FORMS OF PARTICIPATION ACCORDING TO THE CRIMINAL CODE OF UKRAINE

The article analyzes the current issues of criminal responsibility for crimes committed in organized forms of participation, according to the Criminal Code of Ukraine. The concept, characteristics and types of organized groups and criminal organizations, as well as some problematic issues of criminal legal qualification of crimes committed as part of organized criminal groups are regarded.

Keywords: participation; organized group; criminal organization; form of participation; organized criminal association.

Organized groups and criminal organizations as the most dangerous forms of participation, threaten important public relations, put under criminal protection, including life, health, liberty, dignity, public safety, public order, and more recently, national security. Crimes committed as part of organized criminal groups are