

Code of Ukraine. The presentation of an unlawful claim to the victim about the transfer to another person of someone else's property, the right to such property or the commission of any other actions of a property nature should be additionally qualified under article 189 of the Criminal Code. The crime is terminated from the moment of the nomination of any of the items specified in Part 1 of article 206 of the Criminal Code of Ukraine, combined with the corresponding threat, and bringing them to the victim.

List of references

1. Гринишин О. Розмежування ст. 206 КК України «Протидія законній господарській діяльності» та ст. 355 КК України «Примушування до виконання цивільно-правових зобов'язань» у контексті посягань на свободу договору / О. Гринишин // Вісник Львівського університету. Серія юридична. 2016. Вип. 64. С. 201-207.

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ARTICLE 211 OF THE CRIMINAL CODE OF UKRAINE «PUBLICATION OF LEGAL ACTS THAT REDUCE BUDGET REVENUES OR INCREASE BUDGET EXPENDITURES IN CONTRAVENTION OF THE LAW»: THE OBJECTIVE SIDE OF THE CRIME

As stated in the Constitution of Ukraine, the state budget system is based on the principles of just and impartial distribution of wealth between citizens and territorial communities.

The act envisaged in art. 211 of the Criminal Code of Ukraine, has recently become a threatening scale for the whole country as a whole. The public danger of such an act is that it misleads the state and other types of budget charges, which are the main instrument that characterizes the parameters of the economy, the social direction of society and the state of its social security.

Statement in the new wording of Art. 210 and art. 211 of the Criminal Code of Ukraine, implemented on the basis of the Law of Ukraine of July 8, 2010 «On Amendments to Certain Legislative Acts of Ukraine in Connection with the Adoption of the Budget Code of

Ukraine» creates new legislative directions which are successful, since they provide the criminal-legal characteristic of the considered themes

The objective side of the crime under consideration is characterized only by active actions directly indicated in the disposition of the criminal-law norm.

The publication of normative legal acts should be understood as: signing by an official authorized by the relevant authorities, acts containing the requirements binding for the unlimited range of management objects (individuals and legal entities); the approval by the official of the orders of the acts (resolutions, rules, orders, instructions, explanations, etc.) adopted (approved, recommended) by collegial advisory bodies (boards of ministries, central departments), decisions of which are implemented by the heads of the relevant executive bodies, since they carry personal responsibility for the execution of tasks and the implementation of the functions entrusted to these bodies.

The issuance of regulatory acts that reduce budget revenues or increase its expenses is recognized as a crime if the subject of such actions were budget funds in large amounts (see paragraph 2 of the note to Article 210 of the Criminal Code of Ukraine).

The committed crime is considered from the moment of publication of the paragraph 1 of the article specified in the disposition. 211 of the Criminal Code, irrespective of the consequences outside the structure of the crime (the formal composition of the crime).

If the publication of regulatory acts that reduce budget revenues or increase budget expenditures in contravention of the law is combined with the use of budgetary funds in spite of their intended purpose or in amounts exceeding the approved limits of expenditures, the committed must be qualified for the totality of crimes provided for in Articles 210 and 211 of the Criminal Code Of Ukraine.

Incitement to harm the rights, freedoms and interests of individual citizens or interests of legal entities, or public or public interests as a result of the implementation of illegally issued regulatory legal assets that reduce budget revenues or increase its costs contrary to law, should receive an independent criminal

assessment and qualification under art. 364 of the Criminal Code of Ukraine.

List of references

1. The Law of Ukraine «On Amendments to Certain Legislative Acts of Ukraine in Connection with Adoption of the Budget Code of Ukraine» dated July 8, 2010 No. 2457-VI // Bulletin of the Verkhovna Rada of Ukraine. - 2010. No. 48. Art. 564.

2. The Budget Code of Ukraine dated 08.07.2010 № 2456 - VI.

3. Scientific and Practical Commentary of the Criminal Code of Ukraine / D..S. Azarov, V..K. Grischuk, A..V. Savchenko [and others]; Per unit edit O. M. Dzhuzhi, A. V. Savchenko, V. V. Cherney; EDUCATION. K.: Yurincom Inter, 2018. 1064 p.

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FORCING AS ONE OF THE FORMS OF THE OBJECTIVE SIDE OF THE CRIME, STIPULATED IN ARTICLE 386 OF THE CRIMINAL CODE OF UKRAINE

Concerning the encroachment stipulated by art. 386 of the Criminal Code of Ukraine «Prevention of the appearance of a witness, victim, expert, forcing them to refuse to testify or conclude», then bribery is one of the forms of this crime, which is directly foreseen in the disposition of Part 1 of Art. 386 of the Criminal Code - ... bribing a witness, victim or expert for the same purpose ... Analyzing precisely this form of the said crime against justice, it should be noted that, taking into account the etymology of the word «bribe», as well as in the context of the use of the corresponding term in the disposition of the articles of the Special Part of the Criminal Code of Ukraine We shall single out such essential features of this concept. Bribing is committed against an individual. In the case of the transfer of a certain remuneration for acts committed by a legal entity, they bribe individuals who own or work from them. Regarding Art. 386 of the Criminal Code of Ukraine is a witness, victim, expert. Other participants in the proceedings can not be victims of this crime. By bribery, the impact on the person being bribed is applied. The achievement of an agreement between the person who buys and