

TYPES OF COURT DECISIONS IN ADMINISTRATIVE PROCEEDINGS

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Administrative law places an important role in regulating legal relationships in the public sphere. A court decision in administrative case is the result of solving a legal conflict in the administrative court. To ensure effective implementation of court decisions it is necessary to understand their essence and establish proper criteria for their classification.

Thus, the court decision is an act of justice made in accordance with the norms of substantive and procedural law, as well as constitutional principles and principles of administrative justice, and it is binding throughout Ukraine. Based on its binding nature, we can talk about the relevance of the highlighted topic, because the adoption of relevant decisions directly affects people's lives, their rights, and obligations. It proves the necessity to study this topic, as far as administrative courts must provide justice and act in accordance with the fundamental principles of the law. It is very important to take care of the protection of human rights when solving administrative cases.

The purpose of the research is to determine the essence of the court decision that is made in the process of administrative proceedings. The tasks of the research include the following ones: 1) to review and characterize decisions as the result of the administration of justice; 2) to study and analyze them for better understanding. Analyzing the principles of administrative justice allows us to delve deeper into the topic, determine its basic characteristics and to apply them in practice. Another important aspect of our topic is connected with the role of decisions of appellate and cassation courts in the judicial process, their purpose and meaning.

The legal basis of the research comprises various articles and works by legal scholars on the topic of justice, as well as textbooks and legislative normative documents that help to understand the legislator's point of view. By analyzing this literature one can come to the general understanding of the main issues in administrative justice. This analysis also helps to formulate the main aspects of the administrative process. The topic is complicated enough and requires further study.

The Constitution of Ukraine [1] provides everyone with the right to appeal against judicial decisions, actions or inaction of state authorities, local government bodies, officials and civil servants. The provisions of Constitution are also reflected in the special administrative legislation, namely: the Code of Administrative Proceedings of Ukraine [2]. The current legislation defines the concept of the court decision in general in article 4 of the Code of Administrative Proceedings of Ukraine: *A court decision is a decision of court, ruling or order of a court instance* [2].

There are different views on this issue. M.G. Avdyukov has emphasized the expediency of the court decision as an act of justice that protects the rights of the parties, the rule of law in the state by resolving legal disputes between the parties on the merits. On the other hand, L.V. Levshin considers the court decision as an order of particular steps to be taken by the participants of conflict legal relations, which should be based on a specific legal norm and the so-called "state apparatus of coercion" that can execute this decision regardless of the will of the obligated person. Analyzing this, it can be argued that a court decision is an act of justice that confirms the fact of violated rights and legitimate interests of the participants in legal relations and determines the way of restoring them [3].

Judicial decisions, depending on the scope of the issues, are divided into rulings, judgments, and orders. A ruling is a written or oral decision of a court of any instance in an administrative case, which addresses issues related to the procedure for considering an administrative case and other procedural issues. A decision of court is a decision of a court of first instance, which resolves claims. An order is a written decision of an appellate or cassation instance court in an administrative case, which resolves the demands of an appeal or cassation complaint [2].

In our opinion, it is important to consider court orders. They come in two types: orders of the appellate court and orders of the cassation court. Ensuring the right to appeal is one of the principles of administrative justice, which guarantees the restoration of violated rights. However, this right cannot be absolute and it is provided in compliance with the procedure established by the law. According to Y.L. Sherenin, the purpose of both appellate and cassation appeals is to review and reconsider the case tried by another court. The general basis for filing a cassation appeal is the incorrect application of substantive law by the court or the violation of procedural legal norms [4].

Another important aspect of administrative justice concerns the following principles of law: rule of law; equality of all the participants in the judicial process before the law and the court; transparency and openness of the judicial process and its complete recording by technical means; adversarial proceedings, party disposition, and official clarification of all circumstances in the case; mandatory enforcement of judicial decisions; the right to appeal a case; the right to appeal a judicial decision in cases determined by the law; reasonable time limits for the court to consider a case; inadmissibility of abuse of procedural rights; reimbursement of court costs to individuals and legal entities in whose favor a judicial decision was made [2].

Summing up, we should note that a court decision is an act of justice made in accordance with constitutional principles and principles of administrative justice, and it is binding throughout Ukraine. Judicial decisions in administrative proceedings play a crucial role in ensuring justice and protecting the rights of the parties involved in legal disputes.

The right to appeal is an essential principle of administrative justice, and both appellate and cassation appeals serve the purpose of reviewing and

reconsidering cases by other courts. The principles of law, such as the rule of law, equality of all the participants in the judicial process, transparency, and openness of the judicial process, are essential in administrative justice. Overall, the topic of court decisions in administrative proceedings remains relevant and requires constant study to ensure that justice is served, and human rights are protected.

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TYPES OF CRIMINAL OFFENSES FOR WHICH STAGES OF PREVIOUS CRIMINAL ACTIVITY ARE NOT POSSIBLE

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Introduction. Today one of the important issues in criminal law is consideration of the types of criminal offenses in respect of which stages of previous criminal activity are impossible. Studying the concept of a criminal offense, we know that it is divided into completed and unfinished criminal offences, but we are interested in the latter. An attempt to commit a criminal offense and preparation for the commission of a criminal offense are present in an unfinished offense. However, it is worth paying attention to the fact that not always when committing a criminal offense, a person applies all stages of previous criminal activity (preparation and/or attempt) we will consider these cases.

Objectives. The main task is to understand what constitutes an unfinished crime and to do a comprehensive study of the types of criminal offenses in which possible stages of previous criminal activity are not possible.

Methods. A search of available methodical and scientific literature with an analysis of the material found, clarification of cause-and-effect relationships, as well as a method of generalization and descriptive analysis were done during the research.

According to Article 13 of the Criminal Code of Ukraine, preparation for a criminal offense and attempt to commit a criminal offense are unfinished criminal