

References:

1. Великий тлумачний словник сучасної української мови : 250000 / уклад. та голов. ред. В. Т. Бусел. Київ; Ірпінь: Перун, 2005. VIII, 1728 с.
- 2-3. Алаїс С. І. Проблема праворозуміння в основних школах права : автореф. дис... канд. юрид. наук: 12.00.01; Національна академія внутрішніх справ України. Київ., 2003. 20 с.
4. Бехруз Х. Праворозуміння, розуміння права і правова система. Право України. 2010. № 4. С. 143–147.
5. Мозоль Н. І. Сучасні концепції праворозуміння: поняття, характеристика та особливості. Науковий вісник Національної академії внутрішніх справ. 2010. № 1. С. 36–41.
6. Козюбра М. І. Праворозуміння: поняття, типи та рівні. Право України. 2010. № 4. С. 10–21.

RELEASE FROM CRIMINAL LIABILITY DUE TO EXPIRATION OF THE STATUTE OF LIMITATIONS

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Introduction. The issue of the statute of limitations for bringing a person to criminal liability is regulated by Article 49 of the Criminal Code of Ukraine (hereinafter referred to as the CC of Ukraine). According to this article, a person may be released from criminal liability if the statute of limitations for prosecution, as stipulated by law, has expired.

Objectives. The main task of this research is to study the mechanism of release from criminal liability due to expiration of the statute of limitations without the accused admitting guilt.

Methods. The limitation periods are determined based on the severity of the committed crime and may range from 2 to 15 years, depending on the classification of the offence. Therefore, several types of limitation periods are distinguished:

1. Up to 2 years (for minor offences);
2. Up to 5 years (for medium-gravity offences);
3. Up to 10 years (for serious offences);
4. Up to 15 years (for especially serious offences).

Under the aforementioned Article 49 of the Criminal Code of Ukraine, the statute of limitations begins to be calculated from the day the criminal offence was directly committed or, in the case of its continuation or completion on another day, from the date when the offence was actually completed.

At the same time, the statute of limitations may be interrupted, renewed, or suspended in connection with certain investigative actions or judicial proceedings

explicitly provided for by law (e.g. serving an indictment, holding a court hearing). The interruption of the statute of limitations may occur if certain actions or circumstances complicate bringing a person to criminal liability. In particular, in the case of active actions by pre-trial investigation bodies or the court, which may "renew" the period for bringing a person to criminal liability. The suspension of the statute of limitations occurs under specific circumstances, such as when the suspect is outside Ukraine or when the accused is in a state of legal incapacity.

Upon the expiration of the statute of limitations, it is not necessary for the person to admit guilt in committing the crime. It is essential to establish only the fact of the expiration of the statute of limitations rather than proving the person's guilt.

Release from criminal liability due to the expiration of the statute of limitations is an absolute right of the person unless the court establishes circumstances that interrupt or suspend the limitation period. This legal doctrine is confirmed, in particular, by the ruling of the Grand Chamber of the Supreme Court of Ukraine in case No. 826/13768/16 dated February 13, 2019, which defines the statute of limitations as the lawful right of an offender to avoid prosecution or liability in court after a certain period following the commission of the offence. Similarly, the ruling of the Cassation Criminal Court of the Supreme Court in case No. 552/5595/18 upheld the decision of the appellate court, emphasizing that according to Articles 284-288 of the Criminal Procedure Code of Ukraine, the grounds for releasing a person from criminal liability in court include the presence of a criminal law provision stipulating such release, a motion by a party to the criminal proceedings for the accused's release, and the accused's consent to the closure of the criminal proceedings on these grounds.

Admitting guilt is a right, not an obligation, of the suspect or accused. Therefore, the refusal of these individuals to admit guilt in committing a criminal offence, while agreeing to be released from criminal liability, cannot be an obstacle to exercising their right to such release or a legal basis for the court to deny the motion for release. The legal institution of release from criminal liability, as provided by law, does not require the suspect or accused to acknowledge their guilt in committing a crime.

The procedure for releasing a person from criminal liability in such cases aims to simply conclude the judicial process without issuing a guilty verdict, provided that the statute of limitations for prosecution, as established by law, has already expired.

Conclusion. To sum up all mentioned above, the application of the statute of limitations is an important legal mechanism that protects individuals from excessive interference with their rights and freedoms. It ensures a balance between the rights of citizens and the state's interest in maintaining public order.

References:

1. Кримінальний кодекс України. Офіційний вебпортал парламенту України. URL: <https://zakon.rada.gov.ua/laws/show/2341-14#Text>.

2. Постанова ВП ВС України по справі № 826/13768/16. Єдиний державний реєстр судових рішень. URL: <https://reyestr.court.gov.ua/Review/81334171>.
3. Постанова ККС ВС України по справі № 552/5595/18. Єдиний державний реєстр судових рішень. URL: <https://reyestr.court.gov.ua/Review/98728753>.
4. 7. Пояснення Верховного Суду щодо застосування строків давності на практиці. URL: <https://supreme.court.gov.ua/supreme/pres-centr/news/1169478/>.
5. Сучасний англо-український юридичний словник : понад 75 тисяч англійських термінів і стійких словосполучень / Львів. нац. ун-т ім. І. Франка; уклад. Леся Василівна Мисик, Ірина Володимирівна Савка ; за наук. ред. В. Т. Нор. – Київ : Ін Юре, 2018. – 1350 с. – (Бібліотека словників "Ін Юре").

CORRUPTION CRIMINAL OFFENCES AND OFFENCES RELATED TO CORRUPTION: CRIMINAL LAW SIGNIFICANCE OF DISTINGUISHING THEM AS TYPES

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One of the defining characteristics of the 21st century is the negative phenomenon of corruption. Its scale and forms of manifestation vary depending on the legal system of the state and the degree of interest of the authorities in serving the public interest or in using power for personal enrichment. In Ukraine, the process of democratic change is accompanied by a complex reform of political, economic, and legal relations. An important element of this complex process is the effective prevention and counteraction to corruption.

The purpose of this research paper is to clarify the difference between corruption criminal offenses and corruption-related offenses as separate categories of crimes. In this research paper I shall examine their legal essence, common and distinctive features, and the impact of such a division on the process of qualifying crimes, sentencing and combating corruption.

At first, it is worth defining the concept of corruption. Article 1 of **the Law of Ukraine “On Prevention of Corruption”** defines corruption as the use of official powers by officials to obtain an unlawful benefit or acceptance of such a benefit or acceptance of a promise/offer of such a benefit for themselves or other persons, or, accordingly, a promise/offer or provision of an unlawful benefit to the said person or, at their request, to other individuals or legal entities in order to induce this person to unlawfully use. At the same time, Article 3 of the Law provides a clear list of persons (positions held) who may be subjects of corruption and who are subject to this law [3].

It is necessary to point out that in Article 1 of the Law, the legislator distinguishes between a corruption offense and an offense related to corruption. **A corruption offense** is an act containing signs of corruption committed by a person referred to in part one of Article 3 of the Law, for which the law establishes criminal, disciplinary and/or civil liability. **A corruption-related offense** is an act