

SUMMARY

T. V. Averyanova. Expert's Inner Conviction as a Rational Background for His or Her Morality // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 143-148.

The article deals with the issue of expert's inner conviction, his or her moral values, sources and mutual relationship with the degree of the conviction that the opinion is true. The role of intuition and persuasion in the formation of inner conviction, a possibility of existence of collective inner conviction of experts performing commission and complex investigation are also examined.

Keywords: expert's inner conviction, expert's ethics, intuition.

V. P. Beliaiev. On Optimisation of Prosecutors' Supervision in Present-day Russia // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 195-202.

Some problem issues of prosecutors' supervision and orientations of its optimisation are dealt with. The author proposes to change the procedure for prosecutors' appointment, to restrict authoritative interference of higher prosecutors into activity of lower ones, without delay to suspend the effect of the normative legal act protested against by a prosecutor as well as other ways of optimisation of prosecutors' supervision.

Keywords: prosecutor's supervision, prosecutor's protest, prosecutor's appointment.

O. O. Chub. Constitutional Basis of the Right of Citizens of Ukraine to Petition // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 23-27.

The article deals with a major political right that ensures participation of citizens of Ukraine in managing state affairs, a citizen's right to file petitions to state authorities, their officers and officials. Upon analysing major functions of a petition of Ukrainian citizens, the author reaches a conclusion that they have three functions.

Keywords: rights of citizens, petition to the authorities, democracy.

V. I. Holovatenko. Mutual relations between the head of the state and judiciary: comparative legal aspect // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 10-22.

Comparative legal aspect of mutual relations between the head of the State and the judiciary is dealt with. The President of Ukraine and bodies of judicial power do not directly influence each other. Their relationship is of indirect character. However the main objective of both the President of Ukraine and bodies of judicial power shall be efficient functioning of the system of protection of constitutional human rights and freedoms.

Keywords: judiciary, head of the state, protection of rights and freedoms.

I. M. Hrozovsky. Ethno-national Factor in the Evolution and Development of Zaporizhian Sich // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 62-69.

SUMMARY

Major reasons for the emergence of the Zaporizhian Sich are dealt with. The author concludes that Zaporizhia played an important part in consolidation of the Ukrainian nation, i.e. in the formation of its national character, the ethno-national factor being the major reason for its evolution and development.

Keywords: consolidation of the Ukrainian nation, etnono-national factor, history of the Zaporozhian Sich.

L. V. Hudz'. Issues of elections funding in Ukraine. // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 37-41.

Constitutional legal regulation of public relations in the sphere of elections funding in Ukraine is dealt with. The author concludes that the system of electoral legislation has not been sufficiently developed in Ukraine. Major task of Ukrainian Law-makers is the adoption of a uniform normative legal act on elections in the form of Electoral Code.

Keywords: electoral legislation, elections funding, electoral code.

A. M. Isaiev. Significance of Will and Will Expression in a Contract for Donation // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 128-134.

History of contract execution of donation acts is dealt with as well as various opinions with regard to correlation of the parties' will and will expression in a contract for donation are analysed. The author concludes that these categories are of decisive significance for determining the donation relations as a contract. Civil legislation requires that the norms regulating forms of expressing will be well-ordered to prevent possible controversies in civil circulation.

Keywords: contract for donation, will expression in civil law, history of contractual execution of donation.

D. V. Isiutin-Fedotkov. Obtaining Samples for Comparative Investigation as an Element of the System of Investigative Actions // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 168-174.

The nature of obtaining samples for comparative investigation as an element of the system of investigative actions is dealt with. An opinion is debated concerning the assignment of this procedure to subsidiary pre-investigative actions that precede the conduct of expert examination. A system of principal and optional signs of investigative actions is proposed.

Keywords: samples for comparative investigation, pre-investigative actions, criminalistic tactics.

N. I. Klymenko. Improvement of Training Investigators as a Precondition of Investigation Optimisation // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 203-208.

Issues of improving the quality of training investigators are dealt with. On the basis of questionnaires of 450 investigators from prosecution offices and internal affairs departments the authors disclose shortcomings of training such specialists in higher educational institutions. Extensive application of new progressive methods is proposed to be introduced into such training, with due account of computerization of investigators' work, their access to various database elaborated specifically for investigators' workplaces.

Keywords: investigator's training, computerizing of investigator's labour, investigator's workstation.

V. H. Krykun. Genuine Orthodox Christians and "The Public" of 1961-1965 (Based on Materials of Central Black Soil Regions) // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 54-61.

Anti-religious policy of the Soviet Union encouraged the emergence of secret church parishes, genuine Orthodox Christianity becoming the most influential one among them. The author analyses major orientations of anti-religious campaign, which in spite of the drastic measures taken, was unable to resolve the issue of "religious sectarianism".

Keywords: religion science, church policy of the USSR, genuine Orthodox Christians.

A. D. Marushev. On Forms of Mutual Relations of Investigators and Specialist Accountants in the Process of Investigating Economic Crimes // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 153-160.

Peculiarities of the manner of committing economic crimes demand close cooperation on the part of an investigator and specialist-accountant. Specific goals and a tasks of applying special knowledge of accounting while investigating such crimes are being considered. The author analyses forms of such interaction classifying them into general, procedural and non-procedural ones.

Keywords: forensic accounting examination, cooperation of an investigator and a specialist, economic crimes.

A. V. Melnikov. Income Tax During the Second World War on Germany-Occupied Territories of Ukraine and the Crimea // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 98-103.

Financial policy of nazi Germany in the sphere of levying income tax on the population of the occupied Crimea is analysed.

Keywords: incometax, occupation regime, the Crimea and Ukraine during the war.

M. A. Mykhailov. Nikolai Dmitriyevych Voronovsky // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 209-214.

The article deals with the life and activity of one of the organizers of a criminalistic agency in the law enforcement bodies, the chief of the forensic service of the Crimean

SUMMARY

police, the author of one of the first textbooks in criminal methodology for educational institutions of People's Commissariat of Internal Affairs and the border guard N.D.Voronovsky (1900-1081). Facts discovered in local archives that are unknown to the public are adduced.

Keywords: history of criminalistics, teaching of criminalistics.

S. O. Novikova. Constitution Drafts of P. I. Pestel and N. M. Muraviov as an Object of Historical Legal Research // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 109-113.

The author focuses on a new aspect of studying the Decembrist's "Russkaya Pravda", that of source studies. The article raises issues of authorship of this constitution draft, its improvement during its discussion in secret societies as well as search for the complete text of the document.

Keywords: Decembrists, Russkaya Pravda, constitutional drafts.

I. V. Omelianchuk. National Issue in Ideology of Black-Hundred Parties // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 90-97.

Black-Hundred parties were striving to obstruct the processes of national self-identification in Russia being aware that they will be followed by the process of self-determination of newly formed nations that would lead to the dissolution of the Russian Empire and the establishment of independent states.

Keywords: Black-Hundred parties, nationalism, dissolution of the Russian Empire.

A. N. Orlov. Significance of Studying History of Development of Legislation on Curative and Health Improving Localities for the Evolution of Recreation Law // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 184-194.

The article analyses genesis of the normative legal base on health resorts as a source of origin of a new branch of law – recreation law. The author focuses on the significance of studying history of legislation in this sphere in order to improve legal protection of recreation objects. Creation of territorial recreation systems with their bodies of management and services has been proposed.

Keywords: recreation law, new branches of law, territorial recreation systems.

N. A. Orlov. Environmental Factor in Ukrainian Legislation on Economic Activity in Market Conditions // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 175-183.

The author focuses on the exclusive nature of environmental relations to which market relations cannot be automatically extended in realizing economic targets.

Keywords: environmental law, economic activity, market economy law.

A. P. Patskevych. On Assessment of Efficiency of Information-Criminalistic Provision of Law Enforcement Activity in the Republic of Belarus // Academic

proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 161-167.

The author deals with the criteria for determining the efficiency of criminalistic registration by the example of law enforcement bodies of the Republic of Belarus. Random samples of 340 criminal case-files and practicing officers interviews were used for the analysis. The author concludes that there is need for adopting a uniform normative act on criminalistic registration, the need for transition from traditional database to expert systems providing a set of alternative options to anyone who initiates an inquiry.

Keywords: databases in jurisprudence, expert systems, criminalistic registration.

A. P. Patskevych, S. N. Storozhenko. Historical Prerequisites of Origins of Criminal Registration // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 47-53.

Initial period of the development of criminalistic registration is dealt with. The author concludes that it is fundamental, initial and comprehensive means of criminalistic identification, which resulted in subsequent differentiation, specialisation and establishment of its present-day branches. The author adduces examples of criminals' registration by means of mutilation and branding as historical prerequisites for the initiation of criminals' registration.

Keywords: history of criminalistic registration, branding, mutilation punishments.

V. H. Rotan. Issues of the System of Law and Labour Law Creative Potential // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 114-122.

The issue of improvement of the system of law and the place therein of such a branch of law as labour law is dealt with. The author proposes to determine this place by specifying the subject and methods of labour law.

Keywords: system of law, subject of labour law, method of labour law.

V. Ye. Rubanyk. On “Russian”, “Ukrainian” and “East Slavonic” Traditions of Private-Law Regulation of Property Relations // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 123-127.

The issue of selection of concepts of legal regulation of property relations in our country in post-Soviet period is dealt with. Not possessing any experience of transforming command economy into market economy our country endures considerable hardships due to the fact that major role is played not by an entrepreneur, but by state functionary, not by competition, but by monopoly structures.

Keywords: property law, private-law regulation of jural relations, market economy law.

A. P. Ryzhakov. Concept of the Accused in Russian Criminal Procedure // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 135-142.

SUMMARY

The concept of the accused as one of the key concepts in criminal procedure is dealt with. Shortcomings of legal regulation of the status of this participant in proceedings are examined on the example of Russian legislation. The author focuses on the need to regulate the status of the accused at the trial stage in cases of private prosecution.

Keywords: concept of the accused, status of the accused, cases of private prosecution.

O. F. Skakun. Method of Interpretation of Legal Theory and Legal Norm: Similarity and Difference // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 3-9.

Methodology of interpreting law in general theoretical aspect in conjunction with methods of interpretation of particular norms of law as ideal models of behaviour is dealt with. The author focuses on general methodological essence of these approaches and differences determined by theoretical and practical applied spheres.

Keywords: methodology of interpreting law, interpretation of legal norms, interpretation theory.

O. Yu. Todyka. Tendencies of Development of the State Legal Policy Sphere of Democracy power // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 28-36.

State legal practice, the development of constitutional legal processes in the post-Soviet space in the sphere of electoral relations require efficient analysis of tendencies of development the State legal policy in the sphere of democracy power. The author concludes that present-day effective legislation of Ukraine sets forth the mechanism of democracy of people's power, citizen's fundamental political rights and freedoms more comprehensively. However in practice there are numerous violations.

Keywords: legal policy, democracy, human rights.

S. G. Trifonov. Regulation of Relations of Succession With Respect of Ukrainian Lands in the 16th Century and the First Half of the 17th Century Under Polish Law // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 42-46.

The author reveals characteristic features of relations of succession in Ukraine during the period of Polish law, in particular restrictions on women's rights as to inheritance of real estate, difference of urban inheritance law from the rural one, independence of marriage law evolution, existence of the institute of guilt. The author focuses on the regulation of relations of succession in urban law of Rzech Pospolita both by Magdeburg and Chelm Law.

Keywords: inheritance law, Polish law, Magdeburg law, Chelm law.

S. A. Trofimchuk. Judicial Reform of 1864 and its Influence on the Formation of Law-Based State in Russia and Ukraine // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 104-108.

Major orientations of the judicial reform of 1864 and specificity of its conduct in Ukraine and Russia are characterised. The judicial reform has become an important stage

on the way towards a jural state and laid the foundation for the process of drastic changes in public conscience.

Keywords: jural state, judicial reform of 1864, jury trial.

I. O. Zaiets. Legal Regulation of Land Relations in the Crimean Soviet Socialist Republic (April-June 1919) // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 83-89.

The article analyses major legal acts that regulated land relations in the Crimean Soviet Socialist Republic during April-June 1919.

Keywords: Crimean SSR, land relations, land law.

S. A. Zaulochna. Political and Legal Prerequisites for the Formation of the Crimean Autonomy. // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 70-82.

Major political and legal prerequisites for the formation of the Crimean autonomy in 1921 are dealt with. Brief analysis of historiography pertaining to the issue has been provided.

Keywords: Crimean autonomy, civil war in Russia, Crimean statehood.

G. A. Zorin, R. G. Zorin. Criminalistic Technologies of Multi-Alternative Information Standard Programmes of Interrogation (With Pre-active Effect) // Academic proceedings of Taurida National Vernadsky University. – 2005. – Law Series. – Vol. 18 (57). – No. 3. – P. 149-152

The authors known for their extraordinary heuristic elaborations in criminalistics propose technologies allowing to substantially facilitate an investigator's work while conducting interrogations and to raise their efficiency. The article reveals the essence of multi-alternative standard programmes of interrogations, their advantages and objectives of elaboration. The effect of their implementation in investigative practice is prognosticated.

Keywords: tactic of interrogation, algorithms of investigation, heuristics.