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**REVERSAL AND SUPPRESSION OF CRIMES IN ECONOMIC FOCUS IN THE ENERGY SECTOR OF UKRAINE.**

**Summary.** The complex of preventive measures to prevent the threat of economic crimes in the sphere of energy and avoid causing criminal damage.

**Keywords:** standardization and normalization of expenses and loss of energy, reduced balance of energy and industry, technical, and fphysical protection of the fuel and energy complex.

**Formulation of the problem.** By on combating economic crime and its individual sectors in his writings addressed such domestic scholars as O. Bandurka, A. Bova, A. Boyko, V. Booth, AF Volobuyev, L . M. Davidenko, AM Dzhuzha, V. Crane, AP Zakalyuk, OG Kalman, V. Kovalenko, OG Kulik, Y. Levchenko, A. M . Litvinov, GA Matusovskij, V. Popovic, EL Streltsov, E. Titarenko, V. Shakun et al. The aim of this publication was to develop recommendations for preventing and stopping crime economic focus in the energy sector of Ukraine. Presentation of the material. Unlike other criminal activities specially-tech crime prevention measures preventing and stopping are more substantive focus and taken to the stage of implementation of the prevailing threat of criminal intent, or preparation or directly perform the acts covered by the specific composition of the crime. Multiple offenses economic orientation that occur in the energy sferimayut different objects criminal exposure, № 4-2012 supply, transportation, storage and use will introduce administrative and legal regime of registration and protection of energy resources. The special status of energy resources, their strategic importance for the effective functioning of all branches of the national economy and energy security of Ukraine in general, contain the reasons for ordering regime in this field of public relations. Within the proposed regime should require natural monopolies and related markets (manufacturers and suppliers) energy resources to equip gas distribution stations, gas pipelines and gas storage devices account, which will allow on-line control the amount of hydrocarbon production and processing, of technically acceptable error calculate the amount of damages which the state suffers as a result of unauthorized gas consumption, identify places and plots abnormal gas losses and prevent the creation of unaccounted residual energy. Along with this, there is a need for implementing consolidated and sectoral balance of energy resources that are available to businesses pitch, supply companies and transport networks. An important measure of preventing theft of energy is the introduction of standardization and normalization unit costs and loss of energy generation, transportation and supply to consumers. Unlike the regime of accounting measures that indirectly prevent theft of energy resources at different stages of the chain, measures guarding direction create direct barriers to the implementation of appropriate criminal activities. In particular, the efficiency of preventing theft of oil and gas condensate by damage and unauthorized connections to the main oil. gas and oil pipelines promote such conservation measures as: - coordination between "Naftogaz of Ukraine" and MIA of Ukraine list of pipeline protection which should be protected or departmental units of the Interior on a contractual basis and nomination of joint initiativeslaw on normative actsVolume of the Cabinet of Ministers of Ukraine of the list [1] - Approval leaders "Naftogaz of Ukraine", JSC "Ukrnafta" provisions (regulations) on the order of oil and condensate, which would, among other things, provide for duty and algorithms interaction officials subsidiaries "Naftogaz of Ukraine", JSC "Ukrnafta" with the regional offices of police cases reveal the damage of oil, hazokondensatoprovodiv and signs of theft of oil and condensate, and conducting Inspections for Your police those who are assigned to units of departmental or office duties which related to liability. [1] - A set of measures of technical and physical security of fuel and energy complex. Technical protection measures include equipment highways security devices, various sensors acoustic, vibration, and other engineering activities that can immediately detect evidence of unauthorized connections to pipelines and determine their location. At the most vulnerable areas of crime can use drones, helicopters, alarm system alerts, and even monitor the integrity of the outer pipe. Physical protection measures complement the above and mainly confined to developing routes avtopatrulyuvannya relevant ATS units and the balance of traffic police posts, arrangement camouflaged observation points, thoughtful deployment of rapid response teams to where cases of illegal activities take swift measures to curb it and reduce damage from it. In addition to the above measures, the effectiveness of preventing and stopping abductions energy resources depends on early detection of criminal intent on the part of those who conceive and are prepared to commit such crimes. In this regard, requires activation of operational prevention work of criminal investigation departments, police departments of public security, fighting organized crime, the State Department to combat economic crime - the collection, testing, fixing, storage, processing and use of intelligence to identify and Criminal prosecution of organized criminal groups, engaged in theft, storage, processing and marketing naftohazosyrovyny processed products.In particular, police inspectors and criminal investigation appropriate to focus on gathering information about lifestyle, relationships circle of persons who: a) have a highly professional skills hazozvaryuvalnykiv b) have or have a car tanks;c) working at gas stations or the owners of such facilities, d) are unemployed or just released from prison and cities have no legitimate source of income. Traffic police to stop cars with tanks for transportation of fuels and lubricants, should target to collect data on the type, volume, cargo owners, route (paragraphs loading and delivery) and constituent data carriers. Coast police patrols should be put on the roads in the areas of oil storage, oil and gas processing plants (especially small oil and gas companies). Employees GSBEP to target for collection of data on individuals who are small suppliers of raw materials for oil and gas processing enterprises, including mini-refineries. The most effective ubachayetsya to the information collected in the form of maximum standardized reports transmitted to the bank information system of the Interior, and software of this system would allow loaded integrate information and implement an automated search of the necessary data (eg, an "ARMOP" Internal Affairs of Ukraine in Luhansk region ) [1]. Activities include preventive effect current work place is to reduce demand for gray market oil and gas resources. In particular, the detection and suppression of underground oil Minifactories and database storage of finished naftohazoproduktsiyi what rightly observes Y. Levchenko [2, 12].To narrow markets for stolen naftohazoproduktsiyi to solve the issue of accreditation of laboratories Gospotrebstandarta Ukraine DNDEKTS MIA of Ukraine, equipping them with the proper equipment, which will conduct expert studies as fuel, which sells gas stations to detect evidence of poor quality products to consumers and bringing on this basis to criminal responsibility of the perpetrators and stop illegal activities such stations [1].Some specific measures should prevent and stop the abduction of coal from railway rolling stock, as well as warehouses and storage facilities. First of all, it is about strengthening operational units of the Criminal Investigation and OCD on identifying and documenting criminal activities of organized criminal groups that specialize in this type of criminal business. Much attention should be paid to the protection of freight on rail. It is advisable to organize operational support personnel transport police transport coal, equipped with large warehouses and storage facilities surveillance, to take measures for basic lighting transit stops iron transport, places of loading and unloading products, and rationally arrange outfits avtopatruliv DPS and DAI on the most vulnerable areas route traffic. Added to this complex check the completeness and accuracy of financial, accounting, tax and other records for mining, processing and shipping companies to identify remains unaccounted for raw materials and products of its processing, production, written off on production costs and losses, as well as the number of rejected stone ' yanoho coal. These measures are aimed at preventing large-scale theft of coal from the service and financially responsible persons of enterprises, often carried out in collusion with organized crime groups. Most of these measures will be effective in preventing and stopping hijackings by dismantling and other means of production equipment of the fuel and energy complex. Thus, considerable attention should be given to testing legitimacy of legal and detection and suppression of numerous clandestine center, storage and marketing of non-ferrous and ferrous metals. Withdrawal and termination of infringements related to financial and economic activity in the energy sector.These attacks we classified into three groups: (1) attacks, which violate the order of business in the energy market, (2) acquisition of assets of enterprises in the fuel and energy complex of economic activities, (3) interference thatviolating the order of paymentsfor energy.The set of measures to prevent crimes belonging to the first subgroup (illegal mining of national significance; disturbance entrepreneurial activities, tax evasion and duties (mandatory payments)), includes a rather diverse activities of law enforcement and other government agencies.Preventing illegal extraction of minerals (oil, gas, condensate, lignite should be realized by the introduction of the national register of wells and mines).This is a record of objects to which the commercial development and production co-useful life of resources, as well as a mandatory accountingso-called dead-end for industrialpurpose facilities subject to conservation.Under the strengthened controls should be well and mine, in which the exploration and drilling conducted research or development of land horizons, because on them quite often there are facts license-free mining, particularly of hydrocarbons. Detection thoughtful and prepared offenses and crimes in nadrovykorystannya is a result of comprehensive inspections and law enforcement entities oil and gas and mining industries on the legality of special permits (licenses) for the extraction and transportation of hydrocarbons, as well as the subject of the license conditions subsoil during geological exploration and mining. Much attention should be paid to the conduct of operational activities aimed at exposing, suppression and investigation of this category of criminal cases.Withdrawal and termination of offenses involving violation of the order run businesses in the energy market (sales of domestic production of oil and oil products outside the State Reserve auctions and exchanges, producers of electricity outside "Energorynok"; disturbance energy supply at regulated and unregulated tariffs; violation order of the targeted power supply in the domestic market, etc..) is to conduct a coordinated operation control, law enforcement and other government agencies, designed to reveal the planning, preparation and implementation of theft of state property, fictitious business, evasion of taxes and duties (mandatory ' obligatory payments), all sorts of official abuse and to take remedial action in order to prevent their occurrence and termination initiated criminal activity.Preventing asset acquisition enterprise Fuel and Energy in the most typical way, namely by embezzlement, misappropriation of funds and property of the said companies or acquiring them through malpractice includes two blocks precautions:1) establish the causes and conditions that contribute to office theft of cash and inventory, 2) restricting, and if possible, eliminate these causes and conditions. As part of the seconddirectly measures preventing include: - introduction of simplified procedures for controlling and law enforcement inspections of the fuel and energy complex in the authorized capital of which the state has a share of more than 25% in terms of completeness and accuracy of operational, financial and tax accounting business transactions related to the extraction and sale of coal, oil, gas and gas condensate - regulatory obligations departmental recy-Rhone and private security enterprises of fuel and energy complex to provide timely operational police unit information for planning, preparation or criminal activities related to misappropriation, embezzlement or obtaining them by malpractice (as regional police units have free access to the territory tory regime of enterprises) - strengthening control over various methods of process in general andits individual units to prevent the production and sale of uncounted and unaccounted products - from materials of statements and reports of a crime-investigation checks - activation of operational activities aimed at detection and termination of fictitious companies, commercial brokers, detecting corruption called ' links that were used in the schemes of service kidnappings property companies Fuel and Energy - test the legality of financial-economic activity of all entities that have a contractual relationship with opaque officials enterprise Fuel and Energy guilty of embezzlement, misappropriation of property orcapture them through malpractice - improving control over documented turnover, reflecting accounting, traffic (transfer, use, implementation) and write-offs of inventory and money during production, trade and marketing, distribution and other operations of enterprises of fuel and energy [3, 440] - the introduction of compulsory competitive selection of cadres who claim to occupy positions related to the implementation of organizational-administrative or administrative and economic responsibilities, and among the candidates for the substantive positions of responsibility - a set of measures to combat corruption and official abuse of supervisory bodies that examine the financial and economic activity of enterprises Fuel and Energy - state encouragement and forcing employers to raise wages and social guarantees employees of the fuel and energy complex - providing inevitable prosecution officials, the actions of which are signs of complicity in the theft of property of an enterprise Fuel and Energy - sending investigators (prosecutor) views about disciplining officers or employees guilty of larceny - sending investigators (prosecutor) submissions to the relevant authorities (management, board of directors, supervisory board, etc.) to demand the removal of the causes and conditions that contributed to Teachingtion of crimes [4, 430]. Most of the above measures necessary to carry out preventive effect in order to deter criminal attacks in the calculations for energy. In order to prevent contemplative and termination initiated crimes committed by officials and employees of government and governance in the energy sector we recommend the following safety measures. For early detection of criminal intent government officials and management associated with inappropriate use of public and budget funds, violation of fair competition and antitrust laws must constantly monitor and create information databases, including through the winding control and supervision of cases by volume ' Objects preventive effect. Sources of operational and preventive information on violations of the budget legislation in the energy sector are: reports on budget execution, budget revenues and expenditures, loan agreements, agreements on the execution of works, rendering services solutions to local authorities setting out the guidelines and procedures for the use budget, materials for public procurement of goods, works and services; material financial control; treatment of citizens and legal persons; reports Clearing House, Ministry of Finance, and DFIU SSCUetc. [5].Conclusion. Revealing the facts of official abuse related to the provision of administrative services executive civil servants and officials of local government in the energy sector also performed by means of supervision of the observance of the budget legislation, financial and economic discipline, the legality of administrative decisions. As noted by S. Miroshnichenko, supervision of the observance of the budget law should be implemented in two areas: 1) in respect of local government, enterprises, institutions and organizations in order to detect violations of the law on the budget system (key administrators, managers and recipients of budget funds ), 2) regarding supervisory authorities on the legality of their activities conducted on Infringements budget legislation (DFIU,SSCU, etc.). [5, 172]. In the first line of the subject of prosecutorial inspections often are issued administrative regulations and taken administrative decisions. For inspections legality of budget funds requested by prosecutors in key spending units following information and documents: - granting loans, including unsecured property, warranty, and study their timely return. If the loans were not repaid on time, then checked information on the number of alleged claims for enforcement of debt and the results of the trial;- Provision of budgetary funds financial (material) support to businesses and individuals in the form of grants, subsidies, grants, with only purpose - the validity and legitimacy of the use of distribution of funds under the budget programs - the audit and financial control the use of funds to implement it or revision of natural or legal persons who have used the following program budget - about legality of opening and using special accounts under the budget programs - on the budget: How much money received and used as intended according to approved estimates) [5, 183-184].The results of the inspections prosecutors decided whether there are grounds for action prosecutor's response, which may include: - Introduction to protest illegal decisions and orders, or illegal actions of officials, as well as the requirement for the immediate elimination of violations of the law;- A record of committing offenses related to corruption in relation to a civil servant or a person authorized to perform state functions;- Initiate disciplinary proceedings against the guilty officer - asserting a claim to recover illegally spent budget funds from the perpetrators or persons who have illegally obtained;- Criminal proceedings [5, 185-187]. Besides these may be other measures to prevent crimes of economic focus in the energy sector of Ukraine.

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**Головкин Б.Н., Наваляна Я. Т. Предупреждение и пресечение преступлений экономической направленности в топливно-энергетической сфере Украины**

**Аннотация.** Рассмотрено комплекс предупредительных мер по предотвращению угрозы совершения преступлений экономической направленности в топливно-энергетической сфере и недопущению причинения преступного вреда.

**Ключевые слова:** стандартизация и нормирование удельных расходов и потерь энергоносителей, сведенный и отраслевой баланс энергоресурсов, техническая и физическая защита объектов топливно-энергетического комплекса.

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**Summary.** The complex of preventive measures to prevent the threat of economic crimes in the sphere of energy and avoid causing criminal damage.

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