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CURRENT ISSUES OF JUDICIAL EXAMINATION OF ADMINISTRATIVE OFFENCES IN THE FIELD OF ENTREPRENEURSHIP

Analysis of revealed problems of judicial examination of administrative offences in the entrepreneurial activity allowed formulating specific proposals on improvement of the current legislation and legal practice. Firstly, given the specific offences in the field of entrepreneurship and the fact that protocols on relevant violations are drawn up by militia and state fiscal (tax) service, it is necessary to maintain constant communication between judges and staff of the relevant public authority, which will facilitate prompt and efficient proceedings in this category. It is also advisable to transfer authority to review cases on administrative offences in the areas of trade and finance to the competence of other public authorities (decisions of which can be appealed before the court hearing).

Secondly, it is advisable to supplement Part 1, Art. 185-3 of the Code of Administrative Offences of Ukraine and to enshrine responsibility for willful non-appearance of the offender in court. Participation of offenders in judicial ex-

aminations of administrative offences in the field of entrepreneurship will promote quick and objective consideration of relevant cases and provide educational (preventive) effect on the offenders themselves and other participants in the trial.

Thirdly, it is advisable to supplement sanctions of the articles of the CAO establishing liability for violations in this sphere of social relations with administrative penalties in the form of community service.

Fourthly, it is necessary to amend Chapter 22 of the CAO (in particular Articles 279 and 281 of the CAO) in respect of the protocol and video recording of judicial examination of administrative offences.

Fifthly, special attention should be paid to prevention and combating corruption that may occur in course of bringing to administrative responsibility and judicial examination of administrative offences in the field of entrepreneurship, which in turn determines the prospects of further research of the subject.