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THE ANALYSIS OF MAJOR CHANGES IN THE LEGAL REGULATION OF THE ORDERING PROCEEDINGS BY THE LAW OF UKRAINE NAMED «ABOUT THE JUDICIAL SYSTEM AND STATUS OF JUDGES»

The article is investigated to the major trends in the development and improvement of the legal regulation of ordering proceedings in Ukraine.

In particular, the changes in the list of requirements, on which may be issued a court writ, were analyzed in details. Withdrawal of the requirement, based on a written agreement, with the list of grounds for the issuance of a court order, is regarded as a bad legislator's move considering that the fact is that this requirement was in 90 percent of one hundred bases for the issuance of court orders, part of which was abolished extremely low.

Author reasonably criticizes the provisions for mandatory use the ordering proceedings in certain cases, stresses that al-

ternative should be characterized as a sign of this simplified proceedings.

The input stage opening of the ordering proceeding as a positive step of the legislator is investigated. There is emphasized that today some of the shortcomings in the regulation of representation in ordering proceedings are eliminated.

At the same time the author points out that major changes were occurred in the procedure of the cancellation of a court order, entered an open trial, which investigated the application for cancellation. The author notes that the judicial statistics and practise show that not all of the changes introduced by the Law of Ukraine named «About the Judicial System and Status of Judges» are effective and appropriate.

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IMPROVEMENT OF THE LEGAL REGULATION OF CERTAIN COMPULSORY SHARE IN THE INHERITANCE OF COPYRIGHT RIGHTS

One of the outstanding problems in law relating to inheritance copyright rights remains the question of the application of the compulsory share of inheritance -

legal institution known since the days of Roman law.

In legal literature on the subject expressed different positions: a statement

that the property rights of the author does not have to be taken into account when determining the compulsory share of inheritance to claim that these rights should apply in full general rules of inheritance.

In considering this issue must first examine what the consequences may be application of the provision on compulsory share of inheritance in succession to copyright, including the possibility of applying the provisions of the compulsory share of inheritance in the transition copyright to compensation in accordance hereditary succession, defining required sure to share in the inheritance of the exclusive rights to use the work, and to consider the protec-

tion of moral rights by persons entitled to a compulsory share of inheritance.

Analysis of the possibility of application of the compulsory share of inheritance in succession copyright leads us to conclude that the national legislation does not currently contain any provisions that would allow deny the application of these provisions in succession copyright, no despite the fact that this may lead in practice to a number of negative effects. In order to address the shortcomings outlined need to make changes to the national legislation regarding establishment of a special order of application of the compulsory share of inheritance for cases of inheritance copyright.

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INTERPRETATION OF STATE REQUIREMENTS CONCEPTION IN THE FIELD OF PUBLIC PROCUREMENT

Public procurement can be defined as a system of relations between the state (public customers) and business entities of all forms of ownership (implementing procurement) related to the planning, development, deployment and execution of planned intercourse for the supply of goods, works, services by means of a public contract in the specified range to meet the needs of the state according to budget and other funding sources. The main goal of the process of public procurement is to meet public needs.

The legal definition of «state requirements» conception identifies the specific procurement as state regulation of the

economy. But despite the legal definition of this concept, there are scholars that equate the «public requirements» with the «public order», expounding the meaning of term «public requirements» in the field of public procurement incorrectly. Therefore, the article focuses on the distinction between «public order» and «public requirements» and the interpretation of «public requirements» in the field of public procurement.

Some authors argue that the concept of «public order» narrower than the concept of «public requirements». (L.M. Davletshyna, K.V. Kychyk, L. Karatanova and M. Kurz). But, considering this position,