

issues of recognition and enforcement of foreign and domestic arbitral awards.

As for recognition of a foreign arbitral award, it is decisive that the state court to which a petition is filed is not entitled to view the award on the merits. At the same time as the procedures for the recognition and Enforcement of foreign arbitral awards not considered as one of the types of international legal assistance, as some authors as arbitration courts of their status are not subjects of international assistance.

Especially the issues of recognition of a foreign arbitral award that requires enforcement. Although academic point articulated position, according to which in the absence of the CPC of Ukraine special rules for recognition in the country of the

foreign arbitral award that requires enforcement shall apply the rules of Art. 10 Decree of the Presidium of the Supreme Soviet «On the recognition and enforcement of foreign judgments USSR and arbitration» from 21.06.1988 he seems convincing, we believe that from a practical point of view, state courts still possible to implement a procedural action taken as referring to the statement of recognition of a foreign decision that does not require enforcement.

Also, the article analyzes the practice of recognition and enforcement of arbitral awards in the context of the powers of the competent court which has the right to decide on the recognition and enforcement of arbitral awards.

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COURT DECISIONS IN DIFFERENT BRANCHES OF PROCEDURAL LAW: POSSIBILITIES OF UNIFICATION

The article analyzes the views of scientists concerning the definition of court decision in different branches of procedural law. The author singles out characteristic features of the institution of court decision such as: a) court decision is a procedural document, which is drawn up in writing; b) court decision is a juridical fact, its content being compulsory for execution by all natural and legal persons in Ukraine without exception; c) court decision is made exclusively by court according to the norms of procedural codes (civil, economic and administrative) in the name of the

state and is proclaimed in the name of the state; d) court decision determines the essence of substantive dispute and the procedure of its resolution according to the norms of substantive and procedural law; d) court decisions have certain structure with specific content of each part; e) each court decision contains the provision concerning the possibility of appeal according to certain procedure.

The author differentiates the concepts of court decision, judicial decision and court resolution and proves that presently the concept of court decision is a traditional

concept and thus it is inappropriate to substitute it for the concept of court decree.

The author stresses on the possibility of change of the structure of court decisions in simple claims by withdrawing its declarative part. The author believes that the court must be obliged to present full unabridged text of court decision only in

cases when the decision is appealed against or a complaint is lodged against it.

The study proves that the essence, the structure and content of a court decision in different branches procedural law are of the same type, which means that it is possible to unify the institution of court decision in the Integrated Court Procedural Code.

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CONCEPT AND TYPES OF PARTIES TO CORPORATE LEGAL RELATIONS

The article is devoted to the definition as well as features and types of parties to corporate legal relations. The study defines parties to corporate legal relations as persons who have in possession subjective rights and obligations enshrined in the regulations, enter into corporate governance relations and exercise of corporate rights. The main features of parties to corporate legal relations are determined by following: 1) parties to corporate legal relations enter into corporate governance relations and exercise of corporate rights which constitute the object of corporate relations; 2) the formalization of parties means that entering into the corporate relations should be carried out by the rule of law; 3) exceptional number of parties means that some parties to corporate legal relations may enter only into corporate relations and have no powers to enter into other business relationships (eg, bodies of corporate governance and employ-

ees of the corporation); 4) the presence of parties with special status (founders, shareholders, corporate governance bodies, etc.); 5) the subordination of entities - corporate relationship is hierarchical and clearly prescribed by law and regulations, as well as local regulations of the corporation; 6) conflict of interests of corporate legal relations. Special attention is devoted to the determination of types of parties to corporate legal relations on the following criteria: 1) entering into other business legal relations: parties to corporate as well as other business legal relations (the corporation itself, its members, creditors, government agencies and local government), exclusively parties to corporate legal relations (bodies of corporate governance as well as group of shareholders, group of companies and employees of the corporation); 2) separation of parties on the basics of corporate governance and exercise of corporate rights.