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THE PROBLEM OF THE LEGAL NATURE OF THE AUCTION ANNOUNCEMENT DEFINITION

The auction is an effective way of property realization, which includes the difficult mechanism of actions of persons who take part in it. One department of this mechanism is a performance by the organizer of the auction of a duty to placement of the announcement of carrying out auction. The legal nature of this announcement in legal science and practical activities is considered ambiguously that the situation leads to emergence conflicts between auction participants and can be the basis for cancellation of results of auction in a judicial order and recognitions of the contract of purchase and sale of goods at auction in

valid. These circumstances cause the relevance and need of research in this branch. In article doctrinal approaches are given to definition of the legal nature of the announcement of tendering which exist in the domestic law and inscience of foreign countries. The careful analysis of the legislation of Ukraine is carried out to branches of auction commodity turn over, the case law of the states of Anglo-American law system on the matter is investigated. By results of research doctrinal definition of the legal nature of the announcement of carrying out the economic auction is offered.

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ON THE ISSUE OF DELIMITATION OF LEGAL RELATIONSHIP NATURE WHILE IMPLEMENTATION OF STATE CONTROL OVER ECONOMIC ACTIVITY

Controlling relationship in the sphere of economic activity is the relationship between the Government of Ukraine in the person of its authorities that exercise administration of economic activity and controlled economic agents.

In this case state authorities are the participants of economic activity that fulfill

economic-organizational function. At the same time any controlling state authority is the administrative authority and the methods that are used by this authority are regulated by the administrative law. As we can see the nature of this relationship has dual character. For example, controlling authorities impose administrative-econom-

ic sanctions to economic agents for the breach of legislation commitments in the terms of organization and conduction of economic activity in cases within the law. At the same time relationship between above-mentioned authorities has organizational-economic character. As a result further research is needed for the question of delimitation of organizational-economic relationship, that is understood as the control, and administrative-organizational – control over economic activity of economic agents.

It is assumed that state control is the vertical relationship between economic agents and controlling authorities and it is carried out in tough relationship «pow-

er-subjugation». On the part of government administrative function is carried out by state authorities that according to their competence use instruments of control that are based on specific principles of state influence over controlled object. State authorities need to be subordinated to economic law in order that state control in the sphere of economic activity carries out economic function. That is the economic-legal essence of organizing and carrying out the state control in the sphere of economic activity. And only such legal relationships between controlling authorities and economic agents reflect the nature on the organizational-economic legal relationship that is developed by economic law.

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LEGAL NATURE OF COMMERCIAL AGENCY

Changes in the socio-economic system of Ukraine, Ukraine's accession to the WTO, the process of integration in the global economy will further the development and strengthening of market institutions, one of which is commercial agency.

Institute of Commercial agency is relatively new. It was not in the Civil Code as amended in 1963, it is not in the current Civil Code of Ukraine. The need for research in institute commercial agency due to theoretical and practical components, since to dateno single pointof view of its legal nature. Proper understanding of commercial agency institute will minimize errors in the implementation of agency contracts in the practice.

The purpose of the article - to consider the legal nature of the Institute of Commercial agency in Ukraine economic relations, to analyze some theoretical problems of its definition and meaning, and relationship with other legal categories.

Commercial agency - a type of business relating to the provision of services. Under the current legislation of Ukraine Commercial agency may be in stock, insurance, trade, tourism, mediation associated with the issuance of securities, shipping agency and others.

The article explores some of the theoretical issues regarding the institution of commercial agency and its relationship with the institution of commercial repre-