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## LEGAL BASIS OF FINANCIAL MONITORING: NATIONAL AND INTERNATIONAL STANDARDS

The development of market relations and administration in Ukraine led to emergence and introduction to the field of legal regulations the new form of financial control as monitoring. The objectives of this article are: the definition monitoring activities, definition the legal framework of those activities, the analysis of existing rulemaking instruments, which regulate the procedure for Financial Monitoring of Ukraine.

The Law of Ukraine «On prevention and counteraction to legalization (laundering) of proceeds from crime and terrorist financing» defines financial monitoring as the set of activities performed by the subjects of financial monitoring in the area of prevention and counteraction to legalization (laundering) of proceeds illegally obtained, counter-terrorism, comprising of state financial monitoring and initial financial monitoring.

The object of financial monitoring is the activity of the asset if there is possible risk of using these assets to legalization (laundering) of proceeds from crime and terrorist financing, as well as any information about such actions or events, assets and their participants.

State financial monitoring is a set of activities undertaken by entities of state financial monitoring, designed to meet the requirements of the law on prevention and counteraction to legalization (laundering) of proceeds from crime and terrorist financing.

Financial monitoring system consists of two levels – primary and state. Entities of the primary monitoring level are: banks, insurers (reinsurers), credit unions, pawnshops and other financial institutions, payment organizations, members of payment systems, acquiring and clearing institutions, commodity, stock and other exchanges, professional participants of the securities market, the company asset management, postal operators and other institutions that conduct transactions with the transfer of funds; branches or representative offices of foreign business entities that provide financial services in Ukraine and other specifically identified entities.

Entities of state financial monitoring are: National Bank of Ukraine, the central executive body that provides shaping and implementing public policy in the area of prevention and counteraction to legalization (laundering) of proceeds from crime and terrorist financing (State Service for Financial Monitoring of Ukraine) Ministry of Justice of Ukraine, the central authorities to ensure public policy in the field of postal services (Ministry of Infrastructure of Ukraine) and economic development (Ministry of Economic development and Trade of Ukraine), National Commission on Securities and Stock Market, National Commission for the State regulation of financial Services Markets.

The Designated Authority in the field of monitoring is Public Service for Fi-

financial Monitoring of Ukraine. It is the central executive body whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Finance of Ukraine.

International standards and measures against the laundering of money obtained through illegal activity are developed by the FATF (The Financial Action Task Force (on Money Laundering)).

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## THE PRINCIPLE OF THE RULE OF LAW IN THE ADMINISTRATIVE AND LEGAL ASSISTANCE OF SOCIO-ECONOMIC DEVELOPMENT OF HUMAN

Article is devoted to theoretical problems of administrative and legal assistance in socio-economic development of the person and the role of the principle of the rule of law in the practical legal adaptation of the PPP Government activity-promoting «public-service nature. Analyses the theoretical position «legal assistance» through the concept of «establishment» and «software» implementation of human rights and freedoms and its socio-economic development.

On the basis of the analysis of scientific literature is the concept of «administrative and legal assistance in socio-economic development of the person» in terms of: public-government activity as the totality of governmental, public management methods of influence on social economic relations, as well as administrative and legal exposure as the totality of methods of action of administrative and legal means in organizing activities of the officials of executive bodies, local authorities, public organizations, institu-

tions and enterprises. Also the author revealed the role of the principle of the rule of law and the other principles of administrative law in «facilitating» human socio-economic development in Ukraine.

It is set that principle of supremacy of right in the administrative and legal assistance of socio-economic development of man directs activity of official persons of public government bodies through the norms of legal law and maintenance of public guarantees to assist self-realization of rights and freedoms of man and citizen with the aim of socio-economic development. Publicly-imperious activity from an assistance to socio-economic development of man must be directed and limited to the clear scopes of the constitutional mechanism of providing of rights and freedoms of man worked out in science with establishment of necessary intercommunications of corresponding legal norms and necessities of practice of publicly-imperious legal relationships in the field of a menage.