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GUARD OF THE INHERITED PROPERTY BY THE PERFORMER OF TESTAMENT (ACTUAL QUESTIONS)

The scientific article is devoted to the actual questions of guard of the inherited property, in particular by the performer of testament.

Author analyses of current legislation, notarial and judicial practice, scientific literature in relation to the guard of the inherited property, subjects, having a right to put a question about introduction of guard of the inherited property, to application of certain measures on the guard of inheritance.

Author paid attention, that different concepts of guard of the inherited property are presented in literature. The circle of subjects is analyses, which having a right to initiate introduction of measures on the guard of property, and also plenary powers that get to the performer of testament for his guard. In legislation there are no absence which fixing limits plenary pow-

ers of performer of testament therefore author analyses positions of scientists about this aspect of question. Paid attention that a legislator also does not decide a question about terms on that the guard of the inherited property can be entered.

Author offers his own decision of guard of the inherited property, as a complex of legal and technical events that accept the interested persons or at their direction the permitted assignee is a performer of testament with the purpose of providing of guard of property and inheritance in the order set by a law.

Author set his own position about high efficiency of actions of performer of testament in case of necessity of acceptance of measures is grounded on the guard of the inherited property, and also necessity for populaces this figure in a professional environment.

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NOTARY SECRECY AS ONE OF IMPORTANT COMPONENT OF A NOTARY'S ACTIVITY

One of the goals of modern Ukrainian jurisprudence, rulemaking and enforcement practice, which are connected with consolidation of the new democratic

principles and the creation of a genuine rule of law in Ukraine is a real security and protection of the rights and freedoms of man and citizen according to the prin-