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DISTINCTION OF CONCEPTS “LEGISLATION EFFECTIVENESS” AND “EFFECTIVE LEGISLATION”

This article contains justification of necessity of distinction of “effective legislation” and “legislation effectiveness”. Author notes, that concept “effective legislation” covers primarily quality characteristic and answers the question “what kind?”, but concept “legislation effectiveness” covers quantitative characteristic and answers the question “to what extent?”. The author considers that the basic attributes of effective legislation are such features as legislation quality; systematicity; ability to provide interests of subjects of legal relations; accordance. Thus, it is proposed to understand effective legislation as concerted system of quality law acts, whereby subjects of legal relations are really able to provide their interests in accordance with general principles of law and lawful state. The author considers that introducing the concept “effective legislation there is no need to say about effectiveness in statics and in dynamics, or about effectiveness of law and effectiveness of its action. Both ideal state of the object and highly effective legislation

can be defined through the concept “effective legislation”. In addition, the author thinks, that legislation effectiveness should be researched not only from the viewpoint of its content, but also its form. It must be considered, that the concept of effective legislation means quality characteristic, but concept “legislation effectiveness” means quantitative characteristic. That is why legislation effectiveness is the level of providing interests of subjects of legal relations in accordance with general principles of law and lawful state. Having defined legislation effectiveness, the degree of effectiveness of legislation can be revealed. Legislation effectiveness should be considered as system phenomenon, which has definite components. The development of these components reflects definite level of knowledge and provides further development of cognitive activity in this area as well as facilitates solution of practical problems with formation and functioning of national system of legislation and increases the level of its effectiveness.