

*Bondarenko K.,
Candidate of Law Sciences,
Associate Professor at the Department of Administrative
and Financial Law,
National University "Odessa Law Academy"*

COMPETENCE OF THE CABINET OF MINISTERS OF UKRAINE IN THE DEFENSE FIELD

State administration in the field of defense as a constituent element of the state administration of the administrative-political sphere has a quite traceable specific features that are stipulated by the proximity to the military sphere.

The analyses of the current legislation of Ukraine allow asserting that from all state power bodies the broadest competence concerning realization of the state administration in the field of defense have the Cabinet of Ministers of Ukraine.

In the process of characterizing the competence of government in the mentioned field it should be noted that interesting and important from the point of view of the state administration theory and legislative practice is the issue of correlation between terms "functions" and "competence" because the Law of Ukraine "On Defense" mix those terms.

While analyzing the competence and functions of the Cabinet of Ministers of Ukraine it becomes quite clear that in realization of the state administration in

the field of defense the government plays the most crucial role that at the same time can be a negative factor for the effective administration, because in case of granting such competence to any state power body in the definite field there always occur a threat of concentration and using that power in the interests of definite persons or group of persons. Attributing to the competence of the Cabinet of Ministers of Ukraine, inter alia, regulation of the economic activity in the Armed Forces of Ukraine, to our mind, needs a review with argumentation of granting the state executive power body with such competence.

In further legislative works in this field it should be noted that in modern conditions role of other state power bodies is extremely important, especially the Verkhovna Rada of Ukraine and the President of Ukraine as elements of supporting the balance and guaranteeing the interests of the state and society that should be ensured in the proper legislative way.