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LEGAL NATURE OF THE CONCEPT OF “SERVICE” AND ITS RELATIONSHIP TO THE CONCEPT OF “ADMINISTRATIVE SERVICES”

This article deals with the activities of executive bodies (their officials), in accordance with the requirements of Articles 1, 3 and 5 of the Constitution of Ukraine is to act in order to ensure the implementation of private and public interests, especially in controlling the quality and safety of products and all kinds of services and works. Other social production, works and services are subject to economic legislation. Business representative institutions of the state are the subject of administrative law, its implementation is financed from public funds, and therefore there is no sign of services.

From the preamble of the Constitution of Ukraine is seen that the parliament, executive and judicial authorities need to take care “of the rights and freedoms of human and worthy conditions of life”. The term “care” includes the obligation to exercise diligence, care, to seek, to care, to work so as to ensure the rights and freedoms of man and decent conditions of life. The content of Articles 1, 3 and 5 of the Constitution states that the bodies of state authorities (the BSA) and bodies of local authorities (the BSA) should be

the performance of responsibilities to create organizational conditions for the implementation of public and private interests. However, other provisions of the Basic Law suggest that state the duties and responsibilities not delegated BSA and BSA. Their activities are financed from public funds, which are formed in accordance with Art. 67 of the Constitution at the expense of taxpayers. Introduction to the circulation of administrative jurisprudence and current legislation such activity as providing “paid administrative services” grossly violated the principles of the rule of law, reduces the content and scope of the constitutional rights and freedoms of citizens of Ukraine.

Legal basis that laid down in the law during the Soviet era and still dominate the legal system of Ukraine, they contradict not only the legal norms of the civilized world, but the very logic of social and economic development of the normal democratic society in the rule of law. Evidence of this is the existence of “dogma factor”, which is an obsolete concept of declaring the Soviet subject of administrative law.