

Sergij BANAKH

PhD in Juridical Sciences

Associate Professor of Criminal Law and Procedure
Ternopil National Economic University, Ukraine

CORRUPTION RISKS IN THE PROVISION OF ADMINISTRATIVE SERVICES: NATIONAL AND FOREIGN EXPERIENCE

An essential attribute of a democratic state is the quality of administrative services, which would be focussed on the needs of the consumer, timeliness, accessibility, information openness and professionalism of subjects of the provision. However, practice shows that the unclarity of the mechanism of administrative services, rigid consumer's bound in choosing another method of applying for service cause corruption in this area. That's why actually remain tasks of timely identifying corruption risks, which arise in the provision of administrative services and elimination of conditions and causes that contribute them.

The practical aspects of the organization provision of administrative services devoted scientific work native scientists such as: V.B. Averyanov, M.N. Bilynska, V.M. Vakulenko, V.M. Garashchuk, N.V. Hnydyuk and others. These issues examined also foreign scientists such as: A. M. Mironov, E.V. Talapina, W. Braun, W. Weiss, C. Gramm, A. Mayer, H. Eryksen etc. [2, p. 83].

The aim of the article is to identify the main corruption risks that arise in the process of receiving administrative services in Ukraine and to adopt an international experience in the context of solving this problem to improve the organization of their provision for satisfaction the needs of the population.

An important step in the reformation of the process of the provision of services was approved in 2012 the Law of Ukraine "About Administrative Services" which is directed to realize the rights, freedom and lawful interests of individuals and legal entities in the provision of administrative services [1]. However, unacted remained the formation of a network of provision of administrative services, ungranting of a guaranteed list of the most requested by citizens and business services in centers of provision of administrative services, non-acceptation a number of legislative and regulatory legal acts which are necessary for the full realization of the provisions of the Act. In addition, currently providing services on the principle of "a single window" is difficult complicated by the lack of proper interaction between the subjects of administrative services. The need f obtaining various certificates, excerpts, statements that are issued both by public bodies and local authorities and relevant enterprises, institutions and organizations for one or another administrative service, forces recipients to resort to corruption and "circumvent the law" to satisfy their vital needs [3].

In the context of eliminating of corruption risks we should pay attention to the experience of foreign countries about the introducing a mechanism of the provision of administrative services in electronic form. In particular, a report «Digital Britain» 2009 is dedicated to the development of the electronic state - Great Britain. According to the Global E-Government Survey 2010, in a worldwide ranking of the readiness countries to use technologies of e-government, prepared by the Department of Economic and Social Affairs, United Kingdom took fourth place among 192 countries. State structures of the UK are among the largest customers of ICT vendors. There are free services for users' convenience: Directgov that serves for citizens, Businesslink that is designed for the needs of business and NHSchoice that is focused on health issues. Directgov locates 171 services, 124 of which are provided by executive authorities and 47 services are provided by municipal authorities [4].

Particular interest approaches the US standardization in the provision of information

technol
and cor
informa
institut
F
admini
make c
Beacu
aims o

Access
manife
transfe
[Elect
Europ
Acces

Eur
inv
adm
scie
V. 7

pro
get
adr
Ad
ser
fur
cor

ad

int

ad

technology in government organizations. US Federal Government considers that the e-government and corporate IT architecture components are mandatory for improving the access and delivery of information and services from the state to citizens, businesses, employees and other state institutions, as well as on the other levels in the hierarchy of the government.

Finally, it should be noted that it is extremely important to create transparent conditions for administrative services and adopting of foreign experience to solve the current problems that will make corruption impossible and will provide equal conditions for users of administrative services. Because improving the quality and accessibility of public and municipal services is one of the main aims of administrative reform and the key criterion of efficiency of public administration.

References:

1. Law of Ukraine "About Administrative Services" from 06.09.2012 № 5203-VI. - [Electronic resource]. - Access: <http://zakon4.rada.gov.ua/laws/show/5203-17>.
2. Ivanov Y.B. Improving the organization of administrative services as a way of preventing corruption manifestations / Y.B. Ivanov, A.A. Syenina // Problems of Economics. - 2014. - № 3. - P. 81-88.
3. Regional Development continues to prepare draft laws aimed on the decentralization of powers and their transfer to local authorities / Press Service of the Ministry of Regional Development, Construction and Utilities. - [Electronic resource]. - Access: http://www.kmu.gov.ua/control/uk/publish/printable_article?art_id=247727316
4. Pleskach V.L. Examples of rational solution of architecture electronic interaction in the countries of European Union (review of international experience in organization of electronic interaction). - [Electronic resource]. - Access: dknii.gov.ua/sites/default/files/wb_io_19_03_0.doc.

Angelika BARAN

PhD in Juridical Sciences

Associate Professor of Theory and History of Law

Ternopil National Economic University, Ukraine

LEGAL REGULATION OF THE INSTITUTE OF ADMINISTRATIVE SERVICES IN UKRAINE

Legal regulation of the administrative services in Ukraine is an important step towards European integration, development of administrative reform, the state anti-corruption policy and investment climate. The analysis of last publications demonstrated that the problem of administrative services in Ukraine is analyzed in the works of a number of well-known Ukrainian scientists and practitioners: V. Averyanov, K. Afanasyev, A. Kapulovskiy, I. Koliushko, N. Nyzhnyk, V. Tymoshchuk, etc.

In order to create affordable, effective and convenient conditions for realization and protection of rights, freedoms and legitimate interests of individuals and legal entities concerning getting qualified administrative services, preventing corrupt practices in the providing of administrative services on Sept. 6, 2012 the Verkhovna Rada of Ukraine adopted the Law «On Administrative services». Unclear and ambiguous definition of the concept "administrative services" in the scientific and legal sources and the absence of an integrated strategy for their further development in Ukraine in some way contribute to the accumulation of «chaotic and conflict» legislation on them.

In the Law of Ukraine "On Administrative Services" there are a number of deficiencies and advantages. The main innovations are:

- legal fixation of the concept "administrative services";
- determination of the conditions for informing citizens about administrative services;
- determination of the basis for keeping the register of administrative services, the introduction of a single web portal of administrative services;
- predictions concerning the need of creation centers providing administrative services.

Unfortunately, there are a lot of loopholes in the bill, concerning the payment for administrative services, separation of state and municipal services.

Also several destructive rules were included, namely on the creation of centers providing