

answer the challenges of the modern globalized world, when the diverse changes are significantly speeding up, including political, economic, social, technological, ecological. The theme of the state-legal partnership in the realization of the economic and the socio-cultural development of the territorial communities is highlighted.

It has been characterized that the Law of the Ukraine «On State-Private Partnership» is the main law in the legislation system of SPP. The definition has been given and the features have been outlined that characterize the relationship of the state-private partnership. The definition of the state-private partnership is given as cooperation between the state of the Ukraine, the Autonomous Republic of Crimea, the territorial communities represented by the relevant state bodies that, according to the Law of the Ukraine «On the Management of the Objects of State-property» that manage objects of the state property, local self-government bodies, the National Academy of Sciences of the Ukraine, national branch academies of sciences (state partners) and legal entities, except for the state and the communal enterprises, the institutions, the organizations (private partners), which are carried out on the basis of the contract in the manner established by this Law and other legislative acts, and corresponds to the signs of the state-private partnership determined by this Law. The actuality of the strategic planning and the development of the united territorial communities is emphasized and attention is focused on the important role of the state-private partnership in the realization of the economic and the socio-cultural development of the territorial communities.

**Keywords:** *public-private partnership, territorial community, strategy, planning.*

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#### **METHODS OF ACTIVITY OF PUBLIC ADMINISTRATION IN IMPLEMENTATION OF JUVENILE POLICY**

**Роман Опацький. МЕТОДИ ДІЯЛЬНОСТІ ПУБЛІЧНОЇ АДМІНІСТРАЦІЇ У СФЕРІ РЕАЛІЗАЦІЇ ЮВЕНАЛЬНОЇ ПОЛІТИКИ.** У статті досліджено методи впливу публічної адміністрації на суспільні відносини у сфері реалізації ювенальної політики в Україні.

Переконання й заохочення як всеохоплюючі методи діяльності публічної адміністрації у сфері реалізації ювенальної політики становлять основу функціонування апарату державного управління в зазначеній сфері. Під час здійснення державного керівництва у сфері реалізації ювенальної політики, а також у процесі правоохоронної діяльності органи державного управління використовують найрізноманітніші прийоми і способи переконання і заохочення як методи цілеспрямованого впливу.

Зростання свідомості, організованості громадян робить методи переконання й заохочення дедалі ефективнішими інструментами регулювання громадських управлінських відносин. При цьому звужується сфера адміністрування, невиправдане застосування адміністративно-примусових засобів впливу. Наголошено, що зважаючи на сучасний стан, грошові методи відіграють важливу роль у діяльності публічної адміністрації у сфері реалізації ювенальної політики.

Невід'ємною складовою системи методів державного управління суспільством є метод примусу. Вказаний метод належить до найбільш жорстких засобів впливу, тому в діяльності органів управління та їх посадових осіб примус застосовується, як правило, у поєднанні з іншими управлінськими прийомами. Обстоюється позиція, що гарантією правильного поєднання методів переконання, заохочення й примусу є визнання головної ролі методів переконання і заохочення як методів психічного впливу на свідомість, а через неї – на поведінку людей. Ці методи виявляються в системі заохочувальних, виховних, пояснювальних, рекомендувальних, що забезпечують правочинність вчинків і дій учасників управлінських відносин.

**Ключові слова:** *публічна адміністрація, адміністративні методи, примус, заохочення, ювенальна політика.*

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**Relevance of the study.** The regulation of public relations requires the judicious use of levers of influence and the creation of conditions for the realization of human rights and freedoms with respect for the interests of all stakeholders. Speaking about the formation and implementation of juvenile policy in Ukraine, we can not ignore the methods of public administration in this area.

**Recent publications review.** V. Averyanov and O. Ostapenko devoted their studies to the problem of administrative and legal methods of regulating public relations. Concussion in the system of administrative methods studied Y. Bytyak and V. Kolpakov in their works. Features of encouragement in the system of administrative and legal methods formed the basis of researches of O. Ostapenko, S. Alekseev, G. Atamanchuk.

However, despite the significant achievements of scientific works in this area, the methods of public administration in the implementation of juvenile policy have not been given enough attention.

**The research paper's objective** is to analyze and identify problems of administrative and legal methods of public administration in the field of juvenile policy.

**Discussion.** Precisely in this form the method of activity of public administration in the field of juvenile policy really plays the role of a way (means) of managerial influence of the subject of management on the object. In other words, if there were no form of activity, the methods would lose all meaning, because managerial influence would remain only an intention, a wish, but would be devoid of formal meaning.

A lot of attention has been paid to the improvement of organizational structures of public administration, determining the status of executive bodies, civil servants, other subjects of public administration in general and public administration activities in the field of juvenile policy.

The role of the method in any activity, including administrative, is difficult to overestimate. However, the success of all activities often depends on the right method. The choice and correct application of the method is quite difficult. The method itself does not fully determine the success of the activity [1, p. 367]. Important is not only the method, but also the ability to use it. Therefore, it is important to learn how to choose and apply a specific method to solve a specific situation.

As methods of activity usually are various means, ways of achievement of the set purposes, the decision of the problems arising in the course of activity. In the reference literature, the method is a set of techniques or operations of practical or theoretical development of reality, which are subject to the solution of specific problems. In the context of practical activity, a method is a way of acting, a way of performing a function or activity. This understanding of the method of activity allowed some scientists to justify the existence of such a logical connection: «function – activity – a way of carrying out activities» [2, p. 12]. Explaining the concept of management method, the American expert in scientific management J. Galbraith noted that to understand the management method it is important to emphasize: the method is not an actual activity, but its possible ways.

These positions are of fundamental importance for understanding the essence of the category of the method of activity, because they make it well defined, different from other elements of activity, although they do not fully disclose its content, do not indicate what components make up this concept.

Finding out the positions of scientists concerning investigative problem, we can state the fact that sometimes the concepts of management methods differ significantly from each other and reflect different manifestations of management. But the analysis of different definitions of the studied concept gives grounds to believe that the quintessence of the category of management method is to reflect the relationship of control and managed subsystems, one of which is the subject of management exerting managerial influence on the other – the controlled object. If we summarize all the judgments, we can conclude that the understanding of management methods (methods of activity) in the narrow and broad sense. In its most general form, the method of management in its narrow sense can be understood as a way of influencing controlled objects.

It should be agreed that management methods are in some way derived from the methods of administrative and legal regulation, given that they (management methods), acting as a way of direct managerial influence by the executive body (official) on the object, are in its content «charge» of legal power, the totality of which is directly determined by the essence of administrative and legal regulation.

In this work we will talk about the methods of public administration in the field of juvenile policy. As for the methods of activity as ways to organize the work of public administration in the field of juvenile policy and ways to resolve specific situations, they will be considered only in passing.

The guarantee of the right combination of methods of persuasion, encouragement and concussion is the recognition of the main role of methods of persuasion and encouragement as methods of mental influence on consciousness, and through it – on human behavior. These methods are manifested in the system of encouraging, educational, explanatory, recommending measures to ensure the legitimacy of actions and actions of participants in management relations.

Persuasion and encouragement as comprehensive methods are the basis for the functioning of public administration.

In the implementation of state management of the economy, socio-cultural and administrative-political construction, as well as in the process of law enforcement, public administration bodies use a variety of techniques and methods of persuasion and encouragement as methods of targeted influence.

In the system of methods of public administration an important place is occupied by beliefs – a special means of legal influence. It is that the subjects of public administration adhere to certain requirements as a result of their internal recognition, and not through blind obedience to the dictates of power. This means the introduction of discipline, understanding that strong public discipline and legality are a prerequisite for successful construction of the legal function, form and methods of public administration of an independent, democratic state, as well as the formation of a conscious habit aimed at compliance with legal requirements, a sense of inadmissibility of their violation, the need to actively combat offenses.

Thus, persuasion is a system of legal and non-legal measures carried out by state and public bodies, which is manifested in the implementation of educational, explanatory and encouraging methods aimed at forming citizens' understanding of the need for strict implementation of laws and other legal acts.

In the work of public authorities in the implementation of juvenile policy are used socio-psychological methods – persuasion and concussion. As the legal literature rightly points out, these are two interrelated «poles» of a single whole, that is, a mechanism for ensuring proper conduct and law and order; they complement each other.

Motivation is of paramount importance for the implementation of the method of persuasion in modern conditions, i.e. activities aimed at activating the people on whom the activities of public authorities are directed, and encouraging them to effectively implement decisions. The motivation process includes the following stages: 1) identification or assessment of unmet needs; 2) formulation of goals aimed at meeting the needs, determining the necessary incentives; 3) identification of actions necessary to meet needs. Motivational actions include economic and moral incentives, enrichment of the content of work, creating conditions for identifying the creative potential of employees and their self-development.

Encouragement – a way of influencing that through interest, consciousness directs the will of people to carry out useful, in terms of encouragement, things. Encouraging influence promotes the emergence of interest in certain activities, obtaining material, moral and other approval.

As a method of activity of the executive power, encouragement is characterized by the following features: the actual basis for the application of encouragement is merit, actions, positively evaluated by the subjects of power; encouragement associated with the evaluation of actions already taken, is an integral part of state control; personalized encouragement, applied to individual or collective entities; encouragement consists in moral approval, endowment with certain rights, material values and other benefits; incentives are mainly regulated by law, in many cases implemented in the form of law enforcement; encouragement indirectly affects the will of the encouraged, stimulating him.

Depending on the basics of encouragement there are:

- absolute encouragement due to the absolute grounds for encouragement [3, p. 53]. Such grounds are: conscientious performance of labor and official duties; performance of civic duty (assistance in apprehending a criminal, rescuing a drowning person, etc.); encouraging mothers who have given birth to and raised more than five children; anniversaries, merits of foreign citizens to Ukraine in the development of science, etc.;
- relative encouragement is regulated by the Code of Administrative Offenses and

disciplinary statutes. The norms of these acts oblige to encourage voluntary renunciation of illegal activities, sincere repentance, voluntary elimination of the damage;

– formal incentive – an incentive regulated by legal norms (appropriate measures are formalized by special law enforcement acts and, as a rule, are entered in the employment record book, service card);

– informal encouragement – the use of various measures of influence not provided by law (for example, public praise).

The priority of human rights in public activities in general and the most vulnerable segments of the population (in our case children) in particular, the development of democratic principles in governance require further strengthening citizens' legal awareness in all spheres of public life, fostering in everyone a sense of public duty, increasing discipline and organization.

Encouragement in the implementation of juvenile policy as a method of managing legal science is based on the regulatory framework of national legislation. Existing legal acts establish the types of incentives, as well as the grounds and procedure for their application. Thus, special attention should be paid to the analysis of regulations that contain incentives in the field of legal science management in Ukraine [4, p. 115].

One of the types of incentives is state awards, the legal basis for which is the Law of Ukraine «On State Awards of Ukraine». According to Article 1 of this Law, state awards are the highest form of awarding citizens for outstanding services in the development of economy, science, culture, social sphere, defense of the Fatherland, protection of constitutional human rights and freedoms, state building and public activities, for other services to Ukraine [5].

Monetary methods play an important role in the activities of public administration in the implementation of juvenile policy.

In accordance with the Law of Ukraine «On State Assistance to Families with Children» of 21.11.1992, the following types of assistance are assigned: in connection with pregnancy and childbirth; at the birth of a child; when adopting a child; to care for a child under 3 years of age; for children under guardianship or custody; for children of single mothers. According to Art. 5 of the Law № 2811-XII, all types of state aid to families with children, except for assistance in connection with pregnancy and childbirth, are appointed and paid by social protection bodies at the place of residence (registration) of parents (adoptive parents, guardians) [6].

Speaking of ways to encourage juvenile justice actors, the Astrid Lindgren International Literary Prize for Children and Adolescence was established to draw adults' attention to children's literature and children's rights. That is why the award is given not only to writers and illustrators, but also to those people who do a lot to promote children's books in the world [7].

Thus, if we consider public administration in a broad sense, i.e. management carried out by all state bodies, material levers are a significant incentive that contributes to the development of the juvenile system in Ukraine.

Also, since 2001, Ukraine has awarded the Annual Prize of the President of Ukraine for young scientists for outstanding achievements in the humanities, which contribute to the further development of science, social progress and establish the high authority of domestic science in the world (including juvenile law) [8, p. 105].

Thus, encouragement in the field of public administration in the field of juvenile policy is a method of indirect direct influence through the consciousness and interests of the subjects of juvenile policy, which is manifested in the use of moral and material means of such influence, based on substantive and procedural rules administrative law and aims to stimulate the creative work (including scientific) of individuals and certify their achievements.

An integral part of the system of methods of public administration of society is the method of concussion. This method is one of the most severe means of influence, so in the activities of government agencies and their officials, concussion is used, as a rule, in combination with other management techniques. The authoritarianism of this method is undeniable, however, today there is no state that would use it as the most necessary means of managing their affairs.

Measures of state concussion in the implementation of juvenile policy, depending on the field of application are endowed with appropriate features. Distinctive features of administrative concussion, which allow to distinguish measures of administrative influence among other state coercive measures, are as follows: if all types of state coercion are essentially equivalent to the corresponding type of legal liability (for example, criminal coercion is almost equivalent to criminal liability), then administrative coercion and

administrative liability – various legal phenomena. On the one hand, they relate to each other as a whole and a part, and the concept of «administrative concussion» is much broader than the concept of «administrative responsibility», in other words, administrative responsibility is part of administrative concussion.

Measures of this type can be a) individual or personalized and b) general, which do not have a clearly defined specific addressee [3, p. 56].

Examples of individual or personalized measures (addressed to a specific person) are the rules of administrative supervision. These rules are a system of restrictions and are imposed on specific persons released from prisons and prone to wrongdoing.

Examples of general measures (which do not have a specific addressee) are security controls applied to aircraft for hand luggage, baggage, cargo and passengers.

Emergencies that require administrative precautionary measures can be varied: fire, epidemic, flood, earthquake, accident, etc.

The measures of this group are most prominently presented in the Law on State of Emergency. This is the establishment of a special regime of entry, exit, movement; ban on mass and sports events; introduction of curfew, etc. This should include measures of quarantine and observational nature, closing the borders with a neighboring state, etc. [4, p. 117].

Measures of administrative warning are aimed at preventing the commission of an illegal act and are applied if the offense is only anticipated. Measures of administrative termination must prevent the development of an illegal act (stop it), minimize losses. They apply if the act has already begun. Measures of responsibility for violation of legal regulations are applied provided that the composition of the illegal act is established, i.e the act is already an offense.

**Conclusions.** Thus, the analysis makes it possible to determine that the guarantee of the right combination of methods of persuasion, encouragement and concussion is the recognition of the main role of methods of persuasion and encouragement as methods of mental influence on consciousness and through it on human behavior. These methods are manifested in the system of encouraging, educational, explanatory, recommending measures to ensure the legitimacy of actions and actions of participants in management relations.

Persuasion and encouragement as comprehensive methods of public administration in the field of juvenile policy are the basis for the functioning of public administration in this area.

In the implementation of state leadership in the implementation of juvenile policy, as well as in the process of law enforcement, public administration bodies use a variety of techniques and methods of persuasion and encouragement as methods of targeted influence.

The growth of consciousness and organization of citizens makes methods of persuasion and encouragement more and more effective tools for regulating public administrative relations. This narrows the scope of administration, unjustified use of administrative and coercive means of influence.

An integral part of the system of methods of public administration of society is the method of concussion. This method is one of the most severe means of influence, so in the activities of government agencies and their officials, concussion is used, as a rule, in combination with other management techniques. The scope of the method of state concussion in the activities of public administration in the field of juvenile policy, in our opinion, should be narrowed to perform exclusively law enforcement function, which is to localize, neutralize, prevent violations of children's rights.

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#### ABSTRACT

The article deals with the study of methods of influence of public administration on public relations in the field of juvenile policy in Ukraine. Persuasion and encouragement as comprehensive methods of public administration in the field of juvenile policy are the basis for the functioning of public administration in this area. The position is defended that the guarantee of the correct combination of methods of persuasion, encouragement and coercion is the recognition of the main role of methods of persuasion and encouragement as methods of mental influence on consciousness, and through it – on human behavior.

**Keywords:** public administration, administrative methods, coercion, promotion, juvenile policy.

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#### СУЧАСНИЙ СТАН ФУНКЦІОНУВАННЯ РИНКУ ЗЕМЛІ СІЛЬСЬКОГОСПОДАРСЬКОГО ПРИЗНАЧЕННЯ В УКРАЇНІ

У статті сформульовано визначення поняття «ринок землі» та «ринок землі сільськогосподарського призначення». Виявлені елементи ринку землі, до яких належать: об'єкт, суб'єкт, зміст та мета. З'ясовані недоліки, що стосуються функціонування ринку землі сільськогосподарського призначення в Україні. Вказано, що на сучасному етапі розвитку держави варто основну увагу зосередити на розробці програмного забезпечення, що дозволить спростити роботу державним органам й нотаріусам, а також усуне корупційні ризики. Наголошено на необхідності розробки державної нормативної програми, яка буде спрямована на забезпечення ефективного землекористування.

**Ключові слова:** земельна ділянка, ринок землі, землі сільськогосподарського призначення, ефективно землекористування, цивільно-правові угоди, договір купівлі-продажу.

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