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## **FEATURES OF CRIMINAL RESPONSIBILITY FOR CORRUPTION OFFENCES**

The problem of corruption is one of the most important in the world. Surveys have determined that corruption is the most discussed problem in the world. However, the extent of corruption in the various branches of government, the private sector of our economy are staggering. The main argument and the mouthpiece of the struggle against corruption is the criminal liability for a committed corruption crimes. Corruption is not a new problem for our country. In the world ranking SRI Ukraine is ranked 131 place out of 176 countries. This line, together shared with us Kazakhstan, Russia, Nepal and Iran.

Corruption is the Foundation of the prosperity of the shadow economy affect the economic development of the state and tend to the destruction of the foundations of a free implementation of business activity on the principles of fair competition. [1, c. 201]. Article 1 law of Ukraine "On prevention of corruption" under the corruption understands the use of persons referred to and listed under appropriate legislation granted official powers or associated possibilities for the purpose of receiving undue advantage or

acceptance of such benefits or acceptance of a promise/offer of such benefit for themselves or other persons, or respectively, a promise/offer or provision of illegal benefit to a designated person or at his request to other physical or legal persons with the purpose to persuade that person to unlawful use of granted him official powers or associated possibilities. [4, c. 1]. The law uses two concepts similar terminology: "corruption offence" and "offence of corruption". When it determines that a corruption offence should understand the act containing signs of corruption, committed as specified in the law, for which the law established criminal, disciplinary and/or civil liability.

The circle of corruption crimes, the legislator divided into 2 groups. The first group includes: art 191, art 262, art 308, art 312, art 313, art 320, article 357, article 410 of the CC of Ukraine. [3, c. 367]. It acts in its "pure" form do not constitute corruption, but can be classified as such only with regard to their Commission of certain categories of persons, defined by the part 3, 4 of article 18 of the criminal code and the note to article 364 of the criminal code of Ukraine. The second group of criminal acts, which are considered to be corruption is actually corruption that exclusively contain in itself illegal corruption component: art 210, art 354, art 364, 364-1, article, article 365-2, 368, 368-2, article, article 368-3, 368-4, article, article 369, article 369-2 of the criminal code. The lack of a single General concept of "corruption crimes", in my opinion, it is justified, given the inability of adaptation and dissemination of a specific interpretation of a limited range of acts. It is impossible to develop such a generalized legal structure, which would reflect absolutely all the manifestations (signs) of corruption. But because the use of such a certain extent, the original approach to the identification of acts that are corrupt, is absolutely logical. On the other hand, qualitative content of such a list, you can still place into question. In particular, certain acts that are included in the first group of corruption-related crimes (acts stipulated in article. 262, 308, 312, 313, 320, 410 the criminal code of Ukraine), the existing international legal acts do not relate to corruption.

Most corruption crimes provided in the articles sanctions, as a supplementary punishment, deprivation of the right to occupy certain positions or engage in certain activities. In the absence of such a form of punishment in the sanctions of article, it can be appointed by the court, provided that given the nature of the crime committed by positions or in participating in certain activities, the personality of the convict and other circumstances of the case the court finds it impossible to preserve his right to occupy certain positions or engage in certain activities (part 2 of article 55 of the CC of Ukraine). Some articles sanctions for corruption offences provide for the appointment of two additional punishments deprivation of the right to occupy certain positions or engage in certain activities and confiscation or a fine (Articles 364 and 368-2 of the CC of Ukraine).

So, persons who committed corruption crimes, shall not apply under the existing criminal code of Ukraine guarantees related to the exemption from criminal liability: the provisions of article 45 of the criminal code of Ukraine - exemption from criminal responsibility in connection with active repentance.

In the result of changes in Section XII of the CC of Ukraine, according to part 4 of article 74 of the criminal code, a person convicted of a corruption offence cannot be released from punishment by court sentence, if such person has committed a crime small or moderate severity and may be considered, subject to good conduct and conscientious attitude to work this person at the time of the case in court cannot be considered socially dangerous [2, с. 15].

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## OFFICIAL AS A SPECIAL SUBJECT

Legislative fixing of the concept of special was assigned by it research in Criminal Law Doctrine. By the end of 50s of the last century, when establishing a circle of special subjects, it was basically indicated that that it can not be any, but only special person, without detailed disclosing of the content of this statement. Only since the end of 50s of XX century, the analysis, and the creation of relatively complete definition of concept of special subject have started.

Some scientists define the special subjects as persons, who have not only the general properties of all the subjects of the crime, but who are also characterized by additional special qualities, which are inherent only them. The other scientists think that the special subject is a person, which has peculiar qualities, which are provided in the disposition of the relevant norm of the Criminal Code. Also, scientists believe that a special subject is a person who, in addition to the necessary signs of the subject, also has special additional features that limit the possibility of criminal prosecution of other persons for the commission of a crime. I juridical literature the subject of a