(Ф 03.02 – 92)

National Aviation University

Educational and Research Institute of Law

Department of Criminal Law and Process

AGREED Approved

# Director of the Educational and Vice-Rector for Academics

Research Institute of Law \_\_\_\_\_\_\_\_\_\_\_\_\_\_ A. Gudmanian

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ I. Sopilko «\_\_\_»\_\_\_\_\_\_\_\_\_\_\_\_2018.

«\_\_\_\_\_» \_\_\_\_\_\_\_\_\_\_2018.

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# Quality Management System

**Course Training Program**

**on**

**«Procurator's Supervision»**

### Field of Study: 08 “Law”

### Speciality: 081 “Law”

Educational Professional Program: “Jurisprudence”

Year of Study – 2 Semester – 3

Lectures – 17 Examination – 3 semester

Practicals – 17

Self-study – 56

Total (hours/ECTS credits) – 90/3.0

Index EСB – 9-081/17-3.8

**QMS NAU CTP 13.01.03-01-2018**

The Course Training Program on "Procurator's Supervision" is based on the Educational Program and Bachelor Extended Curriculum № ECB-9-081/17 for Speciality 081 “Law” Educational Professional Program “Jurisprudence”, Syllabus for this Subject, Index СB – 9-081/17-3.8, approved by the Rector \_\_\_\_\_\_\_\_, and correspondent normative documents, order № 207/od of 27.04.18.

Developed by

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Discussed and approved by the Department of Criminal Law and Process, Minutes № \_\_\_ of " " 2018.

Head of the Department **S. Likhova**

Discussed and approved by the Graduate Department Speciality 081 “Law” Educational Professional Program “Jurisprudence” – The Commercial, Air аnd Space law Departament, Minutes № \_\_ of " " 2018.

Head of the Department\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **S. Yuldashev**

Discussed and approved by the Scientific – Methodological – Editorial Board of the Educational and Research Institute of Law, Minutes № \_\_ of " " 2018.

Head of the SMEB \_\_\_\_\_\_\_\_\_\_\_\_**V. Vyshnevetskii**

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| Director of the Institute  of Innovative Technologies and Leadership  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ K. Babikova |  |
| "\_\_\_\_\_"\_\_\_\_\_\_\_\_\_\_2018. |  |

Document level – 3b

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**Master copy**

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**INTRODUCTION**

The educational curriculum "Procurator's Supervision " is developed on the basis of "Methodological Guidelines for the Development and Design of Educational and Work Curriculum Programs of disciplines", put into effect by the order of 16.06.2015. №37 / order.

Rating System Assessment (RSA) is an integral part of a detailed syllabus and involves determining the quality of a student performed all kinds of classroom and self-study work and level it acquired knowledge and skills through assessment scores in the outcome of this work during the current, modular and semester control with subsequent transfer evaluation by multi-scale assessment of national scale and scale ECTS.

The RSA provides for the use of modular rating assessments (current, control, summary), as well as examination or accounting, final semester and final rating assessments.

**2. SUBJECT CONTENT**

**2.1. Training schedule of the subject**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| № | Topic | | Academic Hours | | | | | |
| Total | | Lectures | Practical | Self- study | |
| 1 | 2 | | 3 | | 4 | 5 | 6 | |
| **3 d semester** | | | | | | | | |
| **2.1. MODULE # 1 «Procurator's supervision»** | | | | | | | | |
| 1.1 | Subject, system, basic concepts of discipline and legal basis of the prosecutor's office of Ukraine | | 8 | | 2 | 2 | 4 | |
| 1.2 | Tasks, principles of organization and activities and functions of the prosecutor's office of Ukraine. | | 10 | | 2 | 2 | 6 | |
| 1.3 | System and structure of the prosecutor's offices of Ukraine  General Prosecutor of Ukraine. Regional Prosecutor's Office. Local Prosecutor's Office. | | 8 | | 2 | 2 | 4 | |
| 1.4 | The prosecutor's self-government and bodies that provide the prosecutor's office. Their interaction and relationship | | 10 | | 2 | 2 | 6 | |
| 1.5 | | Maintaining a public prosecution in court. | | 10 | 2 | 2 | 6 |
| 1.6 | | Representation of the interests of a citizen or state in court | | 12 | 2 | 2 | 8 |
| 1.7 | | Procedural status of prosecutor in criminal proceedings and peculiarities of prosecutor's supervision during pre-trial investigation | | 12 | 2 | 2 | 8 |
| 1.8 | | Supervision of the prosecutor for the observance of laws in the execution of judicial decisions in criminal cases, as well as in the application of other measures of a coercive nature related to the restriction of personal freedom of citizens | | 9 | 2 | 1 | 6 |
| 1.9 | | International cooperation of the prosecutor's office | | 5 | 1 | - | 4 |
| 1.10 | | Module control test №1 | | 6 | - | 2 | 4 |
| **Total for module number 1** | | | | **90** | **17** | **17** | **56** |
| **Total for 1 st semester** | | | | **90** | **17** | **17** | **56** |
| **Total for the subject** | | | | **90** | **17** | **17** | **56** |

**3. BASIC CONCEPTS OF GUIDANCE ON THE SUBJECT**

**3.1. List of references**

Basic literature

3.1.1. Конституція України//Відомості Верховної Ради України. –1996.– № 30. – С.141.

3.1.2. Про прокуратуру: Закон України від 14.10.2014 № 1697-VII//Відомості Верховної Ради України.. – 2015 № 2-3. – Ст. 12.

3.1.3. Про оперативно-розшукову діяльність: Закон України від 18.02.1992р. №2135-12 //Відомості Верховної Ради України.– 2006, №15. – Ст.128.

3.1.4. Про Службу безпеки України: Закон України від 25.03.1992 р. № 2229-ХІІ // Відомості Верховної Ради України. – 1992. – № 27. – Ст. 382.

3.1.5. Про Державну прикордонну службу України: 3акон України від 03.04.2003р. № 661-IV//ВідомостіВерховної Ради України. 2003, № 27. – ст.208.

3.1.6.Про організацію роботи з кадрами в органах прокуратури України [Електронний ресурс]: наказ Генерального прокурора України № 2 від15.12.2011 р. – [Електронний ресурс]:Режим доступу: http://www.gp. gov.ua/ua/gl.html?\_m= publications&\_t=rec&id=94102. – Заголовок з екрана.

3.1.7. Про затвердження Порядку прийняття Присяги працівника прокуратури та заходи щодо його виконання: наказ Генерального прокурора України № 5 від 21.01.2011 р. – [Електронний ресурс]: Режим доступу: http://www.nau.kiev.ua/druk.php? name=353813-21012011-0.txt. – Заголовок з екрана.

3.1.8. Положення про порядок стажування в органах прокуратури України: затв. наказом Генерального прокурора України № 80 від 30.12.2009 р. // (Правові основи прокур. діяльності в Україні: наук.-практ. посіб. / П.М. Каркач, А.В. Лапкін.) – Х.: Право, 2011. – С. 175-183.

3.1.9. Про засади запобігання і протидії корупції: Закон України від від 07.04.2011р. № 3206-VI //Відомості Верховної Ради України. – 2011, № 40, ст.404 .

3.1.10. Наджафов О.Г. Корупційні правопорушення і види відповідальності за їх вчинення / О.Г. Наджафов // Вісник прокуратури. – 2012. – № 3 (129). – С. 52–58.

3.1.11. Крайник С.С. Поняття та система корупційних злочинів в Україні / С. С. Крайник // Вісник прокуратури. – 2015. – № 1 (163). – С. 78–86.

3.1.12. Про основи національної безпеки України: Закон України» від 19 червня 2003 року № 964-IV (Відомості Верховної Ради України (ВВР), 2003, № 39, ст.351.

3.1.13. Дудоров О. Незаконне збагачення : сумнівна новела антикорупційного законодавства України / О. Дудоров, Т. Тертиченко // Вісник Національної академії прокуратури України. – 2011. – № 3. – С.28-34

3.1.14. Хавронюк М.І. Науково-практичний коментар до Закону України «Про засади запобігання і протидії корупції» / М.І. Хавронюк. – К.: Атіка, 2011. – 424 с.

3.1.15. Наджафов О.Г. Корупційні правопорушення і види відповідальності за їх вчинення / О.Г. Наджафов // Вісник прокуратури. – 2012. – № 3 (129). – С. 52–58.

**Additional literature**

3.1.16. Про судоустрій і статус суддів: Закон України від02.06.2016 № 1402-VIII  // Відомості Верховної Ради України. – 2016, № 31, ст. 545.

3.1.17. Кримінально-процесуальний кодекс України. від 13.04.2012 № 4651-VI // Відомості Верховної Ради України. – 2013, № 9-10, № 11-12, № 13, ст.8

3.1.18. Кримінальний кодекс України від 05.04.2001 № 2341-III// Відомості Верховної Ради України. –2001, № 25-26, ст.131

3.1.19. Про Національне антикорупційне бюро України: Закон України від 14.10.2014 № 1698-VII // Відомості Верховної Ради України. – 2014, № 47, ст.2051.

**3.2. List of basic guidance materials for the subject**

|  |  |  |  |
| --- | --- | --- | --- |
| № | Name | Index of Topics where Guides are Used | Amount |
| 1 | 2 | 3 | 4 |
| 1. | Practical training for students | 1.1, 1.2, 1.3, 1.4, 1.5, 1.6 | the electronic version |

**4. RATING SYSTEM OF KNOWLEDGE AND SKILLS ASSESSMENT**

4..1. Evaluation of certain types of made students' academic work and acquired knowledge and skills performed in scores according to Table. 4.1.

Table 4.1.

Grading of different kinds of academic activities performed by a student

|  |  |  |
| --- | --- | --- |
| **3 d Semester** | | |
| Module №1 | | Мах number 0f points |
| Kind of Academic Activities | Мах  Grade |
| Preparation of a report on the practicals | 8 | Мах Grade |
| Solving problems on a practicals | 40 |
| Accomplishment of express tasks | 20 |
| *For carrying out module test № 1, a student must receive not less than 41 values* | |
| Module Test №1 | 20 |
| **Total for module №1** | **88** |
| **Semester Graded Test** | | **12** |
| **Total Semester Grade** | | **100** |

4.2. Executed kind of training is enrolled to student if he received for it a positive assessment of national scale (Table 4.2)

4.3. A sum of a rating estimations got a student for the different types of the executed educational work presents a current module rating estimation that is brought to the list of module control.

4.4. To a current modular rating can be added to the 6th additional incentive and to 6th penalty points (for each module).

Table 4.2

Correspondence between the Grades and the National Scale

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Grades | | | | | National Scale |
| Preparation of a report on the practicals | Solving problems on a practicals | Accomplishment of expressl tasks | Homework | Accomplishment of Module Test |
| 8 | 5 | 5 | 5 | 18-20 | **Excellent** |
| 6-7 | 4 | 4 | 4 | 15-17 | **Good** |
| 5 | 3 | 3 | 3 | 12-14 | **Satisfactorily** |
| under 5 | under 3 | under 3 | under 3 | under 12 | **Bad** |

4.3. A sum of a rating estimations got a student for the different types of the executed educational work presents a current module rating estimation that is brought to the list of module control.

4.4. To a current modular rating can be added to the 6th additional incentive and to 6th penalty points (for each module).

4.5. Incentive points (the points with the sign "+") a student can get for a creative approach to the execution of any of current task, the original implementation and execution of tasks, etc.

4.6. Penalty points (the points with the sign "-") may be credited to a student for violation of the deadlines or lack level of accomplishment of some tasks, the failure of mandatory objectives to practical training, systematic delay to classes, etc.

4.7. If the student successfully and on time complied in this module all types of training (with positive on a national scale estimates) he allowed to Module Test.

4.8. Modular control is carried out by the Commission that is headed by the head of department through the student modular control work for up to two academic hours. Control modular rating estimation in points and national scale is to note to list of modular control.

4.9. In case receiving unsatisfactory control modular rating student must re-pass modular control in accordance with established procedure.

4.10. During the second passing modular control maximum control modular rating assessment in points which can get a student is not more maximum estimate "well" according to the national scale.

4.11. Repeated the modular control at received earlier positive control modular rating assessment for the purpose of increasing final modular rating assessment not allowed.

4.12. An amount of current and control modular rating is final modular rating assessment (table 4.3) which in points and on a national scale record to list of modular control

4.13. Module is enrolled to student if he during modular control has received positive (for national scale) control modular rating assessment and positive summary modular rating assessment.

Table 4.3

Correspondence between the Total Module Grades and the National Scale

|  |  |
| --- | --- |
| Module №1 | National Scale |
| 79-88 | **Excellent** |
| 66-78 | **Good** |
| 53-65 | **Satisfactory** |
| under 53 | **Bad** |

4.14. The amount the modular rating in points for the semester is a summary rating assessment semester modular which is transferred to the national scale ratings (table 4.4 ).

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Table 4.4  Correspondence between the Semester Module Grades and the National Scale | |  | Table 4.5  Correspondence between the examination rating, Grades and the National Scale | |
| Semester Grades | National Scale |  | Examination | National Scale |
| 79-88 | **Excellent** |  | 11-12 | **Excellent** |
| 66-78 | **Good** |  | 9-10 | **Good** |
| 53-65 | **Satisfactory** |  | 7-8 | **Satisfactory** |
| under 53 | **Bad** |  | under 7 | **Bad** |

4.15. The amount of a total semester modular and graded test rating in scores is a total rating assessment, which is recalculated in estimate for national scale and scale ECTS (table 4.6).

Table 4.6

Correspondence of the Total Semester Grade to the National Scale and the ECTS System

|  |  |  |  |
| --- | --- | --- | --- |
| Total Semester Grades | National Scale | ECTS System | |
| ECTS Grade | Explanation |
| **90-100** | **Excellent** | **A** | **Excellent**  (excellent performance with insignificant shortcomings) |
| **82 – 89** | **Good** | **B** | **Very Good**  (performance above the average standard with few mistakes) |
| **75 – 81** | **C** | **Good**  (good performance altogether with a certain number of significant mistakes) |
| **67 – 74** | **Satisfactory** | **D** | **Satisfactory**  (performance meets the average standards) |
| **60 – 66** | **E** | **Sufficient**  (performance meets the minimal criteria) |
| **35 – 59** | **Bad** | **FX** | **Bad**  (bad performance; a second testing is required) |
| **1 – 34** | **F** | **Bad**  (very bad performance; a student shall retake the course) |

4.16. Final Semester rating score in the semester in which the predicted examination (with the discipline – 1 st semester) equals the sum final stage modular rankings and ratings of record established for each category of final semester module rating assessments **(for "Excellent " – 11-12 scores, for "Good" – 9-10 points, for "Satisfactory" – 7-8 points)**.

4.17. Final Semester rating score in points, on national scale and scale ECTS entered into a scoring-examination information, training cards and student academic records.

4.18. Final Semester rating score entered into the record book and educational card student, for example*:****92/Excel./А, 87/Very Good/В, 79/Good/С, 68/Satisf./D, 65/Sufficient/Е*** etc**.**

4.19. Final rating score in points on discipline equals to total rating assessment for semester.

Given a final rating score on discipline is entered to annex to diploma.

**(Ф 03.02 – 01)**

**АРКУШ ПОШИРЕННЯ ДОКУМЕНТА**

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| №  прим. | Куди передано (підрозділ) | Дата  видачі | П.І.Б. отримувача | Підпис отримувача | Примітки |
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**(Ф 03.02 – 02)**

**АРКУШ ОЗНАЙОМЛЕННЯ З ДОКУМЕНТОМ**

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| --- | --- | --- | --- | --- |
| № пор. | Прізвище ім'я по-батькові | Підпис ознайомленої особи | Дата ознайом-лення | Примітки |
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**(Ф 03.02 – 04)**

**АРКУШ РЕЄСТРАЦІЇ РЕВІЗІЇ**

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| --- | --- | --- | --- | --- |
| № пор. | Прізвище ім'я по-батькові | Дата ревізії | Підпис | Висновок щодо адекватності |
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**(Ф 03.02 – 03)**

**АРКУШ ОБЛІКУ ЗМІН**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| № зміни | № листа (сторінки) | | | | Підпис особи, яка  внесла зміну | Дата внесення зміни | Дата  введення зміни |
| Зміненого | Заміненого | Нового | Анульо-  ваного |
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**(Ф 03.02 – 32)**

**УЗГОДЖЕННЯ ЗМІН**

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| --- | --- | --- | --- | --- |
|  | Підпис | Ініціали, прізвище | Посада | Дата |
| Розробник |  |  |  |  |
| Узгоджено |  |  |  |  |
| Узгоджено |  |  |  |  |
| Узгоджено |  |  |  |  |