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THE PROBLEM OF ILLEGAL PAYMENT FOR TUITION IN STATE OR MUNICIPAL EDUCATIONAL INSTITUTIONS

Payment for training may or may not be required by direct text, this is either a direct coercion to pay tuition fees, or the creation of conditions for the victim under which he is forced to pay for education in an educational institution. Extortion of money under the pretext of repairs, charitable foundations, or communal working days in state and municipal educational institutions is a very open and widespread problem. Unfortunately, there are more and more cases when students or pupils are restricted in their right to study, due to non-payment of a contribution to a charitable foundation, for example, I have also encountered this many times. Children or their parents are forced to pay such contributions. Here it is important to understand that society is unaware that this is illegal, and people can be held accountable for such actions. In particular, under Part 2 of Article 183 of the Criminal Code [1].

The requirement to pay for tuition, which occurs when such payment: is not provided in this institution in general or for this category of persons in particular, and is required in a form not provided by law, for example, instead of money required to work some time on some object, etc. Thus, the composition of this crime consists of actions that consist in the requirement to transfer a certain amount of money to the account of an educational institution or another organization (a charitable foundation), to supply the school with certain material values (building materials, computers, vehicles). food, other goods or provide material services (make repairs at their own expense, provide movable or immovable property for rent without appropriate payment for it) for training, for which payment is not provided by law. If there are grounds, such actions can be regarded as a corresponding abuse of office (Article 364 or 365) [1].

In this way, it is possible to determine how people who have faced extortion in an educational institution should or should act. First, everyone who is officially enrolled has the opportunity to apply to the administration of their educational institution or to the local education authority. A written answer must be provided within 5 days. According to the Law «On Education» (Article 30), all educational institutions must form open and publicly available resources with information about their activities and make such information public. Thus, if such information is not available or is not made available, it is an offense [2].

About charitable contributions. Charity is not prohibited by law. But before making charitable contributions, you need to look at all the information in the public domain about the financing of the educational institution. All that can be provided is information about the special account that each educational institution in Ukraine has. A fixed amount for payment, collection of checks on crediting funds, non-admission to classes, or non-transfer to another class / course – all this will be an offense and qualify under Part 2 of Article 183 of Ukraine.

Thus, there are 2 problems, not very clear formulation and explanation of this crime in the Criminal Code, as well as insufficient public awareness of such crimes. Public information is required in state and municipal educational institutions, as well as amendments and clarifications to Article 183 of the Criminal Code, in order to correctly qualify such actions.

Literature

1. Criminal Code of Ukraine: from 05.04.2001 № 2341-III. Information of the Verkhovna Rada. 2001. URL: <https://zakon.rada.gov.ua/laws/show/2341-14#Text>
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АКТУАЛЬНІ ПИТАННЯ ЛЕГАЛІЗАЦІЇ ЕВТАНАЗІЇ: ЗАРУБІЖНИЙ ТА НАЦІОНАЛЬНИЙ ДОСВІД

Перш за все, актуальність цієї теми важко применшити, бо мова йде про найдорожче, що є у людини – життя. Питання евтаназії є дуже поширеним в країнах ЄС, тривають потужні дискусії між медиками, юристами та навіть філософами.

Відповідно до Нідерландського законодавства, евтаназією називають будь-яку дію, спрямовану на те, щоб покласти кінець життю тієї чи іншої особи, йдучи назустріч її власному бажанню, і виконану незацікавленою особою. Евтаназія прогресувала з розвитком суспільства, зокрема науки і техніки, пов'язаної з підтриманням життєдіяльності тяжко хворих людей. Країн, де вона повністю легалізована – одиниці. На даний момент евтаназія (активна) повністю легалізована в: Колумбії, Канаді, Іспанії, Новій Зеландії, Швейцарії, Нідерланди та інших. Останні перші узаконили евтаназію у 1984 році. Щодо пасивної евтаназії – вона є дуже розширеною і дозволена в багатьох інших країнах. Але все одно, в більшості країнах