

2. Закон України «Про охорону прав на топографії інтегральних мікросхем». ( Відомості Верховної Ради України (ВВР), 1998, N 8, ст. 28).  
Із змінами, внесеними згідно із Законами N 783-XIV ( 783-14 ) від 30.06.99, ВВР, 1999, N 34, ст.274

**Maryana Sytar,**

Research supervisor: Taras Zhyravetskyi

Candidate of Law Sciences, Associate Professor

Language tutor: Nataliia Hrynya

Candidate of Philological Sciences, Associate Professor

Ivan Franko National University of Lviv

## **LEGAL LIABILITY FOR WATER USE VIOLATION**

Ukrainian legislation clearly regulates the issue of the liability for violation of water legislation. It may cause administrative, disciplinary or criminal responsibility. There is also a list of acts for which the response comes.

They include:

- unauthorized seizure of water objects;
- violation of the regime of economic activity in water protection zones and on the lands of the water fund;
- pollution and littering of water objects;
- non-compliance with the conditions of permission or violation of the rules of special water use;
- unauthorized conducting of hydrotechnical works (construction of ponds, dams, canals, wells);
- the use of land for a water fund without intention;
- failure to report (conceal) information on emergency situations on water objects;
- and others.

The first type of responsibility for violation of water legislation is the **disciplinary responsibility**. Disciplinary responsibility arises for violations that may be regarded as violations of labour discipline. It consists of imposing on the offender disciplinary penalties by the administration at the place of work or a higher authority. Such liability arises on the general principles stipulated by the Labour Code of Ukraine. The application of disciplinary liability is provided due to the provisions of Chapter 10 "Labour discipline" of the Labour Code of Ukraine.

Also, disciplinary action should be applied for a misdemeanour no later than one month from the date of its detection. Only one disciplinary penalty may be imposed for each violation of labour discipline.

In addition, the Labour Code (Article 151) clearly provides the possibility of lifting the disciplinary penalty. If only, within a year from the day the disciplinary penalty is imposed, the worker will not be subjected to a new disciplinary sanction, then the worker is considered to be non-disciplinary. If the employee did not conduct a new violation of labour discipline and showed himself as a bona fide employee, then the penalty may be canceled before the end of one year. During the term of the disciplinary action, incentive measures are not applied to the employee.

The next type of responsibility is **administrative** one. This responsibility is provided in Chapter 7 of the Code of Administrative Offences as "Administrative offences in the sphere of nature conservation, use of natural resources, and protection of cultural heritage".

Administrative liability in the form of fines may occur for:

- Violation of requirements for the protection of territorial and inland marine waters from contamination and clogging.
- Violation of water protection rules.
- Water discharges in violation of water use plans, unauthorized hydro technical works, improper use of water, violations of the rules for keeping primary records of the amount of water taken from water objects and discharged to them, and determining the quality discharged waters.
- Damage to water facilities and equipment and violation of the rules of water facilities and devices operation .

The last type of responsibility is **criminal responsibility**. It is provided in the Criminal Code of Ukraine, at the 8<sup>th</sup> section – "Crimes against the environment". Criminal responsibility is provided in Art. 242 and 243. Article 242 provides information on violation of the rules of water protection. The following article - 243, which I have analyzed, provides information about the violation of sea pollution.

So, to sum up, the question about the water use violation is still ongoing. The regulation process has been well regulated by Ukrainian legislation, but there is no limit to perfection.

### **References:**

1. Кодекс України про адміністративні правопорушення: Верховна Рада УРСР; Кодекс України, Закон, Кодекс від 07.12.1984 № 8073-X –

[Електронний ресурс], - режим доступу:  
<http://zakon3.rada.gov.ua/laws/show/80731-10>

2. 2. Кодекс Законів про Працю : Верховна Рада УРСР; Кодекс України, Закон, Кодекс від 10.12.1971 № 322-VIII. - [Електронний ресурс] .– Режим доступу: <http://zakon3.rada.gov.ua/laws/show/322-08>

3. Кримінальний Кодекс України Верховна Рада України; Кодекс України, Кодекс, Закон від 05.04.2001 № 2341-III. – [Електронний ресурс] .– Режим доступу: <http://zakon3.rada.gov.ua/laws/show/2341-14>

**Olena Tsvyk,**

Research supervisor: Taras Zhyravetskyi  
Candidate of Law Sciences, Associate Professor

Language tutor: Nataliia Hrynya  
Candidate of Philological Sciences, Associate Professor  
Ivan Franko National University of Lviv

## **THE CONCEPT AND TYPES OF WATER USE IN UKRAINE**

*«Water is the driving force of all nature»*

*Leonardo da Vinci*

Water is the essence of life. Without water, human beings cannot live for more than a few days. It plays a vital role in nearly every function of the body, protecting the immune system – the body’s natural defences – and helping remove waste matter. But to do this effectively, water must be accessible and safe.

The right to water entitles everyone to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use. Access to water and sanitation are recognized by the United Nations as human rights, reflecting the fundamental nature of these basics in every person’s life. A lack of access to safe, sufficient and affordable water, sanitation and hygiene facilities has a devastating effect on the health, dignity and prosperity of billions of people, and has significant consequences for the realization of other human rights.

The order and right for use of water objects are conducted due to current water legislation. Water Code of Ukraine defines general and special water use. General water use is conducted by population for personal use (for drinking, bathing, fishing etc.) without obtaining special permits. Special water use can be conducted not only by persons but also by legal entities by way of water