

**Vitalii Holova**

Research supervisor: Taras Tsymbalistii

Candidate of Law Sciences, Associate Professor

Language tutor: Nataliia Koshil

Candidate of Philological Sciences, Associate Professor

Ternopil National Economic University

## **LOCAL GOVERNMENT IN UKRAINE**

On the modern stage of the development of Ukraine as a democratic, social and legal state, the development of local government is one of the tasks of state policy. Local Government is a degree democratization of society and decentralization of management. Municipality is one of the basic elements of public authority. Local government is one of the basic elements of public authority which has certain sense. There are many thoughts about this body.

This scientific topic was a subject of research of many scientists: Bogiv Ya.S., Degtyareva I.O., Zhuravsky V.S., Tsimbilistiy T.O., Fedorenko V.L. etc.

In each state the local government has other purpose for some reason: historical, political etc. The decentralization reform was conducted out in the 20<sup>th</sup>, 21<sup>st</sup> centuries. Local community is based on all-European values and the principles of democracy, decentralization.

According to the Law of Ukraine "On Local Government in Ukraine", the local government is guaranteed by the state and the real ability of the territorial community – villagers, association in the community of some villages, cities residents to decide questions of local importance within the Constitution and laws of Ukraine [2].

Municipality represents population of inhabitants which is an independent territorial unit and has also rights and responsibilities.

Local government is carried out by local communities, as directly, and from rural, city councils and their executive bodies. Representative bodies are also present [3].

Citizens of Ukraine are exercising their rights, they take part in local government affiliation to the respective territorial communities.

Bodies of local government are legal entities and have their own powers. They are responsible for their own actions and inactions. Senates realize their interests through the inhabitants in local community.

Basic spheres of action can be the following:

1. Local planning (allocation of land);
2. The representatives are responsible for the state of the road;
3. Water supply and drainage;
4. Removal of garbage;
5. Social services;
6. Health protection;
7. Cultural stability and development;
8. Public transport [4].

The local government occupies a special place in the European Charter [3].

The essence and meaning of local government, in Ukraine, is based on some principles, which are fixed in the law "On Local Government in Ukraine" [2].

The main principle is the **principle of democracy**, that people realize their rights and duties with the help of a local government. The territorial community makes its power on the ground directly and through representative bodies.

**The rule of law** principle is also important. According to this, the rights and freedoms of the community are more important.

**The principle of legality** provides that local government must exercise their powers in accordance with the Constitution of Ukraine and the law. When you violate these laws, you have constitutional, criminal, administrative liability.

**The principle of transparency**, that is, openness, subjects of this institute act are carried out in public.

**The principle of collegiality**, as the local government is a collegiate body and the decision is a collective work activity.

The law prescribes the **election principle**, heads and deputies to local councils are selective and variable.

**A well-known principle of organizational independence** defines that the territorial communities are not elements of the state apparatus and they do not belong to the state mechanism.

**The principle of material and financial independence** of local government is the right of the territorial community to possess, use, dispose of property, which is in the communal property. This property is separated from state property [3; 5].

Decentralization consists of the transfer certain constitutional powers and budget funds from state bodies to local government.

There are two theories of the origin of local government – **community** (Italy, Hungary) and **state** (China, Libya). According to community, local government is an independent source public authority, which does not belong to the state and decides things within its competence. But according to the state theory local government is one of the forms of organization of state power. Power is exercised to the extent the state permits. [5].

So, local government of territorial communities - is one of the international standards of a democratic society. At the present stage of development in Ukraine, the main tasks are to involve the citizens to decide questions of local importance and as a result of this to achieve effective and transparency of public authorities. Every year the burden on the state is smaller, because it carried some functions to the local community. So, there are two theories concerning the local government in Ukraine – community and state.

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