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PROBLEMS OF LEGAL REGULATION OF FINANCIAL POLICY

Legal conflicts, defects, rule-making errors constantly inspires scientists to find ways to resolve conflicts, develop proposals. It is important that the general course of development, strategic objectives, national idea are common property of the people, local communities, political parties, union and government with an opportunity for everyone to fully realize themselves. In the Law of Ukraine "About state social standards and state social guarantees" specified that co-ordination of activity of executive and organs of local self-government bodies in relation to application of state social standards and norms of the financial providing of grant of state social guarantees is carried out by the specially authorized central executive bodies that is responsible for realization of public policy in the field of finances and social defence (Article 22). No position in the Ministry of Finance of Ukraine, nor the position of Ministry of Income nor the position of the Ministry of Economic Development and Trade of Ukraine did not use the term «public policy in the field of finance» (private law, public law). The

Law of Ukraine «About central executive bodies» do not contain at all the term «standard», but determined that ministries provides having and implementing public policy in one or more areas, other central executive bodies perform certain functions for the implementation of public policy. In view of ensuring fiscal discipline and the need for legal clarity to the definition of the executive authority, with certain specially authorized central body of executive power – the Ministry of Finance of Ukraine is responsible for the implementation of financial policy to unify (optimize) the terminology for the use of the term «public policy in the field of finance». In this context, given the powers of the Cabinet to Ministers of Ukraine on Article 116 of the Constitution, it is useful in the preparation of the programme of Cabinet of Ministers of Ukraine and amendments to the Law of Ukraine « About state social standards and state social guarantees» to use asset forth by the Constitution of Ukraine, the term «financial policy» that include «fiscal policy» instead of «policy in the field of finance» to fund social benefits.