**Goloyadova T.O.**
candidate of judicial sciences , Associate Professor
Department of Constitutional Law and governance
International Humanitarian University

**SCIENTIFIC BACKGROUND OF ADMINISTRATIVE LAW UKRAINE**

**Abstract.** The article discusses modern trends on the use of the term "legal process" in the jurisprudence and legislation of Ukraine.

**Keywords:** administrative Legislation, Administrative material the rules, the rules procedural Administrative, administrative and legal regimes.

**Problem.**  The rapid and sometimes chaotic development in Ukraine branches of law, the absence of agreed plans Legislative Drafting and other circumstances require scientists develop concepts of branches of law, including administrative law. The development of such concepts is an important theoretical and practical task of juridical science.
**Analysis of the latest research** and unresolved separation issues. Trend of administrative law research papers devoted local scholars lawyers Averyanova VB, Zaycya AP .Kivalov SV, Kopylenko AL, Lutz LA, Mamutova VK, Oborotova Y . M., Oprushka V.Z., Petrova,L. V., SelivanovaV.M., Shemchushenka Y.S and others. But national administrative law works today rather as "array" than as a system of regulations. Therefore, the creation of a single, coherent, internally and externally coherent system of administrative law is one of the urgent and important tasks of legal science in the modern period.
**The purpose** of writing is to analyze the prerequisites for the development of administrative law that have developed in Ukraine.
**Presentation of the material.** It is divided into three preconditions for the development of administrative law today: 1) formation of the concept of substantive administrative and administrative procedural law, and 2) the development of administrative and procedural norms and their gradual systematization, and 3) to encourage research administrative law. Consider each of these assumptions in more detail.

The concept of substantive administrative and administrative procedural law as a doctrinal basis for determining its development and value institutions have not yet fully evolved, although scientists are working on its development [1, 34].
The theory of administrative law aims only for certain issues though are fundamental, but generally do not create a clear conceptual apparatus and theoretical system specific areas of administrative law and enhance the role of administrative and legal measures to regulate social relations. The theoretical approach to the study of the administrative law must be based on the unified theory of administrative law.

For example, Mykolenko O.S. notes that in Ukraine there is no unified theory of administrative law, which would be offered only categorical apparatus and a single methodology. Scientists, using its own set of scientific categories and its own set of scientific methods (usually preferring to study only one of them) offer their scientific concepts that are not only contradictory but mutually exclusive [2, 136-142] . So agree with those scholars who believe that we should first of all understand the terminology used in this field of scientific knowledge and current legislation.
In classifier branches of legislation administrative legislation of Ukraine named with the administrative process [3]. This further demonstrates the need for an integrated approach to the study of material and procedural administrative law administrative law, because it is now "scattered" in the second sectors of public life, and the cream of its structural units identified as separate branches of law.
In such a situation seen as an important research administrative law as the sole and important field of Ukrainian legislation. Administrative law can be regarded as a basic branch of public law, which by the imperative potential executive provides public interests in all spheres of public life.

Therefore, to study the chief administrative law is the following: the rationale for the development of administrative law system as a whole and its institutions (components) that have a common subject of regulation - power relations arising from the activities of the executive power, the combination of these institutions in a particular logical sequence and development of the principle of their relationship, the rationale for the creation of legislation for inclusion in the system of administrative law and ensure their communication levels of government.
The scientific vision of administrative law should be the basis for developing appropriate measures of state administrative policies should also be considered an important function of science of administrative law: defining goals, objectives, directions and principles of administrative law, measures of socio-political, organizational, financial and information support of administrative law, forecasting socio-economic and other consequences of administrative law.
The second premise of administrative law - accelerated development of administrative and procedural rules designed to regulate relations between executive authorities and ordinary citizens.

By functionality and material and procedural norms coincide, but these rules are significant differences between them. Try to identify the characteristics of material and procedural norms that unite them and distinguish.
Firstly, and material and procedural norms have all those features that are inherent in any legal rules (compulsory, formally defined set by the state, their implementation is ensured through state coercion, etc.)..

Secondly, material and procedural rules differ in meaning, which manifests itself in the identity of their prescriptions. All orders procedural rules are organizational in nature, that determine the most appropriate procedure for law-making, law-enforcement, administrative, institutional, supervisory control and any other activity or change the order of occurrence and subjective rights and legal responsibilities between subjects discretionary objects of relations. This means that the procedural should consider not only the rules that establish the order of consideration of legal proceedings in the courts or the executive branch, but also the rules that govern the documentation for management (record keeping), set the order of certain subjective rights and legal obligation ' Parliamentary Liaison (vehicle registration, registration of a person's place of residence, etc.)., establish the procedure for concluding administrative contracts, etc. [4, 152-166]. Tangible organizational norms deprived, they merely state the existence of certain facts.
The third premise of administrative law - intensification of research administrative law.
Today there was a need to enhance the role of administrative law in the general system of legal regulation. It is necessary to improve the administrative and legal regulation in the interests of both society and the state and citizens. Administrative law is socially useful and effective if it improved two main characteristics: it must be fully functionally oriented regulations and to ensure the public interest. Science Administrative Law is designed to target real executive power to perform the main task - organizing activities to enforce laws that should serve as an important indicator of the effectiveness of this power.

The very nature of the research subject science of administrative law determines a presence of a large proportion of the descriptive approach. But the science of administrative law should not only be limited to the description of executive and management activities in the state. Based on the descriptive approach and the application of scientific methods, it must formulate principles for regulatory authorities. Only in this case it can be characterized as a social science of the legal regime of the organization and functioning of the executive branch in full accordance with its constitutional purpose and the legal means, forms and methods of its public order. Now it is necessary to focus on practical goals of science of administrative law, that enhance the effectiveness of executive power and cost minimization capabilities. Science of administrative law should not just learn, describe, and thoroughly analyze and disclose the actual manifestation of the fundamental functions of management and organizational structure of the executive. Should explore the real executive activity, classify it, formulate relationships and patterns in the area, which examines the science.
Administrative law is not limited to the establishment of norms that regulate purely managerial attitude. For it is characteristic of the introduction of different legal regimes to ensure proper management of legal, lawful order to implement them. These include modes of areas, species and areas, objects, processes and states. The trend is clearly seen in the development of administrative and legal regimes - it changed their legal options, the grounds and procedures for current conditions. It is important that different regime rules have been established by law, and not sub Atami.
Administrative and legal regime can be defined today as a special order of regulation, which combines the objectives, principles, subject matter and methods of administrative regulation, the status of entities established administrative law, administrative, physical and procedural safeguards and administrative legal status [4, 276-277].

Specificity of administrative and legal regime is manifested through the analysis of the elements that make up its structure. Thus, the objectives of administrative regulation guiding the legislator to choose the legal means to regulate social relations. To remedies have not turned into an instrument of violence is necessary in maintaining law that its teachings permeate the entire system of law and establish rule-making and law enforcement activities of the competent authorities. The objectives and principles of administrative regulation helps determine the circle of social relations that require proper regulation. Only then actors administrative regulation accorded appropriate status and in order to achieved goals of legal regulation, to observe the principles of law and the rights and responsibilities implemented entities, requires the existence of legal safeguards. The end result of the same administrative regulation is to establish administrative legal status.
Also needed to improve legislation on the control and supervision of public authorities. Today, the organization of state control causes substantial criticism. The challenge is to avoid the number of storeys and inspections, to find the best possible distribution of control functions between different bodies [1, 37-38].
Conclusion. Science Administrative Law is designed to explore attitudes, ideas, ideas about the development of public administration, as well as trends in administrative law. Today is the rapid development of administrative law, which covers all areas of public life, especially education, social protection, economic changes in society, public service, etc.. Modernization of administrative law should occur resisting theoretical studies of Representatives science of administrative law.

**Literature:**

1. Nozdrachev A.F. Some Theoretical Approaches and Trends Research admynystratyvnoho legislation / AF Nozdrachev / / Admynystratyvnoe and newsletter right (condition and prospects of development). - M.: Akademicheskii pravovoy University, 2003. - S. 33-38.
2. Mykolenko O.S. Theory of Administrative Law: Past, Present and Future / OI Mykolenko / / Public Law. - 2011. - № 1. - P. 136-142.
3. Breakdown fields legislation of Ukraine, approved by the Ministry of Justice of Ukraine of 02.06.2004, № 43/5. [Electronic resource]. - The official website of the Verkhovna Rada of Ukraine. - Mode of access: http://zakon2.rada.gov.ua/laws/show/v43\_5323-04.
4. Mykolenko O.S. Theory administrative procedural law: monograph / Mykolenko O.S - Kharkov: breaker Book, 2010. - 336 p.

**Голоядова Т.А. Научные предпосылки развития административного законодательства Украины**

**Аннотация.** В статье освещаются научные предпосылки развития административного законодательства Украины. Обращается внимание на основные пути его совершенствования.

**Ключевые слова:** административное законодательство, материальные административные нормы, процедурные административные нормы, административно-правовые режимы.

**Goloyadova T.O. Scientific background of administrative legislation of Ukraine**

**Summary.** The article highlights the scientific background of administrative legislation of Ukraine. Attention is drawn to the main ways to improve it.

**Keywords:** administrative law, financial administrative regulations, procedural administrative regulations, administrative and legal regimes.