**NATIONAL AVIATION UNIVERSITY**

**EDUCATIONAL AND SCIENTIFIC LEGAL INSTITUTE**

**Department of Criminal Law and Process**

**METHODOLOGICAL RECOMMENDATIONS**

for carrying out control work for students of correspondence course of studying

on the discipline " **Procurator's Supervision** "

for 5 th year students

081 / 16bz "Jurisprudence"

(the code and the name of the direction (specialty) of training

Compiled Ph.D. Kumanovsky MV

(scientific degree, academic rank, teacher's name)

Considered and approved

at the meeting of the criminal department

rights and process

Minutes No. from "\_\_\_" \_\_\_\_\_ 20\_\_.

                                                Head of Department \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The test work should reflect certain theoretical and practical problems in the relevant discipline and be performed by the student after selecting one or another topic (task). Based on the specific features of the disciplines, the control work is carried out in the form of an essay or a control task (which solves a concrete analytical situation). In some cases, the combination of these two forms of control work is not excluded.

The control work in the form of a task in the corresponding academic discipline is logically formulated and set in the problem plan for specific scientific tasks, which is expressed in the search for possible variants and ways of its solution.

Despite the diversity of control tasks due to the specifics of the relevant disciplines, the algorithm for their implementation includes:

1) clarification of the task, identifying the necessary sources for work on

him;

2) identification of trends in the development of processes arising from the task, their

theoretical substantiation and evaluation;

3) realization of a concrete task solution (own variant), its explanation and interpretation;

4) the formulation of the final conclusions with the teaching of the forecast of the development of the process (phenomenon) in the future.

Control work is done by students independently. It should be logically and technically correctly arranged.

The control work must begin with the clarification of the essence of the content of the variant and familiarization with the methodological recommendations. Then the student must study the literature on the theme of his version.

The control work is carried out in one of the options. The rules for choosing a variant of work are as follows. Students choose the Variantof checking the last number of the book.

Work performed in violation of these requirements is returned to the student.

Requirements to the structure of work

Structurally work is divided into:

 introductory part;

 the main part;

The introductory part contains the following structural elements:

 title page;

 content;

The bulk contains the following structural elements:

 the essence of the work;

 list of sources used.

 Requirements for work content

The test work should be an independent, completed study

for the questions put in the variant. The variant is considered to be fulfilled if it consistently and correctly, using recommended literature and other sources, covers all questions and solves practical problems.

Structural elements of the introductory part.

Title page.

The title page is the first page of work and rules for the main source of bibliographic information needed to process and search the document.

The title page contains data that are presented in the following order:

a) requirements for the name of an educational institution (without abbreviations);

b) the name of the department;

c) the full title of the document;

d) place and year of work.

The word "CONTROL WORK" is written (printed) in capital letters in the middle of the line. The version number of the work is written (typed) in normal letters.

Words in titles of the title page are not allowed.

The signatures of the persons are made as follows: on the left is the code of the academic group of the student, below - the position of the teacher, who checks the work, then leaves a free space for personal signatures, and to the right of them in the appropriate lines fit the first letters of the names with the dots and the names of the signatories.

The city and the year of work compilation are placed in the middle of the line at the bottom of the title page (the city of assembly work is on a period higher than a year). The word "year" or the abbreviation "p" is not used.

Content.

Contents are placed directly after the title page, beginning with the new page.

The contents include: a list of symbols, symbols, units, abbreviations and terms (if any); consistently listed the names of all issues of the work; References; application names (if any). Contents may include the numbers and titles of illustrations and tables indicating the pages on which they are placed.

Structural elements of the main part.

The essence of the work.

The essence of the work - is teaching the information about the subject (object) of research, which are necessary and sufficient to clarify the nature of the issue or the solution of practical problems.

The main structural part of the work are sections. Each section should cover an independent question or task.

References.

The list of sources that are referenced in the main part of the work is given at the end of the text, beginning with the new page.

Bibliographic descriptions in the list of references are given in one of the following ways: in the order of the appearance of references in the text, in alphabetical order of the names of the first authors or titles, in chronological order. Bibliographic descriptions of references in the list are based on current library and publishing standards.

The list contains only the sources that are referenced in the text of the work. The number of sources used when writing a test work must be not less than 10.

Rules of work execution

general requirements

Control works on legal disciplines are in the form of text. The works are executed on sheets of A 4 format (210x297 mm). Control work is done by machine (using computer technology) in a way on one side of a sheet of white paper. Works are written in Ukrainian.

By machine - at the rate of no more than 30 lines per page provided that it is uniformly filled and the height of letters and numbers is not less than 1.8 mm (in the case of using the computer program Microsoft Word - recommended font - Times New Roman, font size - 14 , interval - 1.5 lines).

The volume of control work - from 15 to 20 seconds.

The text of the work should be printed with the following width of the fields: the upper, the left and the bottom - not less than 20 mm (recommended width - upper and lower - 20 mm, left - 25 mm), right - not less than 10 mm (recommended width 15 mm).

During the performance of work it is necessary to observe uniform integrity, contrast and clarity of the text.

Headings of structural elements of work and section headings should be placed in the middle of a line and printed in capital letters without dots in the end, not emphasizing.

The indent should be the same throughout the text.

If the title consists of two or more sentences, they are separated by a dot. The words in the title of the section are not allowed.

The distance between the headings and the next or previous text must be at least two lines.

It is not allowed to place the title of a section, a subdivision, and also a paragraph and sub-item at the bottom of the page, if only one line of text is placed after it.

Numbering of pages.

The pages should be numbered in Arabic numerals, following the full numbering throughout the text. The page number is placed in the upper right corner of the page without a dot at the end.

The cover sheet includes the total numbering of pages of work. The page number on the title page is not posted.

The text content is also included in the total numbering of the pages. The page number on it is not posted.

Interviewing on supervisory work

The job interview is carried out before the exam or before the exam in discipline. To her conduct, the student, in the presence of remarks, should eliminate them by completing the work with relevant explanations. The instructor of the department determines the degree of independence of its implementation, puts the student with clarifying questions on supervisory work. Taking into account the student's work and answers to the questions posed, the teacher estimates her "enrolled" or "not enrolled".

The mark "not enrolled" is placed if in the control work:

- there is no expanded, reasoned solution to the practical task;

- extremely limited literary circle (less than 10);

- simple transfer or rewriting of sources without independent processing of the material;

- Incorrectly specified sources referenced;

- there are spelling or grammatical mistakes;

- violations of the rules of compilation of the bibliographic apparatus;

- the work is done not tidy;

- the job is not done by this option.

The completed work must be delivered to the department not later than 2 weeks before the session.

If the control work is performed without following the recommendations or not completely, it returns to the student without a review for refinement.

**LIST OF RECOMMENDED SOURCES**

**1.The main recommended sources**

1. Дисциплінарний статут прокуратури України: затв. по- становою Верхов. Ради України від 06.11.1991 р. № 1796-ХІІ [Електрон. ресурс]. – Режим доступу: http://zakon2.rada.gov.ua/ laws/show/1796-12. – Заголовок з екрана.
2. Кодекс професійної етики та поведінки працівників прокуратури [Електрон. ресурс]: затв. наказом Генерального прокурора України № 123 від 28.11.2012 р. – Режим доступу: http://www.gp.gov.ua/ua/gl.html?\_m= publications&\_t=rec&id=94102. – Заголовок з екрана.
3. Конституція України // Офіц. вісн. України. – 2010. – № 72/1 (спец. вип.). – Ст. 2598. – С. 15. Кримінальний процесуальний кодекс України від 13.04.2012 р. [Електрон. ресурс]. – Режим доступу: http://zakon2.rada.gov.ua/laws/main/t21. – Заголовок з екрана. Про прокуратуру [Електрон. ресурс]:
4. Закон України від 14.10.2014 р. – Режим доступу: http://zakon2.rada.gov.ua. – Заго- ловок з екрана.
5. Каркач П. М. Організація роботи районної, міської про- куратури: наук.-практ. посіб. / П. М. Каркач. – Харків: Право, 2013. – 336 с.
6. Лапкін А. В. Основи прокурорської діяльності в Україні : навч. посіб. у схемах / А. В. Лапкін. – Вид. 3-тє, змін. та доповн. – Харків: Право, 2015. – 148 с.
7. Організація судових та правоохоронних органів: підруч- ник / за ред. І. Є. Марочкіна; Нац. ун-т “Юрид. акад. України ім. Я. Мудрого”. – Харків: Право, 2014. – 448 с.
8. Прокурорський нагляд в Україні: підручник / за ред. І. Є. Марочкіна, П. М. Каркача. – Харків: Одіссей, 2005. – 240 с. 13
9. Наукові статті Карпунцов В. Нове праворозуміння функцій прокурату- ри у реалізації правової політики держави / В. Карпунцов, О. Селіванов // Вісн. прокуратури. – 2015. – № 1. – С. 15-21.
10. Малишев Б. Чи зміниться прокурорське обличчя? : но- вації закону про прокуратуру / Б. Малишев // Юрид. вісн. Укра- їни. – 2014. – № 43 (25-31 жовт.). – С. 5.

**2 Additional recommended sources**

1. Тацій В. Я. Актуальні питання конституційної реформи та державного розвитку на сучасному етапі / В. Я. Тацій // Пра- во України. – 2014. – № 7. – С. 10-18.
2. Лапкін А. В. Роль прокурора у забезпеченні прав і закон- них інтересів потерпілого в кримінальному судочинстві України: монографія / А. В. Лапкін. – Харків: Право, 2012. – 264 с.
3. Трагнюк Р. Р. Прокурорський нагляд за додержанням законів, що забезпечують права обвинуваченого: монографія / Р. Р. Трагнюк. – Харків: Факт, 2004. – 200 с.
4. Якимчук М. К. Проблеми управління в органах проку- ратури України: теорія і практика: [монографія] / М. К. Якимчук. – Київ: Ін-т держави і права НАН України, 2001. – 440 c.

**Variants for control works**

Variant1

1. The concept, subject and tasks of the prosecutor's oversight of the observance of laws by the bodies conducting operational search activities.

2. The powers of the prosecutor to supervise the observance of laws by the bodies conducting operational search activities.

3. The departmental acts of the Prosecutor General of Ukraine.

Variant2

1. Organization of work to supervise the observance of laws by the bodies conducting operational search activities.

2. The subject, tasks and legal basis of the prosecutor's oversight of the observance of laws by the authorities conducting the investigation and pre-trial investigation.

3. Procedural guidance to the pre-trial investigation.

Variant3

1. The powers of the prosecutor to oversee compliance with the law by the authorities conducting the inquiry and pre-trial investigation.

2. Prosecutorial supervision at the initial stage of criminal proceedings, as well as the legality of conducting a single register of pre-trial investigations.

3. Prosecutor's supervision of the observance of laws during the conduct of vowel and secret investigators (investigatory) actions

Variant4

1. Supervision over observance of laws when notifying a person of suspicion.

2. Supervision over observance of laws in the application of precautionary measures.

3. Supervision over the legality of the extension of the pre-trial investigation period, as well as the suspension of the pre-trial investigation.

Variant5

1. Supervision of the legality of actions and decisions at the end of pre-trial investigation.

2. Coordination activity of the prosecutor's office in the field of crime prevention.

3. The concept of public prosecution and the task of the prosecutor in a judicial criminal proceeding

Variant6

1. Preparation of the prosecutor for participation in court proceedings.

2. The authority of the prosecutor who supports the state prosecution in court.

3. Participation of the prosecutor in preparatory court proceedings

Variant7

1. Participation of the prosecutor in a judicial investigation.

2. Public prosecutor's speech in court: structure and content.

3. The refusal of the prosecutor to maintain public prosecution, the prosecutor's change of public prosecution and the imposition of additional charges: grounds, order and legal consequences

Variant8

1. Participation of the prosecutor in a judicial review proceeding.

2. Participation of the prosecutor in criminal proceedings on the basis of agreements.

3. The subject, tasks and legal basis for supervising the observance of laws in the execution of judicial decisions in criminal cases, as well as in the application of other measures of a coercive nature.

Variant9

1. The powers of the prosecutor to supervise the observance of laws in the execution of judicial decisions in criminal cases.

2. Prosecutor's oversight of the observance of laws in places of detention and imprisonment.

3. Prosecutorial supervision of the observance of laws in places of deprivation or restraint of liberty.

Variant10

1. Prosecutor's supervision of the observance of laws in the execution of criminal penalties not related to deprivation of liberty.

2. Acts of the prosecutor's response to violations of laws in penal institutions.

3. The essence, objectives and legal basis for representing the prosecutor's office of the interests of a citizen or state in court.

Variant11

1. The reasons and grounds for representing the prosecutor's office of the interests of a citizen or state in court.

2. Forms of representation by the prosecutor's office of the interests of a citizen or a state in court.

3. Pre-trial stage of the representation by the prosecutor.

Variant12

1. The concept, tasks and principles of organization of work in the organs of the prosecutor's office.

2. Distribution of official duties in the prosecutor's office

3. The ambition of unity

Variant13

1. Organization of the work of the prosecutor for the preparation of claims and applications to the court.

2. Participation of the prosecutor in court proceedings.

3. Appeals by the prosecutor of court decisions in the exercise of the functions of representation.

Variant14

1. Participation of the prosecutor in the enforcement proceedings.

2. The essence of prosecutorial activities in the field of the protection of children's rights and freedoms.

3. Protection by the prosecutor's office of property and personal rights of minors.