

**TRAINING ON ALTERNATIVE DISPUTE RESOLUTION
IN PUBLIC LAW DISCIPLINES
ОБУЧЕНИЕ АЛЬТЕРНАТИВНОМУ РЕГУЛИРОВАНИЮ
СПОРОВ В ПУБЛИЧНО-ПРАВОВЫХ ДИСЦИПЛИНАХ**

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**Methodological and Practical Principles in the Process
of Bank Financial Resources Formation
in Public Law Disciplines**

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**Методологічні та практичні засади в процесі
формування банківських фінансових ресурсів
в дисциплінах публічного права**

Establishment of cost-constitutional alternative dispute resolution in public relations disciplines will enable full development of constitutional economics as a practical science. Thus, the foundation acts as a constitutional right, and more effective organization of legal and democratic state contribute financial resources of the bank, which specify the economic and legal norms in alternative dispute resolution.

Встановлення альтернативного вирішення спорів економічно-конституційного характеру правовідносин у публічних дисциплінах буде надавати можливість всебічного розвитку конституційної економіки як практичної науки. Таким чином, основою виступає конституційне право, а ефективнішої організації правової й демократичної держави сприяють фінансові ресурси банку, які конкретизують економічно-правові норми в альтернативному вирішенні спорів.

Reforming the economy of Ukraine in International Economic law — is one of the prerequisites for integration into the world community. The success of the reform aimed at creating a market economy, a separate withdrawal constitutional concept of Economics at the legislative level to a large extent depend on the state of the banking system of legal regulation and economic development level. This is due to the special role of banks as leading financial intermediaries to ensure the movement of financial resources between sectors. In turn, the effective activity of banks is possible only due to sufficient financial resources and

legal regulation. Therefore, the problems associated with the formation of effective banking financial resources are extremely important for the banks of Ukraine at the legislative level.

The formation of financial resources of the bank as a practical element is the establishment of legal and democratic state mechanism. The constitutional economy there is an effective mechanism to combat the crisis, to ensure an adequate level of social development and civil society.

More specifically, we consider the operation of the mechanism of legal and democratic state on the practical element — the financial resources of the bank.

The main component of the financial and credit sector of the constitutional economy of Ukraine is the banking system, which holds a leading position in the general mechanism of regulation of economic life and society.

According to the Law of Ukraine «On Banks and Banking Activity» bank — a legal entity that is under the banking license has the exclusive right to provide banking services and information included into the State Register of banks.

Banks, like other business entities to ensure their own commercial and economic activities must have at their disposal a sum of money, resources [2, p. 157]. The efficiency of the banking institution depends on the quality and usefulness of the formation of its resources fixed by law. The constitutional economy reinforces a notion of banks and their practical orientation. We can assume bank entities not only economic, but also constitutional law. The Constitution of Ukraine are provisions which regulate in detail the activities of the National Bank of Ukraine (herein after — the NBU). For effective exit from the crisis should not analyse banks and the banking system as a whole, as in most cases it is made in the Constitution of Ukraine and laws of Ukraine, and explain the practical application of these concepts; this «explanation» in the thesis are the financial resources of the bank.

For a better understanding of the start of the term «financial resources of the bank». It should be noted that the legal and economic literature there is no single approach to determine the

merits of financial resources as a practical element of constitutional economics. Some scholars identify the financial resources of the bank and bank resources. Therefore, to clarify the concept of «financial resources of the bank» to compare scientific positions known authors using the method of analysis of scientific sources for the development of legal and democratic state through constitutional economics.

Summarizing the views of scientists, the financial resources of the bank can be considered as cash resources generated from its own, borrowed and borrowed sources and used in banking, governed by Ukrainian legislation and practical elements are the constitutional economy.

The role of the resource base of the banking activity is crucial. This manifests itself primarily in the fact that the volume and structure of resources depend on the scale and type of active operations, and thus the size of revenues and profits of banks, contributing to a more efficient development of legal and democratic state. The growth of the resource base also contributes to the development of commercial banks in general.

It should be understood that the plane should act not only as economic but also the legal basis for comprehensive consideration of issues. One of the biggest gaps in the development of legal and democratic state appears one-sided knowledge of the legal framework. The increase in bank resources for simultaneous use by banks of different types of accounts can increase the level of control and trust of payment transactions in the implementation process payment for products and services by consumers, helping to optimize the structure of monetary circulation by increasing the share of cashless payments, to increase stability and handling rate, which today is a key element of a legal, stable state and promote the use of plastic cards in the calculation corresponding to the task of bringing to their use as much of the constitutional economy as possible [4, p. 199].

The resource base of commercial banks is essential to stabilize the banking system, improve liquidity and control of commercial banks, which creates important conditions for the development of law and

the economy. It was established that the formation and strengthening of banks' resource base is one of the main challenges in implementing their own development strategies in accordance with Art. 92 of the Constitution of Ukraine.

Thus, the bank's own capital — is the basis for its establishment and effective functioning. Increasing the size of capital, respectively, allows the bank to more involved and at the same time to carry out more complex, risky and profitable operations on financial markets. The size and capital structure affect the stability and reliability of each bank.

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Костяшкін І. О.

Актуальні проблеми позасудового вирішення земельних спорів

Kostiashkin I.

Current Problems of Extrajudicial Settlement of Land Disputes

In this article some problems of legal regulation of extrajudicial settlement of land disputes are covered. Certain provisions of the existing procedure, concerning the possibility of conciliation are analyzed. Attention is paid to international instruments in the field of mediation as an alternative method of resolving land disputes. The necessity of legislative regulation of legal mechanism for implementing alternative ways of resolving land disputes.

В статті розкриваються окремі проблеми законодавчого регулювання позасудового вирішення земельних спорів. Аналізуються