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Ministry of Education and Science of Ukraine

National Aviation University

Educational and Research Institute of Law

Department of Criminal Law and Process

Approved

# Rector

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«\_\_\_»\_\_\_\_\_\_\_\_\_\_\_\_2018.



# Quality Management System

**SYLLABUS**

**on**

**“Criminal law”**

### Field of Study: 08 “Law”

### Speciality: 081 “Law”

Education Professional Program: “Jurisprudence”

Year of Study – 2,3 Semester – 3,4,5

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Self-study –199 Examination – 5 st semestes

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### The Syllabus on "Criminal Law" is based on the Educational Program and Bachelor Extended Curriculum № CB-9-081/16 for Speciality 081 “Law” Education Professional Program “Jurisprudence”, and correspondent normative documents, order № 207/од of 27.04.2018.

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Head of the SMEB \_\_\_\_\_\_\_\_\_\_\_\_**V. Vyshnevetskii**

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| AGREED  Director of the Educational and Research Institute of Law  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ I. Sopilko | Director of the Institute of  Innovative Technologies and Leadership  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_K. Babikova  “\_\_\_”\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_2018 |
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**1. INTRODUCTION**

The eduction program of the discipline "Criminal Law" is developed on the basis of "Methodological instructions for the development and design of educational and work syllabus of disciplines", introduced by the order of 16.06.2015. №37 / pp.

This academic discipline is a theoretical and practical basis of the totality of knowledge and skills forming the profile of a specialist in the field of information security management.

The goal of teaching "Criminal Law" is mastering theoretical knowledge in the field of criminal law and strengthening of practical skills to apply them in specific situations, the formation of legal culture in the practical application of the criminal law.

The tasks of studying the discipline are:

- study of legislative and other normative legal acts regulating legal relations in the field of crime and punishment,

-studying the basic institutions and concepts of criminal law,

- skills acquisition of theoretical knowledge in practice.

As a result of studying this discipline student must:

**Know:**

**-** methodology of criminal law;

- the main functions (tasks) of criminal law;

- features of the criminal law and rules for its interpretation;

- the elements of the crime, the description of its elements and characteristics;

- types of incomplete crime, the essence of complicity in the crime, the application of the rules of repetition, aggregate and recidivism;

- criminal punishment, its purpose, types, features and requirements for the imposition of a punishment and release from it;

- the basis of criminal-law qualification;

- a method of legal analysis of elements and features of a particular crime.

**To be able to:**

- interpret and analyze the criminal law and enforcement instruments;

- apply the principles and rules of qualification of crimes;

- exercise criminal legal description of any special section of the Criminal Code of Ukraine and analyze specific characteristics of the crime;

- use the obtained theoretical knowledge to solve practical problems.

The educational material of the discipline is structured on a modular basis and consists of seven training modules, namely:

module №1 "The concept of criminal law, criminal liability, the concept of crime, types of crimes, classification of crimes, the composition of the crime, the

qualification of crimes";

module №2 "Characteristics of the elements essential to the offence (object of crime, objective aspect of crime ( physical elements of the offence),   
subject of crime (crime committer), mental element in crime (mens rea); degree in the commission of crime; participation in a crime (complicity in the crime, fellowship in crime";

module №3 "Multiple crime; circumstances that exclude the crime of an act; liberation from criminal responsibility; remission of penalty";

module № 4 "Assignment of punishment, release from punishment; conviction; other criminal-law measures; measures for conventional person; peculiarities of juvenile criminal responsibility; the main provisions of the General Part of the criminal legislation of foreign countries ";

module № 5 «Fundamentals of criminal-law qualification crimes against the foundations of national security of the state and crimes against the interests of a person»;

module № 6 «Crimes against public and state interests». Each of them is a logically complete, relatively independent, integral part of the discipline, the mastery of which involves modular control work and analysis of the results of its implementation.

Separate seventh module is the course work that a student performs in the fifth semester. The KP is an important part of consolidating and deepening the theoretical and practical knowledge and skills acquired by the student in the process of mastering the discipline's educational material.

The educational discipline "Criminal Law" is based on the knowledge of such disciplines as: "Constitutional Law", "Criminal Procedure", "Forensic Medicine and Psychiatry" and are the basis for studying such disciplines as: "Criminology", "Criminal Execution Law" and others .

**2. CONTENT OF EDUCATIONAL DISCIPLINE**

**2.1. Module №1 "The concept of criminal law, criminal liability, the concept of crime, types of crimes, classification of crimes, the composition of the crime, the qualification of crimes."**

**Topic 2.1.1. The concept of subject, tasks and system of criminal law. Science of Criminal Law.**

The concept of criminal (penal) law. Attributes of a of criminal law and its social conditionality. Tasks and functions of criminal law. Constitution (organic act) of Ukraine and its significance for criminal law. Criminal (penal) law and related branches (areas) of law: constitutional law, administrative law, criminal procedure, correctional (penal) law. Legal frame of criminal law. General and special part of criminal law. The concept and system of the general part of criminal law. The science of criminal law, its subject and methods. The task of science of criminal law.

**Topic 2.1.2. Law on criminal liability (criminal responsibility, criminal sanctions). The validity of the law on criminal liability in time and space.**

Concept of the law on criminal liability, its functions, specific features and values. The Law on criminal liability is the only source of criminal law. Prohibition of the application of legal analogy in criminal law. Structure of the Criminal Code of Ukraine. General and special part of criminal law, their unity and correlation (legal nexus). Description (disposition) and sanction (punishment, penalty) of articles of the Special Part of the Criminal Code. Types of description: simply desposition, description by definition, blanket disposition, reference disposition, mixed disposition. Types of sanctions: relative-defined and alternative.

Operation of law in time. The procedure for entering into force by a criminal law. Circumstances that result cease to be in force a law on criminal liability.Determining the time of commission of the crime. Back relation of the law on criminal liability in time. The Constitution of Ukraine on the back relation of the law. The concept of a less restrictive criminal liability law. The problem of the enforcement of an interlocutory criminal liability law. Operation of law in space: territorial, national, universal (all-pervading principle) and real. Content of the territorial principle.

Concept of locus delicti (location of the crime, scene of crime). Resolution of the issue of criminal liability for the commission of a crime on the territory of Ukraine in respect of persons who, under the rules of international law and legislation of Ukraine, enjoy diplomatic immunity. Content of the nationality principle.

Content of the universal (all-pervading principle). Multilateral and bilateral treaties (treaties, conventions) aimed at combating crime and mutual legal assistance in criminal matters. Content of the real principle. Legal effects of conviction a person outside of Ukraine. Extradition of a person accused of committing a crime and a person convicted of an offense.

**Topic 2.1.3.** **Criminal liability (responsibility)** **and its grounds.**

Criminal liability as a form of legal liability, its concept and   
attributes. Forms of realization of criminal responsibility. Criminal liability and criminal-legal relations: subjects, object and content. The moment of occurrence and termination of criminal liability. Criminal liability and punishment. Grounds of criminal responsibility, its consolidation in the Criminal Code of Ukraine. Action in the criminal law of double jeopardy clause principle.

**Topic 2.1.4. Definition of crime (offence), types of crime.** **Classification of crimes.**

The social nature of the crime. Historically changing nature of the concept of crime. Criminalization and decriminalization of socially dangerous acts.Definition of crime.   
Elements essential to the offence (elements of crime, actus reus, indicia of a crime). Public danger as a material element of essential to the offence. Illegality as a formal element of essential to the offence. Inadmissibility of the application of the criminal liability law by analogy.

Relationship of public danger and illegality. Criminal guilt as a element of crime, its significance. Punishability as an integral element of crime. Whole of elements of crime. The meaning of the concept of crime. The notion of minority (de minimis) of the act. Legal consequences of recognition of an act. Crime in the system of offenses. Delineation of crimes from other offenses in the science of criminal law. Classification of crimes by gravity of offence (magnitude of offence). The meaning of such a classification for criminal liability and punishment. About felony and misdemeanor.

**Topic 2.1.5. Elements essential to the offence and its characteristics. Qualification of crimes.**

The Elements essential to the offence (elements of crime,actus reus, constituent parts of a crime) and its significance. Comprehensive list of crimes in the Criminal Code of Ukraine. Correlation of the concepts of crime and essential to the offence. Elements and attributes of the crime, their content and organic unity. The division of signs of the general essential to the offence into obligatory and optional; the value of such a division. Types of essential to the offence. The specific essential to the offence and qualification of crime.

The concept of qualification of a crime and its significance. Principles of qualification of crimes. Types and functions of qualification of crimes. The value of the proper qualification of crimes. The structure of qualification of crimes. Grounds and preconditions for the qualification of crimes. Elements of crime and qualification of crimes. Legal consolidation of the results of the qualification of crimes. The mechanism, rules, steps and stages of qualification of crimes. Values of Explanations of Ukraine Supreme Court Plenum for the qualification of crimes.

**2.2. Module №2 "Characteristics of the elements essential to the offence (object of crime, objective aspect of crime ( physical elements of the offence),   
subject of crime (crime committer), mental element in crime (mens rea); degree in the commission of crime; participation in a crime (complicity in the crime, fellowship in crime".**

**Topic 2.2.1.** **The object of the crime.**

The concept of the object of the crime.

The value of the object of the crime to characterize the public danger of a crime and its qualifications.Social interactions (public relations) as the object of crime. Classification (types) of the object of the crime (generic and direct object of crime), their significance. Types of direct object.

Concept of the target of crime and its place in the elements essential to the offence. The difference between the object of crime and the target of crime. Ways of describing the target of crime in the description of articles of the Special Part of the Criminal Code.

**Topic 2.2.2. Physical elements of the offence (objective aspect of crime, actus reus).**

The notion of the objective aspect of crime. Signs that characterize the objective aspect of crime: compulsory and optional. The significance of the objective aspect of crime.

Concepts and signs of misdoing, its kinds. Concept and signs of action in criminal law. Concept and signs of omission. Terms of criminal liability for omission.

Significance of irresistible force (act of God), and mental coercion to resolve the issue of criminal liability for a public dangerous act (act or omission). Socially dangerous consequences as a sign of the objective aspect of the crime: the concept, types and values. Crimes with material and formal warehouses, the significance of such a division.

Causal connection in criminal law and its significance. Solving in the science of criminal law the question of the causal connection between action or inaction and a socially dangerous consequence. Requirements relating to the ratio of the act and the consequences for establishing a causal connection between them. Features of causation in case of omission. Types of causal connection.

The modus operendi, instrumentalitys, circumstances, scene, time of committing a crime as an optional feature, characterizing the objective aspect of the crime, their criminal law significance.

**Topic 2.2.3. Subject of crime (crime committer).**

The notion of a subject of crime in criminal law. Types of a subject of crime. The general subject of crime and its notion. Natural person as obligatory sign of the subject of crime. The problem of recognizing juridical person as subjects of individual crimes in the science of criminal law.

Responsibility as a mandatory feature of the subject of the crime. Concept of responsibility and its criteria. Concept of irresponsibility under criminal law.

Criterion of irresponsibility: medical (biological) and legal (psychological). Signs of the medical criterion of irresponsibility. Signs of the legal criterion of irresponsibility. The indication of this criterion. Value of legal and medical criteria of irresponsibility. The formula of irresponsibility. Consequences of the recognition of the person is irresponsibility. Diminished responsibility, its value.Criminal liability for crimes committed in a state of intoxication and its justification.

Age of criminal discretion: general and reduced. Criteria for the establishment in the law of a reduced age of criminal discretion.

**Topic 2.2.4. Mental element in crime (mens rea).**

The notion of mental element in crime, its value. Signs of the mental element in crime: compulsory and optional.

Guilt. The concept of guilt and its significance. Inadmissibility of objective attitude for blame. The forms of guilty criminal law, their significance for the qualification of a crime and the imposition of punishment. Intention and its kinds.

The notion of general and specific intent, their intellectual and volitional features. The difference between the general and specific intent. Intention in crimes with formally defined elements. Other types of intentions, their characteristics and meanings.

Negligence and its kinds. Criminal presumption, her intellectual and volitional features. Distinction from indirect intent. Criminal negligence: its objective and subjective criteria, their significance. Case, its distinction from criminal negligence.   
Mutual contributory guilt and its significance for qualifying a crime.

Motive and purpose as optional elements of the mental element in crime. The meaning of the motive and purpose, their influence on the qualification of the crime and punishment. Concepts and types of legal errors in criminal law, their influence on criminal liability.

**Topic 2.1.5 Degree in the commission of crime.**

Concepts and types of degree in the commission of crime under the Criminal Code of Ukraine. Completed crime and inchoate crime. Completed crime, its concept and meaning.

The moment of the completion of crimes with materially defined crime, formally defined crime and preliminary crime.

Inchoate crime, its kinds. Preparation for crime. Its concepts, types, objective and subjective features. The delineation of preparation for crime from the discovery of intent.

Attempt to commit crime. Its concepts, types, objective and subjective features. The delimitation of preparation for crime from attempt to commit crime.

Voluntary renunciation of criminal purpose. Criminal liability for a inchoate crime, its basis. Qualification of preparation for crime and attempt to commit crime.Voluntary renunciation of criminal purpose for a inchoate crime. Its concept and signs. Degrees of crime, in which a voluntary refusal is possible. The legal consequences of a voluntary refusal to bring the crime to an end. Active repentance vs voluntary renunciation of criminal purpose.

**Topic 2.2.6. Participation in a crime (complicity).**

Concept of complicity. Its value. Objective and subjective signs of complicity. Joint participation of several subjects in the crime of committing a crime. Community intent of accomplices. Peculiarities of intellectual and volitional moments in the mind of accomplices. The question of the possibility of one-way subjective connection between the accomplices. Forms of complicity. The question of forms of complicity in the science of criminal law and in the Criminal Code of Ukraine.

Types of accomplices. Concept of the actual perpetrator and co- perpetrator of the crime (principal in the first degree). Mastermind (head, prime mover) for crime. Instigator to commit crime, ways of incitement. One who assists in the commission of the offense and its kinds. The separation of aiding and abetting from incitement.Criminal liability of accomplices. The grounds and limits of the criminal liability of accomplices. Qualification of the accomplices and their responsibility in various forms of complicity. Features of the responsibility of the organizers and participants of the organized group or criminal organization.

Special questions of the responsibility of accomplices. The concept of indirect guilt. Features of complicity in a crime with a special subject.Encouraging to commit crimes. Excess crimes. Types of excess crimes. Qualification of the accomplices of an excess. Unsuccessful incitement and aiding and abetting.  Voluntary renunciation of criminal purpose of accomplices.

Voluntary renunciation of the perpetrator of the crime. Responsibility of other accomplices at voluntary renunciation of the perpetrator of the crime. Voluntary renunciation of criminal purpose of organizer, instigator and accomplice. Implication in a crime. Concepts and types of implication in a crime. Separation of implication in a crime and complicity. Responsibility for implication in a crime.

**2.3. Module №3 "Multiple crime; circumstances that exclude the crime of an act; liberation from criminal responsibility;** **remission of penalty".**

**Topic 2.3.1. Multiple crime.**

Concept of themultiple crime. The social and legal characteristics of themultiple crime and their significance.Single crime as a structural element of the multiple crime. Types of single crimes: simple and complicated single crimes (continuing crimes, longtime crimes, complex crimes).

Types of multiple crime.

Repetition of crimes, its signs and meanings. Types of repetition.

Cumulative crimes. Its signs. Types of cumulative crimes. A criminal act corresponding to more than one definition and single crime. Segregation of cumulative crimes from repetition of crimes and collision of norms. The value of a cumulative crimes for the qualification of a crime and the imposition of a punishment. Repeated relapse into crime, its features and meaning. Types of relapse into crime. Legal consequences of repetition, cumulative crimes and recurrence into crime.

**Topic 2.3.2. Circumstances that exclude the crime of an act.**

Concepts, features and types of circumstances that exclude the crime of the act.   
Justifiable defense. The Constitution of Ukraine on the right of every citizen to protect against unlawful encroachment. The concept of the justifiable defense, its grounds and signs. Signs of protection in the justifiable defense. The purpose of the action during the defense. Objects that a person is entitled to protect with the justifiable defense. Criminal evaluation of the use of technical and other devices used to protect against encroachment. Timeliness of protection. Criminal-law assessment of damage caused by so-called "premature defense" and "late defense". Coherence of protection. Influence of extreme emotional disturbance, caused by socially dangerous encroachment, on the criminal-law assessment of the actions of the protected person.

Excess limits (excesses) of justifiable defense: concepts, features, types and responsibilities. Special types of justifiable defense.

Imaginary defense. Concepts and signs of imaginary defense. Types of errors in imaginary defense, their significance for solving the issue of liability for damage caused in a state of imaginary defense.

Detention of a person who committed a crime. The concept of detention and its basis. Signs of the arrest of the offender. The purpose of the detention. Boundaries of harm in custody of a criminal. Excess of measures necessary for the apprehension of a criminal: concepts, features and types. Criminal liability for exceeding these measures.

Extreme necessity.Concept of extreme necessity, its basis. Signs of the legality of causing harm in a state of extreme necessity. The purpose, timeliness, the limits of causing harm in a state of extreme necessity. The co-morbidity of the caused and distorted harm. Criteria of such interdependence. Influence of heat of passion, caused by danger, on the criminal assessment of the actions of the person who caused the damage. Excess limits (excess) of extreme necessity: concepts and attributes. Criminal liability for extreme urgency. The delimitation of the extreme need for the justifiable defense.

Physical and mental coercion. Physical irresistible coercion. His notions and signs. Criminal-law assessment of harm as a result of irresistible physical coercion. Concepts and signs of overcoming physical and mental coercion. Criminal evaluation of causing harm as a result of such coercion.

Execution of an order. Concept of legal order. Signs of an act when executing a lawful order. Purpose of action or inaction of the executor. Boundaries for causing harm when executing a lawful order. Criminal liability for exceeding the limits when executing a legal order. The Constitution of Ukraine on the lack of duty to execute explicitly illegal orders. Concept of obviously illegal order. Criminal consequences for a person who refused to execute a clearly illegal order. Constitutional provisions on the occurrence of legal liability for the giving and execution of a clearly illegal order. Decision of the Criminal Code of Ukraine on the criminal liability of a person who knowingly or unknowingly fulfilled a clearly illegal order.

Risk-related behavior. The basis for committing an act involving risk. Conditions of justified risk. Circumstances that exclude the justification of risk. Signs of committing a risky act. The purpose of such an act. Boundaries of harm. Criminal liability for exceeding the limits of causing harm in committing an act involving risk.

Execution of a special task on the prevention or disclosure of criminal activities of an organized group or a criminal organization. His notions and signs. The causes of damage to the interests of a person who performs a special task. Characteristic of the compulsion of causing harm. Limits of damage in the performance of a special task. Exceeding the limits of causing harm: concepts and types. Features of imposing punishment on a person who has exceeded the limits of causing harm in the performance of a special task.

**Topic 2.3.3. Liberation from criminal liability.**

The concept of libertation from criminal liability. Concept of precondition and grounds for libertation from criminal liability. The order of dismissal, his criminal consequences. Types of libertation from criminal liability.

Libertation from criminal liability in connection with active repentance. The concept of active repentance, contribute massively in the disclosure of the crime, full compensation for the damage, elimination of the damage. Libertation from criminal liability in connection with settlement with the injured party. Precondition and grounds for dismissal. The concept of settlement with the injured party, full compensation for the damage, elimination of the damage. Libertation from criminal liability in connection with admitting to bail. Precondition and material grounds for dismissal. Conditional nature of dismissal. Requirements for the behavior of the person who was transferred to the bail. Criminal legal consequences of violations of the person's conditions of transferring it to bail. Exemption from criminal liability in connection with changes in the situation. Prerequisites for dismissal. Concepts and types of changes in the situation. Reasons for dismissal. Characteristics of an act that has lost public danger, and a person who has ceased to be socially dangerous. Exemption from criminal liability in connection with the expiration of the limitation period. The premise of dismissal. Limits and calculations. Dependence of limitation periods on the classification of crimes by magnitude of offence. Terms of suspension of the statute of limitations. Restoration of the limitation period. Consequences of evasion from the investigation and the court. Terms of interruption of limitation periods, their calculation in these cases. Peculiarities of the application of limitation to a person who committed a particularly grave crime. Crimes against which no limitation applies: international and national legislation.

**Topic 2.3.4. Punishment, its system and types.**

The provisions of Articles 28, 41, 43, 61, 63, 124 of the Constitution of Ukraine and their significance for determining the social nature of punishment. The concept of punishment. Signs of criminal penalties. Purpose of punishment and its definition in the Criminal Code. Types of purposes. Concepts, signs and significance of the penal system under criminal law. The order of the types of punishment in the system and its value. Classification of types of punishment and its criteria. Basic and additional penalties. Features of their appointment. Punishments that can be imposed both as basic and as additional. Concept of time and endless kinds of general and special types of punishment. Responsibility for evasion from punishment for the Criminal Code of Ukraine.

Fine. The notion of a fine, its legal limits and criteria for determining the amount of a fine by a court. Peculiarities of the imposition of a fine as a basic and additional punishment. Consequences of impossibility to pay a fine.

Withdrawal of military or special title, rank, grade or qualification class as a form of punishment. His place in the system of punishment. The grounds and procedure for the appointment of this type of punishment. Deprivation of the right to occupy certain positions or engage in certain activities. Grounds, procedure and terms for the appointment of this punishment as the main and additional. Calculation of the terms of this type of punishment in the conditions of joining it as an additional to different types of basic punishments and when exemption from serving the basic punishment with the test.

Community service. Concept, content and terms of this type of punishment. Government bodies that define the type of community service. Persons to whom this type of punishment can not be applied.Corrective work. The content of this type of punishment, the grounds, the procedure and timing of its appointment. Persons who can not be appointed correctional works and the grounds for their replacement punishment in the form of a fine.

Officials restraint. The content of this type of punishment, the grounds, the procedure and timing of its appointment. The nature of the restrictions. Terms of service restrictions for servicemen instead of other types of punishment.

Confiscation of property. Article 41 of the Constitution of Ukraine on the conditions and procedure for the confiscation of property. The concept, content and types of this type of punishment, the grounds and the procedure for its appointment. Property not subject to confiscation by court judgment. The difference between the confiscation of property as a form of punishment from a special confiscation.

Arrest. The content of this type of punishment, the grounds, the procedure and time for the arrest, the characteristics of serving the arrest of servicemen. Persons to whom arrest is not applied.

Limitation of freedom. The content of this type of punishment, the grounds, the procedure and timing of its appointment. Conditions of serving the restraint of freedom. Persons to whom this type of punishment does not apply.

Holding a disciplinary military unit. Grounds, order and timing of this type of punishment. Conditions for the detention in a disciplinary battalion instead of imprisonment. Persons to whom this type of punishment does not apply.

Deprivation of liberty for a certain period. Deprivation of liberty in the history of criminal law and the current criminal law of Ukraine. The content of this type of punishment, the grounds, the procedure and its terms.

Life imprisonment. Life imprisonment and  death penalty. in the history of criminal law and its solution in the modern criminal law of different states. Grounds and procedure for the imposition of life imprisonment for the Criminal Code of Ukraine. Persons to whom this type of punishment can not be applied.

**2.4. Module № 4 "Assignment of punishment, release from punishment; conviction; other criminal-law measures; measures for conventional person; peculiarities of juvenile criminal responsibility; the main provisions of the General Part of the criminal legislation of foreign countries ".**

**Topic 2.4.1. Assignment of punishment.**

Principles of punishment for a crime, their consolidation in the Constitution of Ukraine and in the norms of the Criminal Code of Ukraine.

General principles of punishment. Their meaning. The limits of the punishment. The meaning of the provisions of the General Part of the Criminal Code for the appointment by a court of a certain type and measure of punishment. Individualization of punishment and its significance for the purpose of punishment. Concept, general characteristic and meaning for punishing the circumstances that mitigating punishment or aggravate it. Types of these circumstances, their characteristics. Appointment of a punishment for a inchoate crime a crime committed in complicity.

Appointment of a milder punishment than prescribed by law. The grounds and conditions for the appointment by the court of a more lenient punishment than prescribed by law. Types of more lenient punishment.

Appointment of punishment for a multiple crime. Rules for determining the final (general) punishment.Features of the definition of the final punishment for the totality of crimes when appointing separate crimes of different types of basic and additional punishments. Limits of final punishment. The procedure for imposing additional penalties for a multiple crime.Features of the imposition of a punishment for a multiple crime in cases provided for in Part 4 of Art. 70 of the Criminal Code of Ukraine.

Appointment of sentences for a accumulative sentences. The concept of a accumulative sentences. The order of imposing punishment on the totality of accumulative sentences. The procedure for imposing additional penalties on the totality of accumulative sentences. Peculiarities of the definition of the final punishment on the combination of sentences in the appointment of separate sentences of various types of basic and additional punishments. Procedure and features punishment while coincidence multiple offenses and accumulative sentences together. The difference in the order (rules) of imposing punishment on the totality of crimes and on the totality of sentences.

Rules for sentencing and enrollment of pre-trial detention. Features of the ratio of different types of basic and additional punishments when compiling them for a set of crimes and sentences, as well as when enrolling in the sentence of imprisonment. Calculation of punishment terms.

**Topic 2.4.2. Release from punishment**. **Remission of penalty.**

Release from punishment. Remission of penalty. The grounds and species differentiation. Unconditional and conditional release from punishment.

Dismissal of a person convicted of an act punishable by law is eliminated.

Exemption from punishment in connection with the loss of public danger. Grounds and terms of dismissal. The categories of crimes in which a person on the basis of a court sentence may be exempted from punishment. The value of the court's assessment of the perpetrator to decide on the application of this type of dismissal. Legal implications of this type of release from punishment, its unconditional nature.

Exemption from serving a sentence in connection with the expiration of the statute of limitations for the execution of a conviction. The limitation period, their dependence on the gravity of the crime and on the type and size of punishment. Limitation periods for additional penalties. Stop and restart the statute of limitations. Interruption of prescription. Calculation of the limitation period in these cases. Solution to the question of the application of a limitation period to a person sentenced to life imprisonment. Crimes, in case of conviction for which, the limitation is not applied.

Exemption from serving sentences for pregnant women and women with children under the age of three (release on humanitarian grounds). The grounds and conditions for the application of this type of exemption from serving a sentence, its conditional nature. The term of release from serving sentences for pregnant women and women who have children under the age of three. Legal implications of this type of dismissal.

Exemption from punishment on medical grounds (medical parole). Grounds and conditions for such dismissal. Categories of persons who may be exempted from the punishment on medical grounds. Types of illnesses that allow such a release. Applying to persons released on medical grounds compulsory measures of a medical nature. Legal consequences of recovery of persons who were released on medical grounds.

Exemption from serving a sentence with a trial (conditional release). The concept and its kinds. Grounds and conditions for exemption from serving a sentence with a probation. Peculiarities of application of additional punishments in the event of such release from serving the basic type of punishment. Probationary period, duration and legal value. Duties imposed by the court on a person released from serving a sentence with a probation. Control over the behavior of such persons. Legal implications of exemption from serving a sentence with a trial. Favorable and adverse effects.

Exemption from serving a sentence with a trial of pregnant women and women who have children under the age of seven. Grounds and conditions for the application of this type of release from serving a sentence. Categories of women to whom exemption from probation may apply.Type of punishment, in the case of appointment of which women can be released from the trial. Conditions under which the law prohibits the use of this type of dismissal. Probationary period, duration and legal value.

Conditional early release from punishment. Conditional-early release from serving a sentence (parole): the concept and meaning of such release. Grounds and terms of parole. Types of penalties, from which the person may be suspended release. The role of the public in the supervision of parole. The terms of the actual punishment, after which the parole may be applied. The value of the unpunished part of the punishment. Requirements relating to the behavior of a person conditionally released in advance for a period of unannounced part of the sentence. Favorable and unfavorable legal consequences of parole.

Replacement of the unpunished part of the sentence is more lenient. The notion of the meaning of such a substitution. Grounds and conditions of its application. Types of punishments, in the course of which the replacement of the unpunished part of the sentence can be applied more lenient. The concept of a milder punishment. Requirements for a period of milder punishment. The question of the possibility of replacing the unspent part of the basic punishment with the softer release of a person from additional punishment. Public participation in the supervision of those sentenced is replaced by a milder one. The terms of the actual punishment, which make it possible to replace the unpunished part of the sentence with a milder one. The legal consequences of this type of release from serving a sentence. The delimitation of the unserved part of the sentence is more lenient than the parole release from serving a sentence. Categories of convicts, who are not subject to parole release and reversal of sentences more lenient.

Exemption from punishment on the basis of the law of Ukraine on amnesty or the act of personal pardon. The Constitution of Ukraine and the Law of Ukraine "On the Application of Amnesty in Ukraine" as the legal basis for the norms of the Criminal Code on the release from punishment by amnesty and personal pardon.

Amnesty. Its concept, content, categories of persons in respect of which amnesty may be declared. Time to commit crimes covered by amnesty. The Verkhovna Rada of Ukraine as the only entity that can declare an amnesty act.Types of amnesty (full, partial, conditional). Categories of persons for which amnesty is not allowed.

Personal pardon. The concept of personal pardon, its legal basis, the terms of application. Kinds of personal pardon. Persons entitled to petition for personal pardon. Divorce of personal pardon from the amnesty.

**Topic 2.4.3. Conviction.**

The concept of conviction and its significance. The basis of conviction, its content. Legal consequences of conviction. The period during which a person is recognized as having a conviction. Persons sentenced by a court judgment who are found to be not convicted.

Cancellation of conviction and expungement of conviction. Cancellation of conviction, notions and conditions of application. Terms of cancellation of conviction.The legal meaning of these terms and their calculations. Consequences of committing a new crime during these periods. Expungement of conviction. The notion and legal consequences of the expungement of conviction.

**Topic 2.4.4. Other criminal-law measures.**

The notion and purpose of compulsory medical measures. The bases for their application. Persons subject to compulsory medical measures.Types of compulsory measures of a medical nature, their exhaustive list in the Criminal Code, criteria for their appointment. Continuation, change or termination of compulsory medical measures. Admission of the time of the use of compulsory measures of a medical nature to the term of punishment.

Forced treatment. The basis of the use of forced treatment. Persons to whom forced treatment is applied. The procedure for enforcing treatment, its dependence on the type of punishment that a person does.

Special confiscation. Cases of special seizure.

**Topic 2.4. 5. Criminal actions against juridical person (criminal corporate liability).**

Grounds for the application to juridical person of criminal-law measures.

List of juridical person to which criminal-law measures are applied. Grounds for the dismissal of a juridical person from the application of criminal-law measures. Types of criminal-law measures applicable to juridical person and their characteristics. General rules for the application of criminal-law measures to juridical person.Applying to juridical person measures criminal-law in the totality of crimes.

**Topic 2.4.6. The criminal responsibility of juveniles. Punishment of juveniles.**

Features of criminal responsibility and punishment of juveniles is a manifestation of humanism of the criminal legislation of Ukraine. Exemption from criminal liability of juveniles with the use of compulsory measures of an educational nature. Grounds and conditions for such release. Concepts and signs of compulsory educational measures. Exhaustive list of types of compulsory measures of educational nature, their content and procedure. Consequences of evasion of a juvenile from the use of coercive educational measures. The release of juveniles from criminal liability in connection with the expiration of the limitation period. Features of the limitation period for this category of persons .

Penalties inflicted on Juveniles. Features of their appointment.An exhaustive list of the main and additional penalties that can be applied to juveniles, and their content. Appointment of juvenile offenders. Special grounds for sentencing juveniles. Feature of the final punishment in the form of imprisonment, which is assigned to a juvenil for a combination of crimes and a combination of sentences.

Exemption from serving a sentence with a probation. Peculiarities of the grounds and conditions of such dismissal in relation to a juvenile.The type of punishment from which this release is possible is possible.Probation term, its duration. Legal consequences. Dismissal of juveniles from punishment with the use of coercive measures of educational nature. Grounds and mandatory conditions for such dismissal. The procedure for dismissal and its legal consequences.Exemption from criminal liability and serving a sentence in connection with the expiration of the limitation period. Features of the limitation period for persons who committed a crime below the age of eighteen.

Conditional early release from punishment. Peculiarities of the grounds and conditions of application of this type of dismissal for persons who committed crimes under the age of eighteen. The type of punishment from which the parole may be applied.The period of the actual punishment. Consequences of the commission of a new crime for the unpunished part of the sentence. Prohibition of the use of juveniles to replace the unpunished part of the sentence more lenient.

Cancellation of conviction and expungement of conviction.Grounds and conditions for cancellation of conviction and expungement of conviction of persons who committed a crime before reaching the age of eighteen. Duration of terms of cancellation of conviction. Conditions for the recognition of these persons as non-convicted.

Conditions of early expungement of conviction of these persons. Offenses, punishments for which early expungement of conviction allows. Cancellation of conviction after which the early expungement of conviction is possible.

**Topic 2.4.7. Key issues General Part of criminal law of foreign countries.**

General characteristics of criminal legislation of Russia and other CIS countries. Criminal law of other foreign countries: England, USA, France, Germany, Japan.   
Common law and European law (civil law). Reforms of criminal legislation, which have been implemented over the last decades in some foreign developed countries.Basic institutes of the General part of criminal law of foreign countries.

Science of Criminal Law. The emergence and main stages of the development of the science of criminal law. Glossators (Italian School), medieval doctrines of criminal law (Germany, Italy, France, Holland). Classical school of criminal law: its origin, essence, stages of development. Influence of works S.-L. Montesquieu and C. Becaría for the formation of a classical school. French, German and Russian directions of the classical school of criminal law (A. Feuerbach, K. Grolman, MS Tagantsev, M.D. Sergievsky, A.F. Kistyakovsky). The significance of the classical school of criminal law, its impact on criminal law and law enforcement. The emergence of an anthropological school of criminal law and its further evolution. The main views of anthropologists (Ch. Lombroso, E. Feri, R. Garofalo) and their influence on the science of criminal law. The emergence of a sociological school of criminal law and its subsequent evolution. Distribution of views of this school in Europe, Russia, Latin America. The main views of sociologists (Van Gamel, A. Prince, G. Tarde, I. Ya. Foynitsky, M. P. Chubinsky, etc.). Influence of the sociological school on the criminal law of the end of XIX and XX centuries.

The development of the science of criminal law in the second half of the XX century. New social protection. Final theory of criminal law. Normativeism. Neo-anthropologism. Assessment of these areas. Their influence on the codification of criminal legislation in the second half of the 20th century, on law-making and law enforcement.

**2.5. Module № 5 «Fundamentals of criminal-law qualification crimes against the foundations of national security of the state and crimes against the interests of a person».**

**Topic 2.5.1. Crimes against the foundations of national security.**

General characteristics of crimes against the foundations of Ukraine's national security.The generic object of these crimes. Types of crimes against the foundations of national security of Ukraine.

Actions aimed at violent change or overthrow of the constitutional order or the seizure of state power. The direct object of the crime. Part 2 of Art. 5 of the Constitution of Ukraine as the legal basis for the criminalization of such actions. The concept of the constitutional order. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Form and kind of guilt. The motive and meaning of the purpose of committing a crime. Subject of crime. Qualifying signs of crime.

Attack on the territorial integrity and inviolability of Ukraine. The Constitution of Ukraine on the integrity and inviolability of the territory of Ukraine within its borders. The concept of the state border (frontier). Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime.  
Criminal intent as a mandatory feature, its content. Qualifying attributes.

Financing of actions committed for the purpose of violent change or overthrow of the constitutional order or the seizure of state power, changes in the boundaries of the territory or state border of Ukraine. The notion of financing the actions provided for in this article.Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea). Conditions for the release of a person from criminal responsibility for this crime.

 Treason-felony. The concept of treason-felony. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). The motive of treason-felony. Subject of crime. Conditions for the release of a person from criminal responsibility for this crime.

Attack on the life of a public or state person. The direct object of the crime: basic and complementary. The notion of state and public person. Objective aspect of crime (actus reus). Its forms. The concept of attack on the life. The moment of the end of the crime. Mental element in crime (mens rea). The meaning of the purpose of committing a crime. Subject of crime.

Wrecking. The direct object of the crime: basic and complementary. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Segregation of sabotage from related offenses.

Espionage (spying). Target of crime. Concept of state secrets. Objective aspect of crime (actus reus). Its forms. The concept of transmission and gathering information. The moment of the end of the crime. Mental element in crime (mens rea). The purpose of the crime as a mandatory sign of espionage. Subject of crime. Conditions for the release of a person from criminal responsibility for this crime.

Obstruction of the Armed Forces of Ukraine and other military units.The direct object of the crime. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea).

**Topic 2.5.2. Crimes against life (and health of the individual).**

General characteristics of crimes against life and health. The generic object of these crimes, the significance of its protection. Types of crimes against the life and health of a person. Crimes against life.

The concept of murder (slaughter, killing, homicide, assassination). Objective aspect of crime (actus reus). The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea). Types of murders. First degree morder and second degree murder (justifiable homicide).

Homicide (killing by will). Concepts and views. Voluntary manslaughter (murder without aggravating and mitigating circumstances). Intentional homicide under aggravating circumstances (murder in the first degree). Types of aggravating circumstances. Qualification of the murder in the presence of several aggravating circumstances.

Attenuated killing, its typs. Intentional homicide committed in state of strong mental agitation.Circumstances that cause such strong mental agitation. The time of a strong mental agitation. Mental element in crime (mens rea).

Infanticide (murder of the mother her newborn child). Time of committing a crime. Mental element in crime (mens rea). Subject of crime. Family relationship with a child. Age of responsibility. The responsibility of accomplices to this crime.

Murder in excess of the limits of the necessary defense or in case of exceeding the measures necessary for the apprehension of the offender.Objective aspect of crime (actus reus). Time of committing a crime. Mental element in crime (mens rea). Subject of crime. Age of responsibility.

Nonnegligent manslaughter.Mental element in crime (mens rea). Subject of crime. Subject of crime. Qualifying attribut.

Forcible suicide. Objective aspect of crime (actus reus): types of actions. The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea). Qualifying attributes.

Threat of homicide. The reality of the threat as a condition of responsibility for this crime. The moment of the end of the crime. The delineation of this crime from the assassination attempt. Qualifying attribut.

Crimes against the health of the person. Human health as an object of these crimes. General characteristics of crimes against health and their types.

Intentional infliction of serious bodily injury. The concept of bodily injury. The concept of serious bodily injury and its species. Criteria for recognition of serious bodily injury, medical, social, economic, aesthetic. Objective aspect of crime (actus reus). The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea).

Qualifying attributes of intentional serious bodily injury.The separation of serious bodily harm, which cause death of the victim, from homicide and nonnegligent manslaughter.

Intentional moderate bodily injury. The concept of moderate bodily injury. Criteria for recognizing bodily injury as being of moderate severity. Objective aspect of crime (actus reus). Subject of crime. Mental element in crime (mens rea). Qualifying attributes.

Intentional infliction of serious bodily injury in state of strong mental agitation. Concept of strong mental agitation (physiological affect). The moment of strong mental agitation and the circumstances that cause it. Intentional infliction of serious bodily injury in excess of the limits of the necessary defense or in case of exceeding the measures necessary for the apprehension of the offender. Time of committing a crime. The nature of the victim's unlawful conduct as a condition for committing a crime.Intentional light bodily injury. The concept of light bodily injury. Criteria for recognizing bodily injury by light bodily injury. Objective aspect of crime (actus reus). The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea). Qualifying attributes.

Careless hard or moderate injury. Subject of crime. Mental element in crime (mens rea).

Blows and torment. The concept of blows and torment. Their separation from bodily harm. Mental element in crime (mens rea). Qualifying attributes.

Torture. The concept of torture. Objective aspect of crime (actus reus). Methods of committing the crime. Mental element in crime (mens rea). The purpose of committing a crime. Subject of crime. Qualifying attributes. The delimitation of torture by blows and torment.

Infection with human immunodeficiency virus or other incurable infectious disease. Objective aspect of crime (actus reus). The nature and types of diseases. Types of actions. Features of the structure of this crime. The moment of the end of the crime. Mental element in crime (mens rea). The notion of deliberately placing another person at risk of infection. Subject of crime. Responsibility for infecting another person with a virus of an immunodeficiency virus or other incurable infectious disease by a person who knew about the presence of the virus of these diseases. The moment of the end of the crime. Specificity of the mental element in crime (mens rea). Qualifying attributes.

Communicating venerial disease. Objective aspect of crime (actus reus). The moment of the end of the crime. Consciousness as a compulsory sign of a crime. Subject of crime. Qualifying attributes.

Crimes that pose a danger to human life and health in the field of medical care and other crimes that pose a danger to human life and health.Improper performance of professional duties which caused infection with HIV or any other incurable infectious disease. Objective aspect of crime (actus reus). The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea). Qualifying attributes. Objective aspect of crime (actus reus).

Disclosure of information on medical examination to detect infection with HIV or any other incurable infectious disease. The target of this crime and its kinds. Objective aspect of crime (actus reus). The concept of disclosure of information. The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea).

Illegal treating activity. Objective aspect of crime (actus reus). The concept of illegal treating activity. The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea).

Failure to provide health care. Objective aspect of crime (actus reus). The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea).

Improper performance of professional duties by a medical or pharmaceutical employee. Construction of objective aspect of crime (actus reus). Types of actions. The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea). Qualifying attributes.Breach of the law of the patient. Objective aspect of crime (actus reus), types of actions. Subject of crime. Mental element in crime (mens rea).

Illegal human experimentation. Objective aspect of crime (actus reus). Types of actions. Concept of illegal human experimentation. The structure of the crime. The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea). Qualifying attributes.

Violation of the procedure for transplantation of organs or tissues of a person, established by law. Objective aspect of crime (actus reus). The concept of transplantation. The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea). Qualifying attributes.

Enforced donation. Objective aspect of crime (actus reus). The concept of donation. Ways of donating. Subject of crime. Mental element in crime (mens rea).Qualifying attributes.

Illegal divulging of medical secrets. Objective aspect of crime (actus reus). The concept of divulging professional secrets. The moment of the end of the crime. Subject of crime, types of subjects. Mental element in crime (mens rea).

Other crimes posing a danger to human life and health.

Illegal abortion. Objective aspect of crime (actus reus). The concept of abortion. The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea).Qualifying attributes.

Failure to give assistance to persons in danger (neglect of helpless). The concept of failure to give assistance to persons in danger. The helpless state of the victim. Objective aspect of crime (actus reus). Types of actions. The moment of the end of the crime. Mental element in crime (mens rea). The value of the consciousness of the helpless state of the victim. Subject of crime. Qualifying attributes.

Failure to assist a person in a state of danger to life. Objective aspect of crime (actus reus). Its forms. Consequences and their types.The moment of the end of the crime. Subject of crime. Mental element in crime (mens rea).Qualifying attributes. The delineation of this crime from failure to give assistance to persons in danger.

Child endangerment. Improper performance of duties for the protection of children's life and health. Objective aspect of crime (actus reus). Types of actions. Consequences, their kinds. The moment of the end of the crime. Mental element in crime (mens rea): form of guilt in respect of acts and consequences. Subject of crime. Qualifying attributes.

**Topic 2.5.4. Other crimes against the person.**

General characteristics of crimes against the will, honor and dignity of the individual, their object.

False imprisonment or plagium (kidnapping). Objective aspect of crime (actus reus). Types of actions. Ways of illegal deprivation of liberty (false imprisonment). The concept of kidnapping a person. Mental element in crime (mens rea). The motive and purpose of the crime. Subject of crime. Qualifying attributes.

The taking of hostage.The direct object of the crime: basic and complementary. Objective aspect of crime (actus reus). Its forms. The concept of taking of hostage Ways to capture. The concept of holding a hostage. Mental element in crime (mens rea). The purpose of this crime. Subject of crime. Qualifying attributes. Delimitation of the taking of hostages from false imprisonment or kidnapping of a person.

Substitution of child. Objective aspect of crime (actus reus). The notion of substituting someone else's child. Mental element in crime (mens rea). Targets for committing a crime. Subject of crime.

Trafficking in human beings. The direct object of the crime: basic and complementary. Objective aspect of crime (actus reus). Its forms. Purpose of committing a crime: primary and final. Subject of crime. Qualifying and especially qualifying attributes.

Child slavery. Objective aspect of crime (actus reus). The nature of the act. Victim's age. The moment of the end of the crime. Mental element in crime (mens rea). Purpose of committing a crime. Subject of crime. Qualifying attributes.

The use of a minor child for begging. Mental element in crime (mens rea). Purpose of committing a crime. Subject of crime. Qualifying attributes.

Illegal placement in a mental hospital. Objective aspect of crime (actus reus). The nature of the act. Mental state of the victim. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

General characteristics of sexual crimes. Their object. Concept of sexual freedom and sexual sexual inviolability of minors. Types of these crimes.

Rape (violence, sexual assault). The direct object of the crime. The concept of rape. Victims. Objective aspect of crime (actus reus). Its forms. Ways of committing a crime. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Forced sexual pleasure in an unnatural way. Objective aspect of crime (actus reus). Ways of committing a crime. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. Separation of the crime of rape.

Sexual abuse. Objective aspect of crime (actus reus). Its forms. The concept of coercion.The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Sexual intercourse with a person under the age of sixteen. Objective aspect of crime (actus reus). The value of the volunteer of the victim or victim to commit such acts with them. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Corruption of minors and seduction. The direct object of the crime. Objective aspect of crime (actus reus). The concept of corruption. The nature of the action. Victim of this crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Crimes against the elective franchise. The concept is a general description of these crimes. Generic object, the significance of its protection. Types of such crimes. The Constitution of Ukraine on protection of electoral rights.

Interference with the exercise of the right to vote or the right to participate in a referendum, election commission or referendum commission or official observer activity. Objective aspect of crime (actus reus). Concept of interference and methods of its implementation. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Providing false information to the State Voter Register maintenance body or falsification of election documents, referendum documents, voting results or information from the state register of voters. The object and target of the crime. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime.

Illegal use of the ballot, the ballot for voting in a referendum, voting by a voter, a referendum participant more than once. Target of the crime. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Violation of the secrecy of voting. Objective aspect of crime (actus reus). The nature of the act. The concept of the secrets of voting. Time to commit a crime. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime.

Violation of the order of financing of the election campaign of a candidate, a political party (bloc). Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Violation of the procedure for financing a political party, election campaigning, campaigning for an all-Ukrainian or local referendum. Objective aspect of crime (actus reus). Types of actions. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Bribery of voters (vote buying). Objective aspect of crime (actus reus). Types of actions. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Violation of the equality of citizens depending on their race, nationality, religious beliefs, disability and other grounds (age, class, gender, race/racial, religious, sex/sexual discrimination) .

Violation of inviolability of housing (illegal entry of a dwelling). Objective aspect of crime (actus reus). The notion of housing. Lines of action characteristic of other actions that violate the integrity of the home. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Violation of secrecy of correspondence, telephone conversations, telegraphic or other correspondence, transmitted by means of communication or through a computer. Objective aspect of crime (actus reus). Types of actions. Circumstances that exclude the wrongfulness of such actions. Subject of crime.

Violation of privacy. Objective aspect of crime (actus reus). Types of actions. Mental element in crime (mens rea). Subject of crime.

Crimes against the family (household crime). Evasion of child spousal support. Victim of this crime. The notion of evasion. Grossest violation as a sign of objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime. Terms of prosecution for this crime.

Evasion of unemployable parents spousal support. Objective aspect of crime (actus reus). The notion of evasion. Grossest violation as a sign of objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime. Terms of prosecution for this crime.

Breach of duty (neglect). Persistent neglect to care for a child or a person for whom care has been taken. Victim of this crime. Objective aspect of crime (actus reus). Characteristic of an act. The concept of malice neglect. Mental element in crime (mens rea). Subject of crime.

Abuse of rights of guardian. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime.

Disclosure of secrecy of adoption. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime. The value of the adopter's consent to the disclosure of the secrecy of adoption.

Illegal actions on adoption. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Crimes against labor rights of citizens. The Constitution of Ukraine on trade unions, political parties, public organizations and the right of citizens to work.

Opposition to unions, political parties, public organizations. Objective aspect of crime (actus reus). Characteristics of obstruction. Mental element in crime (mens rea). Subject of crime.

Obstruction of legitimate professional journalistic activities. Objective aspect of crime (actus reus). Characteristics of obstruction. The concept of harassment of journalists. Mental element in crime (mens rea). Subject of crime.

A gross violation of labour legislation. Objective aspect of crime (actus reus). Its forms. Characteristics of another gross violation of labor legislation. Mental element in crime (mens rea). The meaning of the motive for qualifying this crime. Subject of crime. Qualifying attributes.

A gross violation of the labor agreement. Objective aspect of crime (actus reus). Its forms. The notion of gross violation of the labor agreement. Ways of committing a crime. Mental element in crime (mens rea). Subject of crime. The delineation of this crime against gross violation of labor legislation.

Forced participation in a strike or hindering participation in the strike. Objective aspect of crime (actus reus). The concept of coercion. Ways of committing a crime. Mental element in crime (mens rea). Subject of crime.

Non-payment of salaries, educational grant, pensions or other statutory payments. Objective aspect of crime (actus reus). Its forms. The notion of groundless non-payment. Mental element in crime (mens rea). Subject of crime. Conditions for the release of a person from criminal responsibility for this crime.

Crimes in the field of protection of rights to intellectual property objects, crimes against other personal and human rights and freedoms, and crimes against freedom of conscience.

Crimes in the field of protection of the right to intellectual property. The Constitution of Ukraine on the Protection of Freedom of Creativity and Intellectual Property.

Violation of copyright and related rights. Concept of copyright and related rights. Target of crime. Objective aspect of crime (actus reus). The nature and types of acts. Consequences. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying and especially qualifying attributes The delineation of this crime from property crimes.

Violation of rights to invention, utility model, industrial design, topography of integrated circuits, plant variety, innovative offer. Target of crime. Objective aspect of crime (actus reus). Consequences. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Crimes against freedom of conscience. The Constitution of Ukraine on freedom of belief and religion of citizens.

Damage religious worship or religious houses. Target of crime. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime.

Illegal retention, desecration or destruction of religious shrines. Target of crime. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime.

Disturbance of public worship. Objective aspect of crime (actus reus). Characteristic of an act. The moment of the end of this crime. Subject of crime. Qualifying attributes. Cases of lawful termination of religious ceremonies.

Encroachment on human health under the guise of preaching religious beliefs or fulfillment of religious ceremonies. Objective aspect of crime (actus reus). The types of actions and the moment of the end of the crime. Subject of crime. Qualifying attributes.

Violation of privacy. Violation of the right to education. Violation of the right to free medical care. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

**Topic 2.5.7. Crimes against property.**

Acquisitive (profit-motivated) crimes - criminal legal characteristic. Concepts and general features of crimes against property. The object of crime against property. The concept of property relations. Type of ownership. Levels of rights of subjects of all forms of ownership. The target of crimes against property. His signs: legal, economic, physical. General objective and subjective features of crime against property. System and types of crimes against property. Acquisitive (profit-motivated) crimes against property, associated with the rotation property of others for their own benefit or the benefit of others. The concept is a general description of these crimes. Their targets. General signs of the objective side. The notion of the rotation of property, its illegality and free of charge.Construction of crimes warehouses. The nature of socially dangerous consequences, their significance. General features of the subjective side. Form and kind of guilt. The motive and purpose of these crimes. General qualifying and especially qualifying signs of mercenary crimes connected with the rotation of someone else's property. Types of these crimes. Method (form) of rotation of someone else's property as a criterion for the distribution of these crimes in species.

Theft (larceny). The concept of theft. Objective aspect of crime (actus reus). Characteristics of the secret theft of property. The moment of the end of the crime. Mental element in crime (mens rea). The value of awareness of the guilty secret mode of abduction. Subject of crime. Qualifying attributes.

Robbery. The concept of robbery. Objective aspect of crime (actus reus). The concept of open abduction. The moment of the end of the crime. Mental element in crime (mens rea). Awareness of guilty open method of abduction.Subject of crime. Qualifying attributes. Separation of robbery from theft.

Armed robbery. The concept of armed robbery. The direct object of the crime: basic and complementary. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. The difference between robbery and armed robbery. Value of robbery and intentional murder of profit-motivates.

Stealing electrical or thermal energy through its unauthorized use. The specifics of the target of the crime, the special danger of his abduction. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Blackmailing offenses. The direct object of the crime: basic and complementary. . The specifics of the target of the crime. Objective aspect of crime (actus reus). Ways of extortion. The nature of violence and the purpose of its application. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. The blackmailing offenses from robbery and armed robbery.

Fraud (cheat) . The specifics of the target of the crime. Objective aspect of crime (actus reus). The concept of taking possession of someone else's property. Methods of capture, their characteristics. The moment of the end of the crime. Subject of crime. Qualifying attributes. Distribution of fraud against theft and robbery.

Assignment, spoilage or possession of property by abuse of office. The specifics of the target of the crime. The notion of property that was entrusted to a person or was under its direction. Objective aspect of crime (actus reus). Ways of committing a crime.The concept of appropriation, embezzlement and possession of property by abuse of office. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Acquisitive (profit-motivated) crimes, not related to the rotation of someone else's property in their favor or in favor of others. General characteristics of these crimes. Their separation from Acquisitive (profit-motivated) crimes, that related to the rotation of someone else's property in their favor or in favor of others.

Infliction of property damage by fraud or abuse of trust. The specifics of the target of the crime. Objective aspect of crime (actus reus). Its forms. Ways of committing a crime. The absence of signs of fraud as a mandatory indication of the crime. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes

Illegal appropriation of a person found or alien property that accidentally appeared on her (larceny). The specifics of the target of the crime. Objective aspect of crime (actus reus). The nature of the act. The concept of appropriation of property. The moment of the end of the crime. Mental element in crime (mens rea). The purpose and motive of the crime. Subject of crime. The delineation of this crime from theft.

Unauthorized occupation of land and unauthorized construction. Means of committing a crime. The moment of the end of the crime. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Acquisition, receipt, storage or sale of corrupt assets.The specifics of the target of the crime. The concept of corrupt assets. Objective aspect of crime (actus reus). Its forms. The concept is not promised in advance purchase, sale and storage. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime.

Non profit-motivatedcrimes against property.

Wanton destruction of property or damage to property. The specifics of the target of the crime. Objective aspect of crime (actus reus). The notion of destruction and damage. Consequences of a crime. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Intentional damage to energy facilities. Consequences of a crime. The moment of the end of the crime. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

The threat of destruction of property. The direct object of the crime: basic and complementary. Objective aspect of crime (actus reus). Threat content. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime.

Negligent destruction or damage to property. The direct object of the crime: basic and complementary. Objective aspect of crime (actus reus). Its forms. The nature of the consequences. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime.

Breach of duty to protect property. The direct object of the crime: basic and complementary. Objective aspect of crime (actus reus). Forms of action. Consequences of a crime. The moment of the end of the crime. Mental element in crime (mens rea). Form and kind of guilt. Subject of a crime, special features of the subject of a crime.

**2.6. Module № 6 «Crimes against public and state interests».**

**Тopic 2.6.3. Crimes against public safety.**

General characteristics of crimes against public safety. Generic object, its concept, the importance of protection. Specificity of objective and subjective parties. System and types of crimes against public safety.

Building a criminal organization. Objective aspect of crime (actus reus). Its forms. The concept of a criminal organization. The nature of the crimes committed by a criminal organization. The moment of the end of the crime. Subject of crime. Conditions of exemption from criminal responsibility for the crime.

Promoting members of criminal organizations and covering up their criminal activities. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). The concept not previously promised assistance and shelter. Subject of crime. Qualifying attributes.

Banditism (racketeering, gangsterism).The concept of a gang, its signs. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Distinction of banditism from related offenses.

Act of terrorism. Objective aspect of crime (actus reus). A method of committing a terrorist act. The moment of the end of the crime. Mental element in crime (mens rea). The nature and purpose. Qualifying attributes.

Involvement in committing a terrorist act. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime.

Contain public calls for committing a terrorist act. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime.

Creating a terrorist group or a terrorist organization.Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime. Conditions of exemption from criminal responsibility for the crime.

Facilitating the commission of a terrorist act. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime.

Financing terrorism. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime. Conditions of exemption from criminal responsibility for the crime.

Knowingly false report of a threat to the safety of citizens, destruction or damage to property. Objective aspect of crime (actus reus). The moment of the end of the crime. Mental element in crime (mens rea). Notion of a false message. Qualifying attributes.

Creation of paramilitary or armed units not provided by law. Objective aspect of crime (actus reus). Its forms. The concept of illegal paramilitary or armed formations. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. Conditions of exemption from criminal responsibility for the crime, a person who was a part of the mentioned formations, for the creation and participation in such formations.

Attack on objects that have objects that present an increased danger to the environment. The target of crime, its increased social danger. Objective aspect of crime (actus reus). The concept of an attack. The moment of the end of the crime. Mental element in crime (mens rea). The nature and importance of the purpose. Subject of crime.

Abduction, appropriation, extortion of firearms, ammunition, explosives or radioactive materials or possession of them by fraud or abuse of office. The target of crime, concept, types. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

The illegal handling of weapons, ammunition or explosives. The target of crime, concept, types. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. The condition of responsibility for this act. Mental element in crime (mens rea). Subject of crime. Conditions of exemption from criminal responsibility for the crime.

Illegal manufacture, processing or repair of firearms or falsification, illegal removal or alteration of their marking, or the illicit manufacture of ammunition, explosives or explosive devices. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime.

Negligent storage of firearms or ammunition. The target of crime, concept, types. Objective aspect of crime (actus reus), kinds of act. Types consequences. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime.

Illegal handling of radioactive materials. The target of crime. Objective aspect of crime (actus reus). Its forms, kinds of act. Types consequences. The moment of the end of the crime. Condition of responsibility for these acts. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Illegal manufacture of a nuclear explosive device or device that scatters radioactive material or emits radiation. The target of crime. Objective aspect of crime (actus reus). Its forms. Types consequences. The moment of the end of the crime. Condition of responsibility for these acts. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Threats to steal or use radioactive materials. The target of crime. Objective aspect of crime (actus reus). Concepts and signs of a threat. The moment of the end of the crime. Mental element in crime (mens rea). The purpose of the threat. Subject of crime.

Violation of various rules that provide public safety. Violation of the rules of handling explosive, flammable and caustic substances or radioactive materials. The target of crime. Objective aspect of crime (actus reus). The nature of the rules that are violated. Consequences, their types, values. The moment of the end of the crime. Mental element in crime (mens rea). The content of the mental attitude of the perpetrator is to violate the rules and to the consequences. Subject of crime. Qualifying attributes.

Violation of radiation safety regime requirements. The target of crime. Objective aspect of crime (actus reus). The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Illegal import of waste and secondary raw materials into the territory of Ukraine. The target of crime. Objective aspect of crime (actus reus). The concept of importing the abovementioned items into the territory of Ukraine. The concept of transit. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Illegal transportation of explosive or flammable substances on an aircraft. The target of crime. Objective aspect of crime (actus reus). The concept of illegal traffic. The concept of an aircraft. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Violation of the fire safety requirements established by the legislation. Objective aspect of crime (actus reus). Its forms. Concept of fire safety requirements established by the legislation. Consequences, their kinds. The moment of the end of the crime. Mental element in crime (mens rea). The nature of the person's mental attitude to the violation of the requirements of fire safety and to the consequences. Subject of crime. Qualifying attributes.

Intentional destruction or damage to the objects of housing and communal services. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime.

**Topic 2.6.5. Crimes against traffic safety and operation of transport.**

Concept, general characteristics and types of transport crimes. Crimes against traffic safety and operation of rail, water and air transport. The target of crime. Objective aspect of crime (actus reus). Its forms. Consequences and their types. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Separation of related crimes.

Carrying out a professional activity of a crew member or serving the air traffic controller by air traffic control (traffic control dispatcher) in the state of alcohol intoxication or under the influence of narcotic or psychotropic substances. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Separation of related crimes.

Damage routes and vehicles. The target of crime. Objective aspect of crime (actus reus). Consequences, their kinds. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Separation of sabotage and crimes against property.

Hijacking or capturing a railway rolling stock, an air, sea or river vessel. The target of crime. Objective aspect of crime (actus reus). The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. Qualification of theft along with other crimes.

Blocking of transport communications, as well as seizing the transport company. The target of crime. Objective aspect of crime (actus reus). Types of actions Consequences, their kinds. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime.

Forcing a transport worker to fail to perform his official duties. Objective aspect of crime (actus reus). Concept of coercion, its ways. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Violation of the rules of air flights. Objective aspect of crime (actus reus). The moment of the end of the crime. Consequences of a crime. Mental element in crime (mens rea). Subject of crime. Separation of related crimes.

Violation of airspace use rules. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Consequences of a crime.Mental element in crime (mens rea). Subject of crime. Separation of related crimes.

Unauthorized unnecessarily stop the train. Objective aspect of crime (actus reus). Its forms. The nature of the act. Ways of committing a crime. Consequences, their kinds. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Separation of related crimes.

Failure to assist the vessel and disaster victims. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. Terms of liability for failure to provide assistance. Place of committing a crime. Mental element in crime (mens rea). Subject of crime.

Failure to notify the master of the name of his vessel in the event of a collision of vessels. Objective aspect of crime (actus reus). The nature of the act. Place of committing a crime. Conditions responsibility for the failure.Mental element in crime (mens rea). Subject of crime.

Offenses that encroach on the safety of traffic and the operation of motor vehicles and urban electric vehicles. Violation of traffic safety rules or vehicle operation by persons who control vehicles. The concept of a vehicle. Objective aspect of crime (actus reus). Its forms. Types of violations and their consequences. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. Separation of crime from adjacent ones.

Violation of rules, norms and standards concerning traffic safety. Objective aspect of crime (actus reus). The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. His views. Separation of related crimes.

Illegal appropriation of vehicle. The concept of a vehicle. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. Terms of release from criminal liability for this crime. Distinction from property crimes.

Destruction, forgery or replacement of unit numbers and units of a vehicle. The concept of a vehicle. Objective aspect of crime (actus reus). The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime.

Other offenses affecting the safe operation of transport. Violations of the rules in force on the vehicle. Types of transport. Objective aspect of crime (actus reus). Types of violations. Their consequences. Mental element in crime (mens rea). Subject of crime. Separation of related crimes.

Damage of objects of main or industrial oil, gas condensate pipelines and petroleum product pipelines. The specifics of the target of the crime. Objective aspect of crime (actus reus). Types of actions. Consequences, their kinds.

Responsibility for creating a danger to people's lives. The moment of the end of the crime. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. Segregation of crime against sabotage and other related offenses.

**Topic 2.6.7. Crimes in the area of drug trafficking.**

Crimes related to drug trafficking and other items that are dangerous to health.

Drugs smuggling. The specifics of the target of the crime. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Use of funds derived from the illicit trafficking of narcotic drugs, psychotropic substances, their analogues or precursors. The specifics of the target of the crime. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Purpose of committing a crime. Subject of crime. Qualifying attributes.

Illegal production, manufacture, acquisition, storage, transportation, forwarding or sale of narcotic drugs, psychotropic substances or their analogues. The specifics of the target of the crime. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). The purpose of the crime Subject of crime. Qualifying attributes. Conditions of exemption from criminal responsibility for the crime.

Illegal production, manufacture, acquisition, storage, transportation or transfer of narcotic drugs, psychotropic substances or their analogues without the purpose of sale. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. Conditions of exemption from criminal responsibility for the crime.

Sowing or cultivating sleeping pills or hemp. The specifics of the target of the crime. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Illegal production, manufacturing, acquisition, storage, transportation or forwarding of precursors. The specifics of the target of the crime. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. Conditions of exemption from criminal responsibility for the crime.

Violation of established rules of circulation of narcotic drugs, psychotropic substances, their analogues or precursors. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Illegal production, manufacture, purchase, transportation, transfer, possession for sale or selling toxic or potent substances or toxic or potent drugs. The specifics of the target of the crime. Objective aspect of crime (actus reus). Mental element in crime (mens rea). Purpose of committing a crime. Subject of crime. Qualifying attributes.

Crimes related to illegal possession of narcotic drugs, as well as equipment for their manufacture. Abduction, appropriation, extortion of narcotic drugs; psychotropic substances or their analogues or taking possession of them by fraud or abuse of office. The specifics of the target of the crime. Objective aspect of crime (actus reus). Types of actions. Ways of doing them.The moment of the end of the crime. Mental element in crime (mens rea). The purpose of the crime.Subject of crime. Separation of related crimes.

Abduction, appropriation, extortion of equipment intended for the manufacture of narcotic drugs, psychotropic substances or their analogues, or the taking possession of them by fraud or abuse of office and other unlawful actions with such equipment. The specifics of the target of the crime. Objective aspect of crime (actus reus). Types of actions. Ways of doing them.The moment of the end of the crime. Mental element in crime (mens rea). The purpose of the crime.Subject of crime.

Illegal manufacture, forgery, use or sale of forged documents for the receipt of narcotic drugs, psychotropic substances or precursors. The specifics of the target of the crime. Objective aspect of crime (actus reus). Types of actions. Ways of doing them.The moment of the end of the crime. Mental element in crime (mens rea). The purpose of the crime.Subject of crime. Qualifying attributes.

Illegal issue of a recipe for the right to purchase narcotic drugs or psychotropic substances. The specifics of the target of the crime. Objective aspect of crime (actus reus). The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Crimes related to the illicit use of narcotic and stomach drugs, as well as doping. Illegal introduction into the body of narcotic drugs, psychotropic substances or their analogues. The specifics of the target of the crime. Objective aspect of crime (actus reus). Concept of illegal import. Ways of Forced Importation. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Persuasion for the use of narcotic drugs, psychotropic substances or their analogues. The specifics of the target of the crime. Objective aspect of crime (actus reus). The nature of the action. Ways of persuasion. The moment of the end of the crime. Mental element in crime (mens rea). Purpose of committing a crime. Subject of crime. Qualifying attributes.

Illegal public use of narcotic drugs. The specifics of the target of the crime. Concept of public use of narcotic drugs. Place of use. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Illegal organization or retention of places for the use of stuttering means. The specifics of the target of the crime. Objective aspect of crime (actus reus). Types of actions. The concept of organization and maintenance of these places. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Incitement of juveniles to the use of doping. The specifics of the target of the crime. The concept of doping. Objective aspect of crime (actus reus). The concept of inducing juveniles to use doping. The moment of the end of the crime. Mental element in crime (mens rea). Purpose of committing a crime. Subject of crime. Qualifying attributes.

Preferring juveniles to the use of intoxicating substances. The specifics of the target of the crime. The notion of stuffing substances. The concept of inclining. The moment of the end of the crime. Mental element in crime (mens rea). Purpose of committing a crime. Subject of crime. Separation of related crimes.

Criminal law characteristic of other crimes against public health. Falsification of medicinal products or the circulation of counterfeit medicines. Violation of the established order before clinical examination, clinical trials and state registration of medicines. Violation of sanitary rules and norms for the prevention of infectious diseases and mass poisoning. Objective aspect of crime (actus reus). Its forms.Consequences of a crime. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime.

Violation of the rules of handling microbiological or other biological agents or toxins. The specifics of the target of the crime. Concept of microbiological agents and toxins. Objective aspect of crime (actus reus). Its forms. Types of actions.Criminal consequences. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Harvesting, processing or marketing of radioactive contaminated food or other products. The specifics of the target of the crime. Types of actions.Criminal consequences and their types. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

**Topic 2.6.11. Offenses in the field of service activities and professional activities related to the provision of public services (white-collar crimes,   
official crime; misprision; malfeasance in office).**

Article 19 of the Constitution of Ukraine on the grounds, limits and ways of the activity of officials. The importance of Criminal Law in fighting corruption. The general concept of a official crimes and its main features. The concept of an official and his views. System and types of official crimes.

Abuse of police authority. Objective aspect of crime (actus reus). Its forms. Characteristic of an act. Consequences of a crime. The moment of the end of the crime. Mental element in crime (mens rea). The motives of the crime. Subject of crime. Qualifying attributes. Separation of related crimes.

Abuse of authority by an official of a legal entity of private law, regardless of the organizational and legal form. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Excess of jurisdiction and overreaching of law enforcement. Objective aspect of crime (actus reus). Characteristic of an act. Forms (methods) abuse of power or authority. Consequences of a crime. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Separation of related crimes.

Exceeding official powers by persons providing public services. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Official forgery (falsification of documents) The specifics of the target of the crime. Objective aspect of crime (actus reus). Concepts and types of official forgery. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. Value of official forgery and abuse of power or position. Separation of official forgery from other crimes related to forgery of documents. The qualification of a criminal act in cases where official counterfeiting is a way of committing or concealing another crime.

Declaring false information. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Neglect of duty. Objective aspect of crime (actus reus). Characteristics and types of actions. Consequences of a crime. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Separation of related crimes.

Adoption of a proposal, promise or receipt improper advantage by an official. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Unlawful enrichment. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Bribery of an official of a legal entity of private law irrespective of the organizational and legal form. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Bribing a person who provides public services. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Offer, promise or unlawful benefit to an official. The specifics of the target of the crime. Characteristic of the act and the moment of the end of this crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes. Conditions of exemption from criminal responsibility for the crime.

Trading in influence. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Unlawful influence on the results of official sports. Objective aspect of crime (actus reus). Its forms. The moment of the end of the crime. Mental element in crime (mens rea). Subject of crime. Qualifying attributes.

Provocation of bribery. Characteristic of an act: the concept and methods of provocation of bribery. The moment of the end of the crime. Mental element in crime (mens rea): understanding as a compulsory sign of the subjective aspect of this crime and its purpose. Subject of crime. Qualifying attributes.

**2.5. Module № 7 «Advanced course work».**

In the fifth semester, students complete course work (CW), in accordance with approved in due course guidelines, in order to consolidate and deepen the theoretical and practical knowledge and skills acquired by students during learning courses in criminal law. They used in later in the study of many professional training of basic and higher education.

Fulfillment CW is an important step in preparing for participation in student conferences, performance graduate thesis.

The specific purpose of the CW is to deepen students' knowledge of a particular problem in discipline "Criminal Law", to acquire skills to independently work with legislation, literature, and skills in the correct analysis of the material.

For successful fulfillment of the CW, the student must **know** the norms of the Criminal Code of Ukraine; normative legal acts of criminal-legal significance, which regulate criminal-legal relations; subjects of criminal law; court practice materials; institutes of criminal law: crime, punishment, criminal responsibility, guilty, complicity, release of criminal liability and punishment; **be able to work independently with** legal sources; to solve legal situations in practice, qualify crimes; to analyze legal acts and legal phenomena connected with criminal legal relations, to qualify crimes and to deduce qualification formulas.

Execution, execution and protection of the CW is carried out by the student individually in accordance with the guidelines.

The time required to perform CW - 30 hours of independent work.

**3. THE READING LIST**

**3.1. Basic recommended sources**

3.1.1. Конституція України від 28 червня 1996 р. станом на 15.03. 2016 р. [Електронний ресурс]. – Режим доступу: http://zakon2.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80

3.1.2. Кримінальний кодекс України від 05 квітня 2001 р. станом на 01.05.2016 р. [Електронний ресурс]. – Режим доступу: http://zakon2.rada.gov.ua/laws/show/2341-14

3.1.3. Науково-практичний коментар Кримінального кодексу України / Д.С.Азаров, В.К.Грищук, А.В.Савченко та ін.; за заг. ред. О.М.Джужі, А.В.Савченка, В.В.Чернєя. – К.: Юрінком Інтер, 2017. – 1064 с.

3.1.4. Науково-практичний коментар Кримінального кодексу України [текст] / За заг. ред. Литвинова О. М. – К. : «Центр учбової літератури», 2017. – 528 с.

3.1.5. Сухонос, В.В. Кримінальне право України. Загальна частина [Текст] : підручник / В.В. Сухонос. - Суми : Університетська книга, 2016. - 375 с.

3.1.6. Вознюк А. А. Кримінальне право України. Загальна частина : конспект лекцій / А. А. Вознюк; вступне слово д.ю.н., проф. О. О. Дудорова. – К. : Нац. акад. внутр. справ, 2016. – 236 с.

3.1.7. Кримінальне право України. Загальна частина : посіб. для підготов- ки до іспитів / В. І. Тютюгін, О. Д. Комаров, М. А. Рубащенко. – Х. : Право, 2016. – 200 с.

3.1.8. Кримінально-правова охорона у сфері соціального та пенсійного страхування: [монографія] /В.С.Кошевський, П.А.Воробей, А.В.Савченко, О.О.Семенюк, О.Г.Колб. – К. : НАВС, 2016. – 235 с.

3.1.9. Кримінально-правова характеристика злочинів у сфері обігу наркотичних засобів та психотропних речовин, вчинених із залученням неповнолітніх та щодо неповнолітніх: [монографія] / А.В.Савченко, І.А.Вартилецька, О.О.Семенюк, О.О.Луцак.– К. : НАВС, 2016. – 267 с.

3.1.10. Осадчий В.І. Корупційні злочини: Монографія. – К.: Видавництво Європейського університету, 2016. – 82 с.

**3.2. Other recommended sources**

3.2.1. Дудоров О.О., Хавронюк М.І. Кримінальне право: Навчальний посібник / За заг. ред. М.І. Хавронюка. – К., 2014. – 944 с.

3.2.2. Александров Ю.В. Кримінальне право України. Загальна частина: Підручник / Александров Ю.В., Антипов В.И., Дудоров О.О. – К.: Атіка, 2008. – 376 с.

3.2.3. Галабала М.В. Кримінальне право України: Бібліографія. 1991 – 2005 / Галабала М.В., Навроцький В.О., Хилюк С.В. – К.: Алерта, 2008. – 536 с.

3.2.4. Грищук В.К. Кримінальне право України: Загальна частина: Навч. посіб. для студентів юрид. фак. вищ. навч. закл. / Грищук В.К. – К.: Ін Юре, 2006. – 568 с.

3.2.5. Музика А.А., Лащук Є.В. Предмет злочину: теоретичні основи пізнання. – К.: ПАЛИВОДА А.В., 2011. – 192 с.

3.2.6. Навроцький В.О. Наступність кримінального законодавства України: порівняльний аналіз КК України 1960 р. та 2001 р. / Навроцький В.О. – К.: Атіка, 2001. – 272 с.

(Ф 03.02 – 01)

**АРКУШ ПОШИРЕННЯ ДОКУМЕНТА**

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| №  прим. | | Куди передано (підрозділ) | Дата  видачі | П.І.Б. отримувача | Підпис отримувача | | Примітки |
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(Ф 03.02 – 02)

**АРКУШ ОЗНАЙОМЛЕННЯ З ДОКУМЕНТОМ**

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| --- | --- | --- | --- | --- |
| № пор. | Прізвище ім'я по-батькові | Підпис ознайомленої особи | Дата ознайом-лення | Примітки |
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(Ф 03.02 – 04)

**АРКУШ РЕЄСТРАЦІЇ РЕВІЗІЇ**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| № пор. | Прізвище ім'я по-батькові | Дата ревізії | Підпис | Висновок щодо адекватності |
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(Ф 03.02 – 03)

**АРКУШ ОБЛІКУ ЗМІН**

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| --- | --- | --- | --- | --- | --- | --- | --- |
| № змі-ни | № листа (сторінки) | | | | Підпис особи, яка  внесла зміну | Дата внесен-ня зміни | Дата введен-ня зміни |
| Зміненого | Заміненого | Нового | Анульо-  ваного |
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(Ф 03.02 – 32)

**УЗГОДЖЕННЯ ЗМІН**

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| --- | --- | --- | --- | --- |
|  | Підпис | Ініціали, прізвище | Посада | Дата |
| Розробник |  |  |  |  |
| Узгоджено |  |  |  |  |
| Узгоджено |  |  |  |  |
| Узгоджено |  |  |  |  |