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AUTHORITIES OF THE HEAD OF THE PRE-TRIAL INVESTIGATION BODY: DIRECT ASPECTS

The peculiarity of the investigative activity is that the investigator has the status of an official occupying a responsible position in the system of law-enforcement bodies and is endowed with special peculiar powers of his own in the criminal proceedings. During the pre-trial investigation, the investigator exercises his powers in accordance with the CPC’s requirements and is independent in his proceedings, but the head of the pre-trial investigation body organizes a pre-trial investigation, and the prosecutor is authorized to supervise the observance of laws during the pre-

trial investigation in the form of procedural guidance. Accordingly, the success of the investigative activity depends to a large extent on the capacity of both investigators and investigators' bodies, the prosecutor to quickly access the materials of the criminal proceedings, to provide information necessary for the performance of their official tasks, to perform their analysis in a qualitative way to optimize investigative actions. That is, the achievement of the tasks of criminal proceedings in the pre-trial investigation is impossible without qualitative, established, legally regulated interaction of the investigator with the head of the pre-trial investigation body and the prosecutor, subject to the fulfillment by each of them of the powers determined by law.

It should be borne in mind that the head of a pre-trial investigation body can not personally cancel an illegal decision of the investigator, but in this case he must apply to the relevant prosecutor with a request to cancel it. The other procedural steps of the head of the investigating unit to eliminate violations of the law by the investigator is to prevent him from conducting pre-trial investigation, and to provide written instructions on ensuring his legality. To the organizational powers of the head of the pre-trial investigation authority in order to eliminate violations of the requirements of the law, the investigator should include his authority to institute a petition for instituting disciplinary proceedings in accordance with the procedure established by departmental regulations. The head of the pre-trial investigation body is not only authorized but also obliged to take measures to eliminate violations of the legislation in case of their admittance by the investigator, as he is personally responsible for the state of investigative activities in his subordinate unit.

Keywords: Head of the pre-trial investigation body, investigator, authority, departmental control, body of pre-trial investigation.

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