

12. Гудков Д.В. Адміністративно-правові засоби заборони за Законом України “Про засади запобігання і протидії корупції”. Правовий вісник Української банківської справи. 2014. № 1. С. 43–49.
13. Дудоров О.О., Мовчан Р.О. Порушення обмежень щодо одержання подарунків: проблеми кваліфікації та вдосконалення законодавства. URL: file:///C:/Users/Lera/Downloads/7431-14923-1-SM.pdf (дата звернення: 01.10.2021).
14. Загиней З.А. Зайнняття іншою оплачуваною діяльністю як складова антикорупційної заборони. Наука і правоохорона, 2017. № 3. С. 39–46.
15. Коломоєць Т.О. Обмеження щодо одержання подарунків особами, уповноваженими на виконання функцій держави або місцевого самоврядування, за законодавством України: науково-практичний нарис. Запоріжжя: Видавничий дім “Гельветика”, 2018. 40 с.
16. Коломоєць Т.О., Кукурудз Р.О. Подарунки для публічних службовців в Україні: заборона, обмеження чи дозвіл як оптимальна модель правового регулювання. Юридичний науковий електронний журнал, 2018. № 1. С. 92–96.
17. Снігур І.Й., Мельник О.В. Обмеження наукової та викладацької діяльності державних службовців: аналіз антикорупційних новел. ВААУ, 2010. № 1. С. 29–36.
18. Шимон О.М. Обмеження та заборони як засоби запобігання адміністративним правопорушенням, пов’язаним з корупцією, у діяльності державних службовців в Україні: дис. ... канд. юрид. наук: 12.00.07. Запоріжжя, 2020. 201 с.
19. Коломоєць Т.О., Кукурудз Р.О., Кушнір С.М. Обмеження для осіб, уповноважених на виконання функцій держави або місцевого самоврядування, як засіб запобігання виникнення конфлікту приватного та публічного інтересів: правовий аспект: науково-практичний нарис. / за заг. ред. Т.О. Коломоєць. Запоріжжя: Видавничий дім “Гельветика”, 2019. 80 с.
20. Гладун О., Годуєва К. Запобігання корупції шляхом встановлення обмежень щодо одержання подарунків. Вісник Національної академії прокуратури України, 2017. № 1 (47). С. 32–37.
21. Про внесення змін до Податкового кодексу України та інших законів України щодо стимулювання детінізації доходів та підвищення податкової культури громадян шляхом запровадження одноразового (спеціального) добровільного декларування фізичними особами належних їм активів та сплати одноразового збору до бюджету: Закон України від 15.06.2021 № 1539-IX. URL: <https://zakon.rada.gov.ua/laws/show/1700-18#Text> (дата звернення: 02.10.2021).
22. Податковий кодекс України від 02.12.2010 № 2755-VI. URL: <https://zakon.rada.gov.ua/laws/show/2755-17#Text> (дата звернення: 01.10.2021).

## REFERENCES

1. On the Prevention of Corruption: Law of Ukraine dated 14.10.2014 № 1700-VII. URL: <https://zakon.rada.gov.ua/laws/show/1700-18#Text> (Date of Application: 02.10.2021) [in Ukrainian].
2. Bilyk, V.M. (2015) Pravovyj analiz prokhodzhennia sluzhby v politsii shchodo sumisnytstva ta sumishchennia z inshymy vydamy diialnosti. “Legal Analysis of Service in the Police in Relation to Combination with Other Activities”. Scientific Herald of Public and Private Law. Issue 2. P. 82–88 [in Ukrainian].
3. Inshyn, M.I. (2016) Sluzhbove sumisnytstvo politseiskykh. “Police Service Combination”. Relevant Issues of Law: Theory and Practice 31, 6–17 [in Ukrainian].
4. Kobets, O.V. (2011) Osoblyvosti prozorosti oderzhannia podarunkiv pratsivnykamy pravookhoronnykh orhaniv ta osobamy, upovnovazhenym na vykonannia funktsii derzhavy. “Features of Transparency of Receiving Gifts by Law Enforcement Officers and Persons Authorized to Perform State Functions”. Journal of Kyiv University of Law 4, 154–161 [in Ukrainian].
5. Panteleiev, S.M. (2020) Zahalnodostupni znyzhky na tovary, posluhy, zahalnodostupni vyhrashi, pryzyi, premii, bonusy yak “dozvoleni” podarunki dla politseiskykh. “Public Discounts on Goods, Services, Public Winnings, Prizes, Bonuses as “Permitted” Gifts for Police Officers”. Science and Law Enforcement 1, 134–146 [in Ukrainian].
6. Pastukh, D.I. (2018) Sluzhbove sumisnytstvo politseiskykh. “Police Service Combination”. Legal Journal Natsionalnoi akademii vnutrishnikh sprav. № 1. S. 283–295 [in Ukrainian].
7. Senyk, S.V. (2020) Administrativno-pravove rehuliuvannia diialnosti Natsionalnoi politsii Ukrayini u sferi obihu informatsii z obmezenym dostupom. “Administrative and Legal Regulation of

the Activities of the National Police of Ukraine in the Field of Circulation of Information with Limited Access". Pravo. Lviv. 240 p. [in Ukrainian].

8. Naukovo-metodychni rekomenratsii z pytan obmezennia oderzhannia podarunkiv (dlia politseiskiykh, prokuroriv, derzhavnykh sluzhbovtsov ta posadovykh i sluzhbovykh osib Natsionalnoi politsii Ukrayny i orhaniv prokuratury Ukrayny). Scientific and methodological recommendations on restricting the receipt of gifts (for police officers, prosecutors, civil servants and officials of the National Police of Ukraine and the Prosecutor's Office of Ukraine) / ed. M.H. Verbensky. Kherson: Vydavnychiy dim "Helvetyka", 2020. 302 p. [in Ukrainian].

9. Boiko, S.Yu. (2019) Perevedennia i zvilnennia pratsivnyka u vypadku porushennia obmezennia spilnoi roboty blyzkykh osib. "Transfer and Dismissal of an Employee in Case of Violation of the Restriction of Joint Work of Relatives". Social Law 2, 135–139 [in Ukrainian].

10. Benedyk, V.I. (2017) Shchodo zastosuvannia obmezhen spilnoi roboty blyzkykh osib do zaviduiuchykh strukturnym pidrozdilamy zakladiv okhorony zdorovia. "Regarding the Application of Restrictions on the Joint Work of Relatives to the Heads of Structural Units of Health Care Institutions". Herald NTUU "KPI". Politology. Sociology. Law. Issue 1.2, 171–174 [in Ukrainian].

11. Bila-Tiunova, L.R., Khamkhodera, O.P. (2017) Shchodo vyznachennia poniatia "vykladatska diialnist" u konteksti antykorupsiihnoho zakonodavstva. "Regarding the Definition of "Teaching" in the Context of Anti-Corruption Legislation". Scientific Bulletin of Uzhhorod National University. Law Series. Issue 43. Vol. 2. P. 28–32 [in Ukrainian].

12. Hudkov, D.V. (2014) Administratyvno-pravovi zasoby zaborony za zakonom Ukrayny "Pro zasady zapobihannia i protydii korupsii". "Administrative and Legal Means of Prohibition under the Law of Ukraine "On the Principles of Preventing and Combating Corruption". Lehal Herald of Ukrainian Banking 1, 43–49 [in Ukrainian].

13. Dudorov, O.O., Movchan, R.O. Porushennia obmezhen shchodo oderzhannia podarunkiv: problemy kvalifikatsii ta vdoskonalennia zakonodavstva. "Violation of Restrictions on Receiving Gifts: Problems of Qualification and Improvement of Legislation". URL: file:///C:/Users/Lera/Downloads/7431-14923-1-SM.pdf (Date of Application: 01.10.2021) [in Ukrainian].

14. Zahynei, Z.A. (2017) Zainiattia inshoiu oplachuvanoiu diialnistiu yak skladova antykorupsiihnoi zaborony. "Engaging in Other Paid Activities as Part of an Anti-Corruption Ban". Science and Law Enforcement 3, 39–46 [in Ukrainian].

15. Kolomoiets, T.O. (2018) Obmezennia shchodo oderzhannia podarunkiv osobam, upovnovazhennyh na vykonannia funksii derzhavy abo mistsevoho samovriaduvannia, za zakonodavstvom Ukrayny. "Restrictions on Receiving Gifts by Persons Authorized to Perform the Functions of the State or Local Self-Government, according to the Legislation of Ukraine": scientific and practical essay. Zaporizhzhia: Vydavnychiy dim "Helvetyka". 40 p. [in Ukrainian].

16. Kolomoiets, T.O., Kukurudz, R.O. (2018) Podarunki dla publichnykh sluzhbovtsov v Ukrayni: zaborona, obmezennia chy dozvil yak optymalna model pravovoho rehuliuvannia. "Gifts for Civil Servants in Ukraine: Prohibition, Restriction or Permission as the Optimal Model of Legal Regulation". Legal Scientific Electronic Journal 1, 92–96 [in Ukrainian].

17. Snihur, I.Y., Melnyk, O.V. (2010) Obmezennia naukovoi ta vykladatskoj diialnosti derzhavnykh sluzhbovtsov: analiz antykorupsiihnykh novel. "Restrictions on Scientific and Teaching Activities of Civil Servants: Analysis of Anti-Corruption Novels". VAAU 1, 29–36 [in Ukrainian].

18. Shymon, O.M. (2020) Obmezennia ta zaborony yak zasoby zapobihannia administratyvnym pravoporušenniam, poviazanyh z korupsiihnu, u diialnosti derzhavnykh sluzhbovtsov v Ukrayni. "Restrictions and Prohibitions as Means of Preventing Administrative Offenses Related to Corruption in the Activities of Civil Servants in Ukraine": thesis ... Cand. Sci. (Law): 12.00.07. Zaporizhzhia. 201 p. [in Ukrainian].

19. Kolomoiets, T.O., Kukurudz, R.O., Kushnir, S.M. (2019) Obmezennia dla osib, upovnovazhennykh na vykonannia funksii derzhavy abo mistsevoho samovriaduvannia, yak zasib zapobihannia vyniknennia konfliktu pryvatnoho ta publichnoho interesiv: pravovyi aspekt. "Restrictions for Persons Authorized to Perform the Functions of State or Local Self-Government as Means of Preventing Conflicts of Private and Public Interests: Legal Aspect": scientific and practical essay / ed. T.O. Kolomojets. Zaporizhzhia: Helvetica Publish. 80 p. [in Ukrainian].

20. Hladun, O., Hoduieva, K. (2017) Zapobihannia korupsii shliakhom vstanovlennia obmezhen shchodo oderzhannia podarunkiv. "Prevention of Corruption by Imposing Restrictions on the Receipt of Gifts". Bulletin of the National Academy of the Prosecutor's Office of Ukraine 1 (47), 32–37 [in Ukrainian].

21. On amendments to the Tax Code of Ukraine and other laws of Ukraine to stimulate the de-shadowing of incomes and increase the tax culture of citizens by introducing one-time (special) voluntary declaration by individuals of their assets and payment of a one-time fee to the budget: Law of Ukraine dated 15.06.2021 No 1539-IX. URL: <https://zakon.rada.gov.ua/laws/show/1700-18#Text> (Date of Application: 02.10.2021) [in Ukrainian].

22. Tax Code of Ukraine dated 02.12.2010 No 2755-VI. URL: <https://zakon.rada.gov.ua/laws/show/2755-17#Text> (Date of Application: 01.10.2021) [in Ukrainian].

UDC 342.96:351.74

**Riadinska Valeria,**

Doct. Sci. (Law), Professor, Chief of the Research Laboratory,  
State Research Institute MIA Ukraine, Kyiv, Ukraine,  
ORCID ID 0000-0002-2210-5933

**Andrushchenko Halyna,**

Cand. Sci. (Law), Assistant of the Department of Financial Law  
of the Institute of Law of Taras Shevchenko National University  
of Kyiv, Kyiv, Ukraine,  
ORCID ID 0000-0001-6485-1910

**Skorobohatova Alina,**

Head of Legal Department of the Pension Fund of Ukraine  
in Kyiv region, Kyiv, Ukraine,  
ORCID ID 0000-0001-9046-1481

## **ANTI-CORRUPTION PROHIBITIONS REGARDING RECEIPT OF GIFTS BY POLICE OFFICERS THAT ARE THE ASSETS INCLUDED IN DISPOSABLE (SPECIAL) GOODS**

Research article examines anti-corruption bans on the receipt of gifts by police officers, which are assets included in a one-time (special) voluntary declaration. It has been emphasized that the police are special subjects of anti-corruption legislation. It has been stated that the new anti-corruption ban for police officers is a temporary ban on receiving gifts from family members of the first and second degree of kinship. It has been determined that the features of this ban are: 1) temporary (until September 1, 2027); 2) prohibition to accept gifts not from all relatives, but only from family members of the first and second degree of kinship, which include parents, spouse, children, adopted children, siblings, grandparents, grandchildren; 3) gifts that cannot be received include assets included in a one-time (special) voluntary declaration, namely: currency values, executed in writing with a legal entity or notarized in case of the right of the declarant to claim against another individual; immovable property, as well as objects of unfinished construction, which: are not put into operation or the right of ownership of which is not registered in the manner prescribed by law, but the property rights to such objects belong to the declarant on the right of ownership; not put into operation and located on land plots belonging to the declarant on the right of private property, including joint property, or on the right of long-term lease or on the right of superficies; movable property, including: vehicles and other self-propelled

© Riadinska Valeria, Andrushchenko Halyna, Skorobohatova Alina, 2021

DOI (Article): [https://doi.org/10.36486/np.2021.3\(53\).11](https://doi.org/10.36486/np.2021.3(53).11)

Issue 3(53) 2021

<http://naukaipravoohorona.com/>

machines and mechanisms; other valuable movable property; shares (units) in the property of legal entities or in entities without the status of a legal entity, other corporate rights, property rights to intellectual property; securities and / or financial instruments specified by law; the right to receive dividends, interest or other similar property benefits not related to the ownership of securities, shares (units) in the property of legal entities and / or in entities without the status of a legal entity; other assets of an individual, including property, bank metals not placed on accounts, commemorative banknotes and coins, property rights belonging to the declarant or from which the declarant receives or has the right to receive income under a property management agreement or other similar transaction and does not pay the owner of such property part of the income due to the owner; funds in national and foreign currencies placed on accounts in Ukrainian and foreign banks; cash contributions to credit unions and other non-bank financial institutions; rights of monetary claim, executed in writing with a legal entity or notarized in case of the right of claim of the declarant to an individual; assets in bank metals; commemorative banknotes and coins; electronic money.

**Keywords:** policeman, ban, corruption risks, gifts, anti-corruption bans, declaration.

Отримано 06.10.2021