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**PUBLIC PERSONS BROUGHT TO ADMINISTRATIVE RESPONSIBILITY
UNDER ARTICLES OF CHAPTERS 8, 9 OF THE CODE ON
ADMINISTRATIVE OFFENCES OF THE RUSSIAN FEDERATION**

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In the article are represented the results of the analysis of the current legislation of the Russian Federation with regard to specific individuals – subjects of administrative responsibility among public persons for offenses specified in chapters 8 and 9 of the Code on Administrative Offences of the Russian Federation. Expresses the view about the next version of the codification of the CAO RF based on the basis of separate regulation of tort legal relations with different types of entities – public and private persons.

Keywords: administrative responsibility, administrative offences, public persons, administrative responsibility of public persons, codification of administrative and tort legislation.

In continuation of the initiated study of administrative violations of the CAO RF [1] for the presence in them subjects of administrative responsibility – public persons [3], and in accordance with the determined earlier categories of public persons [2], are of particular interest chapters 8 and 9 of the CAO RF, which, at first sight (by name of chapters), can create a false impression that they contain only private actors administrative responsibility. However, the results of analysis of norms in the mentioned chapters of the CAO RF, in conjunction with the legislation that defines a regulating effect of the state on the spheres of protection of the environment and exploitation of nature, industry, construction and energy, indicate the presence of public persons among the subjects of administrative responsibility.

Unfortunately, the legislative technique of writing the CAO RF does not promote rapid determination of guilty delinquents, and the legal category of an official, as rightly pointed out by V. V. Kizilov [4], contains a large number of real subjects of responsibility, with different administrative and legal status. Therefore, the Identification of public persons was carried out by us under a legislation regulating certain public legal relations. The results of original author's research of chapters 8 and 9 of the CAO RF are summarized in the table below.

Article of the CAO RF	Object of offence	Subjects of administrative responsibility – public persons	
		Individual subjects	Collective subjects
8.1	public relations in the field of environmental protection and exploitation of nature	officials of public authorities, local self-government bodies, state and municipal organizations and institutions related to town planning activity	public authorities, local self-government bodies, state and municipal organizations and institutions related to town planning activity
8.3	public relations in the field of agricultural production, forestry and ensuring the safety of means used in them	officials of state organizations and institutions involved in the production and testing of pesticides and agrochemicals	state organizations and institutions involved in the production and testing of pesticides and agrochemicals
8.4	public relations in the field of ecological legal order, legitimacy and environmental safety	under part 3 officials of local self-government bodies exercising state registration of applications on carrying out public environmental expert review	
8.5	public relations in the field of environmental security, ensuring population with environmental information	officials of state organizations and institutions (state corporations), for example: companies of extraction and processing of minerals, enterprises in the energy sphere,	

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		Rosatom, hydroelectric power stations, etc.	
8.6	public relations in the area of land (soil) protection	officials of state organizations and institutions involved in the production and testing of pesticides and agrochemicals and other hazardous production, including mining minerals, etc.	state organizations and institutions involved in hazardous production
8.7	public relations in the field of temporary land use, environmental protection and exploitation of nature	officials of state organizations and institutions (state corporations), for example: companies of extraction and processing of minerals, enterprises in the energy sphere	state organizations and institutions, to which, under the law or orders of the supervising authorities, is imputed responsibility for land recultivation, mandatory measures to improvement of lands and soil protection
8.9	public relations in the field of environmental protection and exploitation of nature	officials of state organizations and institutions using subsoil and hydromineral resources, for example: companies of extraction and processing of minerals, as well as departmental hospitals	state organizations and institutions using subsoil and hydromineral resources
8.10	public relations in the field of environmental protection and exploitation of nature	officials of state organizations and institutions using subsoil	state organizations and institutions using subsoil

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8.11	public relations in the field of environmental protection and exploitation of nature	officials of state organizations and institutions engaged in geological study of subsurface resources	specialized state organizations and institutions conducting geological subsoil study (various SRI of hydro and subsoil geology (Gidronedrogeologiya in Russian), State Corporations such as Rosneft and others engaged in both research, development, and extraction of minerals)
8.12	public relations in the use and protection of water resources.	under part 1 officials of a local self-government body authorized to resolve issues of allocation of land (the committee, bureau of land management)	
8.13	public relations in the use and protection of water resources.	officials of a local self-government body (for example: the committee, bureau of land management) in cases of land allocation for a landfill, burial place and so on near the water protection zones), departmental health care facilities located in the area of water protection zones	local self-government bodies, departmental health care facilities
8.14	public relations in the field of environmental	officials of state organizations and institutions, for	state organizations and institutions, for example: companies of

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		Individual subjects	Collective subjects
	protection and water management	example: companies of extraction of minerals, departmental health care facilities located near to water objects, companies implementing activity of navigation, etc.	extraction of minerals, departmental health care facilities located near to water objects, companies implementing activity of navigation, etc.
8.15	public relations in the field of environmental protection and water management	officials of state organizations and institutions, for example: enterprises of hydropower sector, municipal unitary enterprise "Vodokanal", etc.	state organizations and institutions that use structures and equipment of water management and water protection
8.18	public relations in the area of the continental shelf protection, exclusive economic zone and the marine environment, and the protection of the exclusive right of the RF to conduct resource and marine research in the territory of continental shelf and the exclusive economic zone of the Russian Federation	officials of state organizations and institutions carrying out resource and marine scientific researches	specialized state organizations and institutions carrying out resource and marine scientific researches (various scientific research institutes)
8.19	public relations in the field of environmental protection and the procedure of exploitation of nature	officials of state bodies (Ministry of Defense, Air Force, Navy), state organizations and institutions engaged in work in the inland	state bodies (Ministry of Defense, Air Force, Navy), state organizations and institutions engaged in work in the inland

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		waters, territorial sea, continental shelf and (or) in the exclusive economic zone of the Russian Federation	waters, territorial sea, continental shelf and (or) in the exclusive economic zone of the Russian Federation
8.22	public relations in the field of environmental protection	officials of state and municipal enterprises, institutions and organizations, the duties of which include putting into operation transport vehicles	
8.24	public relations in the field of environmental protection and the procedure of exploitation of nature	officials of a state body, local self-government, authorized to resolve the issues of allocation forests	
8.27	public relations in the field of environmental protection	officials of the state body authorized in this sphere, for example, forestry	a state body authorized in the considered sphere
8.31	public relations in the field of environmental protection	officials of state organizations and institutions involved in production, including hazardous industrial facilities	state organizations and institutions polluting forests
8.38	public relations in the field of environmental protection and the procedure of exploitation of nature	officials of state organizations and institutions, for example: enterprises of hydropower sector, MES, municipal unitary enterprise "Vodokanal", etc.	state organizations and institutions that use structures and equipment of water management and water protection
8.40	public relations in the field of	officials of state bodies, state organizations	state bodies, state organizations and

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	environmental protection and the procedure of exploitation of nature	and agencies working in the field of hydrometeorology, monitoring of condition and pollution of environment and the active impacts on meteorological and other geophysical processes	agencies working in the considered sphere
8.41	public relations in the field of environmental protection	officials of state bodies, state organizations and institutions, which have allowed a negative impact on the environment	state bodies, state organizations and institutions, which have allowed a negative impact on the environment
8.42	public relations in the field of environmental protection, in particular water bodies	officials of state organizations and institutions working within a water protection zone, for example: companies of extraction and processing of minerals, as well as departmental hospitals	state organizations and institutions that use subsoil and hydromineral resources
9.1	public relations in the field of sanitary and epidemiological welfare of population, environmental protection, ecological safety, fire safety, health and safety	officials of state organizations and institutions, such as the state corporation Rosatom, state-owned hydroelectric stations and so on	state organizations and institutions operating a hazardous production facility
9.2	public relations in the sphere of functioning of hydraulic structures	officials of state bodies of the subjects of the Russian Federation, bodies of local	state bodies, state organizations and agencies working in the considered sphere

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		self-government at taking a hydraulic structure into use; officials of state organizations and institutions, such as the state corporation Rosatom, hydroelectric stations, etc.	
9.3	public relations in the field of safety in the use of machinery and equipment, supervision of technical conditions of which is carried out by authorized bodies, for life, health, property and the natural environment	officials of state organizations and institutions, including the armed forces and law enforcement agencies operating machinery and equipment, supervision of technical conditions of which is carried out by authorized bodies (various SUEs, MUEs ROE in the field of construction, roads and structures maintenance, and etc.)	
9.4	public relations associated with the requirements of the design documentation, technical regulations, mandatory requirements of standards, building codes and regulations, other normative documents in the field of construction	officials of state organizations and institutions, including the armed forces and law enforcement agencies working in the field of construction	state organizations and institutions, military units, leadership (departments) of law enforcement agencies involved in the considered area

Article of the CAO RF	Object of offence	Subjects of administrative responsibility – public persons	
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9.5	public relations in the field of construction, acceptance, commissioning construction objects	officials of state bodies of the subjects of the Russian Federation, bodies of local self-government at acceptance and commissioning of a construction object; officials of state organizations and institutions violating the order of construction, major repairs, reconstruction	state organizations and institutions, military units, leadership (departments) of law enforcement agencies involved in the considered area
9.5.1	public relations in the field of construction, acceptance, commissioning construction objects		state organizations and institutions, military units, leadership (departments) of law enforcement agencies involved in the considered area
9.6	public relations in the field of nuclear energy, and accounting of nuclear materials and radioactive substances	officials of state organizations and institutions, including the armed forces of the RF, who violate the rules of use of atomic energy, accounting for nuclear materials and radioactive substances	state organizations and institutions, military units involved in the sphere of turnover of nuclear energy and radioactive substances
9.16	public relations in the field of energy supply	under part 3 officials of state organizations and institutions, including the armed forces and law enforcement agencies working in the field of construction	state organizations and institutions, military units, leadership (departments) of law enforcement agencies involved in the sphere of construction; state bodies and local

Article of the CAO RF	Object of offence	Subjects of administrative responsibility – public persons	
		Individual subjects	Collective subjects
		under part 10,11 officials of state bodies, local self-government bodies in adopting programs for energy saving and their not accordance to the requirements of energy efficiency	self-government bodies
9.18	public relations in the field of energy saving	officials of state organizations and institutions, owners of facilities for the production of electrical energy and (or) power supply network facilities	state organizations and institutions involved in the considered area
9.20		officials of state organizations and institutions, the armed forces of the Russian Federation, Ministry of Emergencies of Russia, who use the storage facilities of chemical weapons and chemical weapons destruction facilities	state organizations and institutions, the armed forces, Ministry of Emergencies involved in the considered area

It should be noted that Identification during proceedings on a case of an administrative offence of specific subjects of administrative responsibility for provided for by the CAO RF administrative offences through regulated by a various sectorial legislations public relations, from which can only be possible to determine the composition of the specific participants of legal relations protected by the norms of the CAO RF, complicates the process of administrative prosecution of offenders by the bodies of administrative jurisdictions and their officials. Seems justified, despite the awkwardness of the construction of norms on administrative responsibility of guilty subjects of law, the complete disclosure within a structure of

an administrative offence of all its elements, forming a hypothesis and dispositions so, that law enforcers do not have to turn to other federal normative legal acts.

As supporters of the new codification of the CAO RF, we see its further development by way of allocating from it administrative-tort legislation that distributes its effect on various subjects: private and public ones.

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