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## ADMINISTRATIVE-LEGAL REGULATION OF DECLARATIONAL RELATIONS

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Considering the objects and subjects of declarational relations, specifics of declarational relations the author notes that administrative-legal method of declaring aims at economic entities, declaring becomes one of the most optimal and effective mechanisms to regulate relations between state and society in various fields.

Declarational relations are defined as regulated by administrative law public relations arising in connection with notification of authorized public authorities in normatively prescribed manner by physical and legal persons about their income, income of third parties, on the compliance of their cash, things, other material objects or produced goods, works or services with normatively acceptable quality (or) quantitative indicators, in order to implement intraeconomic and state control (supervision) in certain areas of activity defined by administrative legislation.

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Administrative-legal relations, as it is known, in contrast to other legal relations (e.g. civil law ones) are formed on the basis of “power-subordination”. The very nature of managerial activity, in the process of which executive power is implemented, requires a special subject. Therefore, administrative-legal relation always has such subject as one of its parties (participants). This is executive authorities (their officials), i.e. a subject formulating an appropriate expression of the will that is addressed to the other party. However, as rightly pointed out by Professor N. Yu Starilov, in modern conditions, with the appearance of market relations, horizontal relations between executive authorities, local authorities and other participants, in which they act as equal parties to managerial activity, have become more common.

Administrative-legal relations are a variant of general legal relations and express all of the essential features of any legal relation. Accordingly, administrative-legal relations – regulated by administrative law public relations in the field of management, the parties of which act as carriers of reciprocal rights and duties established and guaranteed by an administrative-legal norm.

Being managerial by nature administrative-legal relations have broad scope for their emergence, modification or termination. They cover all the main areas of socio-economic, cultural and administrative-political spheres of social life.

On the basis of this multifacetedness in public administration, there are inevitable preconditions for emergence of new types of administrative-legal relations.

Scientific community has developed a variety of grounds for the classification of administrative-legal relations, however, we are interested in only one – the classification by institutional affiliation of the norms governing public relations in the field of public administration.

This classification allows us to distinguish administrative-legal relations developing within various administrative-legal institutes, such as licensing, monitoring, accreditation, certification, standardization and etc.

A feature of most of the mentioned institutes of administrative law, within the framework of the problem under consideration, is that executive authorities in exercising their powers within the limits of the established competence usually occupy the dominant positions – “positions of power” and project these powers on natural and legal persons.

This feature is a distinctive feature of administrative-legal relations, which are dominantly regulated through the use of mandatory method. However, the development of social relations shows that not always an active participation of the State in regulating of social relations from the position of “power-subordination”

brings sustained positive effect. Free market relations, being the key to the successful development of the State, can and should positively develop without total government control.

Current legislation gradually opens up the possibilities of self-regulation, and this means self-maintenance of law and order by some categories of the subjects of law, in particular, self-regulatory construction organizations actually have replaced licensing bodies in this area, and so on.

Any classification is the result of a coarsening of the real facets between types (institutes), since they are always conditional and relative. Clarifying and modifying of classifications happens with the development of knowledge and public relations.

As a new type of administrative-legal relations we offer to consider relations developing within the framework of administrative-legal institute of declaring, i.e. declarational relations.

Qualitative novelty of these relations is explained by one of its key features – when submission of declaration the declarant is initially perceived by public authority as a person acting in good faith and who should be protected using all the mechanisms provided for by the current legislation, until its dishonesty is proven by supervisory authority.

Presumption of good faith, which has initially been reflected in the tax legislation, today extends its influence far beyond of tax declaring and is also reflected in customs declaring, declaring of fire safety, declaring of conformity, declaring of the retail sale of alcoholic beverages, energy declaring, forest declaring and so on.

Declarational relations can be defined as public relations regulated by the norms of administrative law emerging in connection with the notice in the normatively prescribed manner by natural and legal persons of authorized public authorities about their income, the income of the third parties, about conformity of belonging to them funds, things, other material objects, produced by them products, works or services to normatively acceptable qualitative and (or) quantitative indicators, in order to implement intraeconomic and state control (supervision) in areas of activity defined by administrative legislation.

The structure of declarational relations is classical. However, the content of structural elements has certain distinctive features, for example, among the subjects of relations can be distinguished the declarants and declarational bodies. These participants of relations have unique administrative-legal status, particularly in respect of competence.

Objects and subjects of declarational relations are diverse and allow you to classify the considered relations with the simultaneous distinguishing of both traditional tax and customs declarational relations and relatively "new" relations within the framework of declaring of fire safety, industrial security, forest, energy, project declaring and many others.

Specificity of declarational relations is also confirmed by the peculiarities of the method of their legal regulation, which, being inherently imperative, has a "notification color" – the state represented by authorized bodies of executive power (declarational bodies) as if transfers a part of responsibility for the legal order in a particular area of declaring to the declarant, reserving the right to exercise control over the observance of declarational conditions set forth in the submitted and approved declaration. At that, the control regime within the framework of declaring is strictly normatively defined.

Administrative-legal method of declaring is primarily aimed at economic entities. Specificity is that these very entities in the current environment may use legislatively established methods of declaring for assessment of produced by them goods, rendered services or to determine the level of security on their production facilities and so on.

In conditions of conducted administrative reforms, the problem of quality of administrative-legal regulation of public relations becomes paramount. The quality of administrative-legal regulation directly affects the success of socio-economic and administrative-political transformations in the country.

The purpose of development of the systemic administrative-legal regulation is increasing the efficiency of public administration performance. This is achieved, among other things, by the ability of administrative structures to quickly and timely adapt to changes in the socio-political and economic development, to changes in the structure and methods of the very management system. Administrative-legal institutes and administrative institutes – is a unified system. Institutional approach to the study of public administration makes it possible to reasonably and in the dynamics of development of specialized public relations clarify and fix the boundaries of the subject of regulation of administrative law.

In conclusion, we note, that, harmoniously combining the demanded today qualities of most of administrative-legal institutes, declaring becomes one of the most optimal and effective mechanisms to regulate relations between the State and society in various fields.