

Kuznetsova M.Y.,
Candidate of Juridical Sciences,
Head of Department of Private and Social Law,
Sumy National Agrarian University

**INFORMATION AND LEGAL STATUS OF EXECUTIVE BODIES OF UKRAINE
AS A COLLECTIVE LEGAL ENTITY OF INFORMATION LAW**

The article is devoted to the coverage of one of the urgent problems of information law in analysing doctrinal approaches to the definition of “executive body,” “information and legal status” and clarifying the nature, characteristics, and structure of information and legal status of executive power of Ukraine. An attention is paid to the fact that the information society develops the informational function of executive bodies and transforms it into an independent feature that interacts with managerial and public service functions of these bodies. It is emphasized that the functions of the state and its bodies are not “frozen phenomena”: they may change, new functions may appear. Thus, the emergence of a new independent information function may require not only adjusting the existing bodies (executive bodies, in particular) but also the formation of new bodies in the system of executive power of Ukraine.

It is proved that the implementation of information function determines the existence of information and legal status of these bodies. Basing on the special role

of the competency unit in the structure of the legal status, the theories of competence are investigated and it is found that this unit differentiates the legal status of public law entities (including executive bodies) from the legal status of private law entities.

The author analysed existing scientific points of view on the concept “competence” and its structures. The relationship between the concepts of “competence” and “sphere of competence” is found, as well as interpretation of the concept of “information competence”. It should be noted that in the course of a body’s activity its sphere of competence may vary, either expand or contract. However, requirements concerning the subject of jurisdiction are not a sufficient basis for the administration of authority by an executive body. To do so, they need specific enabling regulations arising out of competence. The author suggested a narrow interpretation of information competence. It is a system of information and legal authority of the executive bodies.