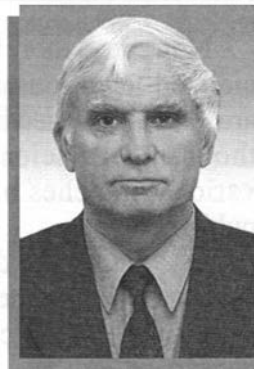


THEORY AND HISTORY OF STATE AND LAW

V. Goncharenko, Doctor of Law, Professor,
Head of the Department of History of State
and Law of Ukraine and foreign countries
Yaroslav Mudryi National Law University



UDC 340.15:94(477)«1921/1991»

REGULATIONS LEGISLATURE UKRAINE DURING THE SOVIET ERA

In the history of Ukrainian statehood has significant experience in the organization and activities of legislative bodies at different times, especially in the second half of XIX–XX centuries. Thus, the organization and operation of the central representative of relatively advanced forms began to be implemented in the second half of the nineteenth century. In Western lands, which were part of the Austro-Hungarian Empire, which was formed in 1867. At the same time Galicia and Bukovina belonged to Austria, and Transcarpathian Ukraine – Hungary. That is, most of the Western lands were ruled by Austria.

According to the Constitution of Austria in 1867 (with some modifications lasted until 1918) the country was headed by the emperor, who had extensive

powers both in management and law. At the same time, the Constitution provided for the functioning of the country's parliament (Reichsrat) – a representative legislature Austria. According to the Constitution in 1867, the Austrian Reichsrat was a bicameral legislature and consists of two chambers – the House of lords and Chamber of Deputies. The Chamber of Deputies is the lower house of the Austrian parliament and the House of lords – the upper house of parliament. The structure of the Austrian Parliament elected representatives from Galicia and Bukovina, while in which the experience gained parliamentary activities, including parliamentary procedure and mastered. In the scientific literature devoted to the research organization and operation of parliaments in different periods of their

existence and in different countries, steel is the idea that one of the most important features of Parliament is well developed parliamentary procedure enshrined in the regulations. Regulation, or as it is often called, the code of parliamentary procedure rules, which are fixed to detail all procedural rules is the key to productive Parliament. Had their regulations and House of the Austrian Parliament. Thus, the inner workings of the Chamber of Deputies regulated by the Decree (the name had regulations Chamber) of 2 March 1875, and the House of lords – Decree of 25 January 1875 These decrees were unchanged until the early twentieth century. Enough to thoroughly analyze the contents of the Decree of the Chamber of Deputies of the Austrian Reichsrat made his time in his article A. Nolde¹. The author focused on the most significant issues of internal order of the institution.

The development of capitalism in the second half of XIX – early XX century, which included much of the Ukraine, led to some changes in its polity. This process actively took place during the revolution of 1905–1907. It is because of the revolution in Russia was a central representative body – State Legislative Council. The competence and general issues of organization and activities of the State Duma defined above such legal act as «Establishment of the State Duma», and a number of articles of the Basic State Laws Empire as amended on April 23, 1906 justified is the view that the laws

of the State and legal views were the imposed monarchical constitution².

Widely representative body, which was the State Duma of the Russian state could not work productively without having a very clear set of rules necessary for the proper functioning of the Duma. It is no coincidence «Establishment of the State Duma» section contained seven «On internal rules in the Duma», which includes articles 62 and 63. Article 62 stated: «Details of the internal regulations of the State Duma, office items and procedures referred to in Article 12 Meeting and duties of the Office of the Duma, it consented and subordinate entities determined by the order issued by the Duma in the development of the rules of the institution. This Decree is published to the public through the Senate». In 1906 and State Duma passed the first three chapters of the Decree. II State Duma adopted sections Decree 1906 temporary management and entrusted his Decree Commission to review these sections and to process these. That was done. II State Duma adopted the fourth chapter of the Decree and four units of the fifth chapter of the Decree.

Analysis of their contents gives reason to believe that the document as a whole meets the requirements of parliamentary procedure, which provided the opportunity to the functioning of the State Duma as a legislative body of the state.

Work on preparing the Decree was held in the third Duma (1907–1912). So

¹ Нольде А. Порядок австрийского парламента // Журнал Министерства юстиции. – 1906. – № 3. – С. 233.

² Смыкалин А. С. Этапы конституционно-го строительства в дореволюционной России // Государство и право. – 2004. – № 3. – С. 80.

in 1908 the Third State Duma adopted some provisions of the new Decree, and in June 1909 approved it completely and took leadership¹. This version of the Decree was applied during the third State Duma and the beginning of the fourth State Duma, and a total of five years (1909–1914). As noted I. Yashunskyy, III State Duma had «finally produced entirely Decree»². In his view, «the technical part of the Decree adopted by the Third State Duma, in some imperfections, was skillful and successful construction of all previous Duma practice»³.

The theme of the Decree was in sight and the fourth State Duma (1912–1917). Thus, in 1913, before the dissolution of the State Duma on summer vacation, deputies were sent voluminous report of the special committee of the Decree. As pointed out by the witness of those events L. Nemanov, «available to the Commission was sufficient material to make a good Decree. Besides regulations Western parliaments, the Commission, as the report used the draft Decree of 1st and 2nd State Dumas, Decree of 3 th State Duma»⁴. In his article, the author also pointed out that the common thread through the contents of the draft Decree

is the idea of combating the debate as a «great evil of Duma's life» because, according to Commission Decree, created obstruction and verbosity⁵. L. Nemanov criticized and some other provisions of the draft Decree of the Fourth State Duma, for example, noting that «design gives the presidium of the Duma huge rights without installing at the same time no means to deal with its arbitrariness»⁶.

Decree of the Fourth State Duma had approved it in March 1914 and accepted for guidance on April 15, 1914.

However, with the establishment of the State Duma of Nicholas II made the reorganization of the State Council, making it a member of the legislative process. This reform was promulgated a number of legislative acts, namely: the manifesto «On the change of the Office of the State Council and the view of the Office of the State Council,» the decree «On reorganization of the Office of the State Council» and the new edition of «The institutions of the State Council,» issued February 20, 1906, basic state laws in the Russian Empire as amended on April 23, 1906. The above acts have transformed the state Council in the second, upper, house of parliament⁷. The rules of procedure contain State Council Order of the State Council, published May 12, 1907⁸.

Thus, during the stay of Ukrainian lands in the second half of XIX – early

¹ Демин В. А. Государственная дума России: механизм функционирования. – М.: РОССПЭН, 1996. – С 87.

² Яшунский И. Наказ в третьей Государственной думе // Право. – 1909. – № 39. – Стлб. 2065–2070.

³ Яшунский И. Наказ в третьей Государственной думе // Право. – 1909. – № 40. – Стлб. 2122–2126.

⁴ Неманов Л. Проект Наказа четвертой Гос. думы // Право. – 1913. – № 35. – Стлб. 2001–2002.

⁵ Ibid (p. 2001–2002)

⁶ Ibid (p. 2012)

⁷ Российское законодательство X–XX вевков. – М.: Юрид. лит., 1994. – Т. 9. – С. 19.

⁸ Собрание законов и распоряжений правительства. Отдел первый. – 1907. – № 86. – Ст. 802.

XX century part of the Austro-Hungarian and Russian empires representatives from these lands, working in the imperial parliament, gained experience of parliamentary procedures in the functioning of the legislature.

Significant experience of legal procedural rules to ensure the functioning of the higher representative bodies was accumulated during the Soviet era, when there were several models of these bodies.

Thus, in the 1917–1937 representative bodies of the central government were All-Ukrainian Congress of Workers, Peasants and Red Army Deputies, the All-Ukrainian Central Executive Committee of Soviets (VUTSVK), the Bureau VUTSVK.

Among these the highest power had Ukrainian Congress of Soviets. During the entire period of this constitutional body was fourteen Ukrainian Congress of Soviets. The work of each of them need appropriate regulation. How said his time M. Golodnyi, «the functioning nationwide congresses are not governed by a specific regulation of the constant action. There was not properly fixed procedure for consideration and decision-making conventions. Certain procedural rules contained in the regulations that adopted every Congress and acted only for the Congress. Most of them had no documentary form, and there in the form of traditions and customs¹». For example, at the IX National Congress of the

Soviets adopted the following rules: «Government Report – 2 hours. Speakers – 1 hour. Co-speaker – 20 minutes. The final word speaker – 20 minutes, co-rapporteur – 10 minutes. Speakers in order of discussion papers – have for the first time 10 minutes, the second time for 5 minutes. The word for proposals «for» and «against» for 5 minutes. A word to the right – with the minutes. The word of personal questions at the end of the meeting – 3 minutes. Offers are made only notes. Word beg note. The congress is open from 9 to 2 pm and from 5 pm to 8 pm»². Differed little other regulations nationwide congresses of the above regulation IX Ukrainian Congress of Soviets. A small difference was only in the amount of time that stood out for speakers. As you can see, the rules nationwide congresses contained only minimum procedural rules governing the procedure for meeting the highest authority of the USSR. Unfortunately, the rules congresses SSR was not arch procedural rules that would regulate in detail the functioning of the National Congress councils. Regulations conventions did not contain answers to a number of procedural issues. for example, had to act as if the Regulations term in the courtroom All-Ukrainian Congress of Soviets lacked a certain number of delegates had to act and how these missing delegates. The regulations contained no indication of who could be the initiator of solving such important issues as cloture (comp-

¹ Голодний М. О. Всеукраїнські з'їзд Рад, їх компетенція та порядок діяльності // Проблеми правознавства. – К., 1971. – Вип. 20. – С. 49.

² IX Всеукраїнський з'їзд Рад робітничих, селянських та червоноармійських депутатів. Стенографічний звіт. – Х.: ВУЦВК, 1925. – С. 5.

lete or incomplete). No regulations govern in detail the process of debate. They contain detailed rules on the procedure and how to vote in decision making (easy open, roll-call, secret). As regulations were absent rules concerning requests and delegates of the members of the Government of Ukraine, heads of other central state bodies of the republic. Regulations governing the powers are not replicas. M. Golodnyi drawn attention to this part of the regulations nationwide congresses as proposals delegates. Thus, the researcher points out that all the proposals were amended in writing. «However, – said M. Golodnyi – not required that they be made thoroughly in draft form»¹. This approach M. Golodnyi considers it proper, «given the composition of the meetings, the lack of bulk delegates – workers, peasants and Red – Opportunities perfectly execute their proposals»². Supreme position of Ukrainian Congress of Soviets in state bodies of the Republic, logically, required constant, carefully detailed regulations. But such regulations for the All-Ukrainian Congress of Soviets was not white is accepted. In this respect you can give some explanation. Thus, according to A. Tadevosyan, no permanent regulations Republican Congress of Soviets «because obviously short period of his work»³. Specious arguments concerning

the lack of a thorough regulation of the functioning of public authority expressed expert on parliamentary procedure A. Savrasov, who said: «We know that where the law declared bogus, where decision-making is carried out by illegal methods, where decisions are taken unanimously (or alone) without sufficient discussion, there is no need to create a detailed and well thought-out parliamentary procedure»⁴. This statement is well suited to national congresses, including the All-Ukrainian Congress of Soviets. Each of them worked only within a few days. Draft decisions they took, after preparing the Bureau VUTSVK, and at the congress previously sanctioned by the Communist faction, which included most of the delegates were subject to party discipline and voted unanimously at a meeting of the faction for the decision, which then were passed at the plenary sessions of the ride. Therefore, delegate nothing to do but to vote unanimously in an open ballot for the decision of the Congress.

Second after All-Ukrainian Congress of Soviets was the central representative body of Ukrainian SSR was the Central Executive Committee (VUTSVK). The main form of VUTSVK were sessions that were convened by the Presidium VUTSVK. High status VUTSVK, the assembly form its operation required

¹ Голодний М. О. Всеукраїнські з'їзди Рад, їх компетенція та порядок діяльності // Проблеми правознавства. – К., 1971. – Вип. 20. – С. 50.

² Ibid (p. 50).

³ История государства и права Советской Армении. – Ереван: Институт философии и

права АН АрмССР. – 1974. – Книга первая. – С. 191.

⁴ Саврасов А. Ф. Наказ Государственной думы (1906–1917 гг.): история создания и применения: автореф. дис.... канд. истор. наук. – Воронеж, Изд. Воронеж. ун-та, 2010. – С. 1.

careful regulation of VUTSVK. So many questions, so to speak, a procedural nature governed by a number of regulations.

One of the first regulations designed to resolve some issues of work VUTSVK was the Ukrainian CEC resolution of 26 May 1920 «On All-Ukrainian Central Executive Committee». This normative act was determined by the frequency of convening ordinary and extraordinary sessions VUTSVK. It established that the regular session of the Bureau VUTSVK VUTSVK convened every two months, and extraordinary session convened on the initiative of the Presidium VUTSVK on a proposal RNA SSR or at the request of one third of the members VUTSVK¹. Another piece of legislation containing rules of procedural nature, was made the second session of the fifth convocation VUTSVK May 8, 1921 «Regulations on Ukrainian Central Executive Committee»². This resolution has the following parts: 1) The rights and duties of VUTSVK; 2) VUTSVK plenum session; 3) Regulation VUTSVK plenum meetings. Resolution had many procedural innovations that ensure productive work sessions VUTSVK in general and members VUTSVK including.

A peculiar culmination in the case of legislative regulation of routine procedures VUTSVK the adoption of the third session of the eighth convocation

VUTSVK 12 October 1924 «of the Ukraine Central Executive Committee of Soviets of Workers, Peasants and Red Army Deputies (VUTSVK)». Provisions had 47 articles³. Provisions contained a number of procedural rules designed to ensure VUTSVK work. Thus, the fundamental question for any collective body – a decision-making procedure. This question touches and the Regulation on VUTSVK. Thus, according to Art. 13 all the issues discussed at the sessions VUTSVK, resolved by open vote and a simple majority of members VUTSVK. For the same session of the quorum needed VUTSVK presence of at least one third of members VUTSVK. Equally important rule contained cent. 14 Regulation on VUTSVK. It was noted that the internal order of the session VUTSVK «is set in the Rules, produced by the Presidium of the All-Ukrainian Central Executive Committee and approved by the session». In the Central State Archives of higher authorities of Ukraine (Ukraine TSDAVO) remains «Order on order of the sessions of the All-Ukrainian Central Executive Committee», which consists of 78 articles that thoroughly regulated without exception the functioning VUTSVK sessions⁴. The Regulation first carefully defined legal status VUTSVK Chairman and Secretary VUTSVK from activity which is largely dependent on the proper functioning of the public authority SSR.

¹ СУ УССР. – 1920. – № 11. – Ст. 210.

² Отчет второй сессии Всеукраинского Центрального Исполнительного Комитета 5-го созыва (5–8 мая 1921 г.). – Х.: ВУЦИК, 1921. – С. 78–79.

³ ЗУ УССР. – 1924. – № 45. – Ст. 276.

⁴ Центральний державний архів вищих органів влади України (ЦДАВО України). – Ф. 1. – Оп. 3. – Спр. 56. – Арк. 57–65.

In VUTSVK Regulations of 1924 also contained some provisions that govern the functioning of the Presidium VUTSVK. But the more closely the procedural rules of the Presidium VUTSVK first defined the «Mandate of the order of the Presidium of the All-Ukrainian Central Executive Committee» approved by the VUTSVK on July 30, 1925¹ February 6, 1929 Resolution VUTSVK approved a new «Decree of the order of the Presidium of the All-Ukrainian Central Executive the Committee». These «Decrees» were essentially expanded regulations of the Presidium VUTSVK. For example, the «Decree» in 1929 consisted of 70 items which are included in the following sections: 1. The composition of the Presidium of the All-Ukrainian Central Executive Committee. 2. The agencies, institutions and individuals have the right to submit the case to the Presidium of the All-Ukrainian Central Executive Committee. 3. The procedure for bringing a case to the Presidium of the All-Ukrainian Central Executive Committee and preparation of the agenda of meetings of the Presidium of the All-Ukrainian Central Executive Committee. 4. The procedure of convening and conducting meetings of the Presidium of the All-Ukrainian Central Executive Committee. 5. The minutes of meetings of the Presidium of the All-Ukrainian Central Executive Committee. 6. The execution of resolutions of the Presidium of the All-Ukrainian Central Executive Committee. 7. The procedure for consideration of the Presidium of the

All-Ukrainian Central Executive Committee of protests and complaints submitted to it².

With the adoption in 1937 of the new Constitution of the USSR and the election of 30 June 1938 the Supreme Soviet legally and practically ceased activity congresses of Soviets of USSR Central Executive Committee of the USSR, the Presidium of the CEC of USSR. According to this constitution highest state authorities declared the Verkhovna Rada of the Ukrainian SSR (Art. 20)³. Under Article 23 of the Constitution, the Supreme Soviet of the USSR was declared the only legislative body of the USSR. It would be logical to develop and adopt such a body as the Supreme Soviet of the USSR as executive, legislative, senior government issued regulations carefully. Especially because in Ukraine and in foreign countries had accumulated vast experience in developing and adopting appropriate regulations. But the current practice of the Supreme Soviet went in a different way. For many years, the regulations adopted first session of the Verkhovna Rada of the corresponding convocation and had a very summary. For example, March 4, 1947 deputies unanimously voted regulations sessions of the Supreme Soviet of the second convocation. Here is the text of the regulations, «Parliament's session held from 11 am to 3 pm and from 6 pm to 10 pm. Speakers on the agenda of the session of the Verkhovna Rada approved the Chair-

² ЗУ УСРР. – 1929. – № 8. – С. 347–364.

³ Історія конституційного законодавства України: 36. док. / упоряд. В. Д. Гончаренко. – Х.: Право, 2007. – С. 105.

¹ ЗУ УСРР. – 1925. – № 60–61. – Ст. 349.

man of the Verkhovna Rada. Each group of deputies, which has not less than 50 people can put their co-rapporteur. Speakers of available for report 1:00 for the final word – 30 minutes; co-rapporteur for supporting reports – 30 minutes for the final word – for 15 minutes. Speakers provided to first time – 20 minutes, in the second – 5 minutes. Personal statements and actual reference shall be made in writing and announced by the Chairman of the Verkhovna Rada of immediate or late meetings regardless of their content. Early questions submitted in writing and announced by the Chairman of the Verkhovna Rada immediately. For words to the agenda given 5 minutes in explanation of vote – 3 minutes»¹. Here is a transcript of the session of the Supreme Soviet recorded the procedure a Regulation of the Supreme Soviets: «Head. Does any of MPs some other draft regulations? From seats. None.

Head. Do the deputies who take the floor on the draft regulations introduced?

From seats. None.

Head. Let me set the order of voting regulations. There is a proposal to vote rules in general. Are there any other suggestions?

From seats. None.

Head. Voting. Who for making regulations made by the deputy Shelekh, please raise a hand. Please drop. Who against? None. Who abstained? Either. Regulations approved unanimously. «As

you can see, the rules adopted without discussion and open vote by raising deputies' hands. From the above regulations had practically no difference in content regulations of the Verkhovna Rada of the Ukrainian SSR these third – eighth convocation². Thus, the rules of meetings sessions Parliament Soviet USSR included the minimum number of rules and left unanswered many questions regarding the organization of the highest representative legislative body of the country. This situation was not accidental because the operation did not involve the Supreme Soviet of the parliamentary regime and, in this regard, and the need to regulate in detail the activities of the Supreme Soviet. As evidenced, for example, content analysis of verbatim record of the Verkhovna Rada of the USSR, which reflect the activities of the

² See: Заседания Верховного Совета Украинской ССР (Первая сессия). 17–20 апреля 1951 г. Стенографический отчет. – К.: Изд-во полит. лит-ры Украины, 1951. – С. 10–11; Засідання Верховної Ради Української РСР четвертого скликання. Перша сесія (29–31 березня 1955 р.). Стенографічний звіт. – К.: Вид-во пол. літ-ри України, 1955. – С. 8; Заседания Верховного Совета Украинской ССР (Пятого созыва) (Первая сессия, (15–17 апреля 1959 г.). Стенографический отчет. – К.: Изд-во полит. лит-ры Украины, 1959. – С. 8; Засідання Верховної Ради Української РСР шостого скликання. Перша сесія (11–12 квітня 1963 р.). Стенографічний звіт. – К.: Вид-во політ. літ-ри України, 1963. – 8; Засідання Верховної Ради Української РСР сьомого скликання. Перша сесія (11–12 квітня 1967 року). Стенографічний звіт. – К.: Вид-во політ. літ-ри України, 1967. – С. 9–10; Засідання Верховної Ради Української РСР восьмого скликання. Перша сесія. (14–15 липня 1971 року). – Стенографічний звіт. – К.: Вид-во політ. літ-ри України, 1971. – С. 9–10.

¹ Перша сесія Верховної Ради УРСР. Другого скликання. 4–6 березня 1947 року. Стенографічний звіт. – К.: Укр. вид-во політ. літ-ри, 1947. – С. 7.

Supreme Councils for the period of the Constitution of the USSR in 1937 for among them 1970's, all, without exception, the vote taking place in Parliament, was unanimously «yes». So consider carefully regulate the procedure of voting and decision-making was not necessary. As it was not necessary to do so due to the fact that the session of the Supreme Soviet continued over the period or one day or several days, and therefore excluded any complex procedures for sessions of the Supreme Soviet. Primitivism regulations of the Supreme Soviet, which functioned until the mid-1970s, S. Sas says several reasons following lines: «absolute lack of separation of powers, the dominant role of the Communist Party, no need to resolve internal conflicts because of the nonexistence of most conflicts»¹. Only the first session of the Supreme Soviet of the ninth convocation adopted July 4, 1975 decree «On approval of the Regulations of the Verkhovna Rada of the Ukrainian SSR», which was approved more or less detailed regulations of the Verkhovna Rada of the USSR². A Regulation was preceded by a little about the reasons for drafting regulations and offer MPs to adopt this document. As always, members without debate and unanimously adopted regulations of the Verkhovna

Rada of the Ukrainian SSR. The document consisted of 17 items that regulate issues such as the order convening sessions of the Supreme Soviet, the procedure for registration of MPs, the procedure for the invitation to the meeting guests term of the Parliament of agenda, election of the Verkhovna Rada procedure discussing bills and other documents, procedure for the inquiries and their form, order coverage of sessions of the Supreme Soviet³. S. Sas, drawing attention to the fact that for the first time to accept the Supreme Soviet regardless of specific regulations convening of this body consisted of only 17 points, rightly observes that «no one has the right to name the act primitive». According to the researcher, limited regulation was not related to the lack of competence of the then legislators, and the fact «that under the current system of governance, those rules have been laid down in the regulations, it was enough for the settlement of the Verkhovna Rada of the Ukrainian SSR»⁴.

Certain innovations in the legal status of the Supreme Soviet of the Ukrainian SSR were made to the Constitution of the USSR in 1978 For almost two years the procedural rules of the Supreme Soviet governed by the regulations of 1975, although Article 114 of the Constitution of the USSR in 1978 noted that the order of the Supreme Soviet and it was determined of the Rules of the Supreme Soviet and other laws of the Ukrainian SSR, which were issued on

¹ Сас С. В. Парламентська процедура Верховної Ради Української Радянської Соціалістичної Республіки та її відмінність від класичної моделі // Наше право. – 2004. – № 2 (1 ч.). – С. 12.

² Засідання Верховної Ради Української РСР дев'ятого скликання. Перша сесія (4 липня 1975 року). Стенографічний звіт. – К.: Вид. політ. літ-ри України, 1975. – С. 39–42.

³ Ibid (p. 43–46).

⁴ Ibid (p. 13).

the basis of the Constitution of the USSR. Therefore, following the requirements of Article 114 of the Constitution, the Supreme Soviet of the USSR adopted March 25, 1980 the Verkhovna Rada of the Ukrainian Soviet Socialist Republic. Regulation consisted of 12 chapters, which contained 65 articles and which for the first time in the entire previous history of the functioning of the Supreme Soviet carefully defined work order of the highest organ of state power of the USSR¹. A report on the draft regulations at a meeting of the Supreme Soviet was the Deputy Chairman of the Presidium of the Supreme Soviet deputy V. Shevchenko. The speaker focused attention on the content of the draft regulations of the Verkhovna Rada, highlighting, as she said, «on the main provisions of the draft regulations»². Deputies who participated in the discussion of regulations of the Supreme Soviet, positively rated content. Regulation was unanimously voted by show of hands of deputies of the Supreme Soviet. Rules of the Supreme Soviet in 1980 was undoubtedly a significant milestone in the process of legislative support for the internal organization

¹ Відомості Верховної Ради УРСР. – 1980. – № 15. – Ст. 268. Докладніше про зміст нового регламенту дивись: Сас О. Верховна Рада Української РСР – безпосередня попередниця сучасного українського парламенту // Віче. – 2011. – № 12. – С. 21–22; Сас С. В. Парламентська процедура Верховної Ради Української Радянської Соціалістичної Республіки та її відмінність від класичної моделі // Наше право. – 2004. – № 2. – С. 14–16.

² Перша сесія Верховної Ради Української РСР (Десяте скликання). 25–26 березня 1980 року. Стенографічний звіт. – К.: Вид-во політ. літ-ри України, 1980. – С. 24.

of the legislature Ukrainian SSR. However, it is largely inferior to the classic parliaments regulations civilized countries. A different and could not be, since the Supreme Soviet of the USSR was one of the components of the Soviet model of representative bodies of state power, far from parliamentarism. The next step in the development of the regulatory procedures of the Supreme Soviet was the adoption by the VR May 22, 1990 the Provisional Regulations of the Parliament of Ukraine twelfth convocation. For this document has been characterized by some features classic parliaments³. Thus, the supposed secret ballot on election of the Verkhovna Rada of Ukraine.

The above gives reason to believe that in the history of Ukrainian state has accumulated vast experience of legislative regulation of routine procedures in the operation of the high representative government bodies. This experience can be fully taken into account in the search for the optimal model regulations Ukrainian parliament.

Published: Вісник Національної академії правових наук України. – 2016. – № 1 (84). – С. 30–42.

³ Тимчасовий регламент засідань Верховної Ради дванадцятого скликання / Постанова Верховної Ради Української РСР від 22 травня 1990 р., № 6-XII. – 1990. – 15 с.