

SUMMARY

Serdyuk L. M. Is Ukraine Needing Election Code: Pros and Cons. The subject of scientific analysis was the reflection in the doctrine of constitutional law of the theoretical provisions regarding the need to implement the Election Code into the national legal system of Ukraine, as well as counterarguments in this regard. Their assessment suggests that not all of them have a sufficient degree of credibility, namely:

1) the election rules defined in the Electoral Code due to their combination in one legislative act may be more accessible to voters, election commissions members and other subjects of the electoral procedure. However, this does not automatically mean that they are more understandable for the electoral procedure actors, since the latter, due to lack of professional legal education and experience in the juridical activity connected with the organization and conduct of elections, in their vast majority do not have the skills of law-interpreting activity;

2) the thesis that the adoption of the Electoral Code of Ukraine is a step towards the approximation of the election legislation to the European election standards and is in line with the general European tendency in which more and more democratic countries regulate election relations. The Election Code is actually offset by the theoretical provisions that many countries with strong democratic traditions effectively regulate the election procedure by various election laws in the absence of the Election Code.

3) we do not fully share the thesis that for the improvement of national election legislation only the adoption of more qualitative content of election laws is sufficient. The author is convinced that the adoption of the Election Code of Ukraine is not only appropriate but also necessary in terms of the establishment of constitutional order in our country;

4) only hypothetically possible in terms of the future prospect of implementation, and not as relevant to legal reality, we consider the idea expressed in the legal doctrine that the adoption of the Election Code of Ukraine will not affect the stability of national electoral legislation. Moreover, it is logically false because of the inconsistency with the provisions of the theory of systematization of legislation and the arguments put forward in support of this idea, postulating the same legislative procedure for the adoption or amendment of the aforementioned legal acts of a normative nature, are also indicated;

5) due to the lack of legislator's political will the substitution of the thesis about the Parliament's unwillingness to codify the national electoral legislation with the unwillingness of the legislation itself to codify. The very fact of having the necessary set of legislative acts regulating social relations associated with the organization and conduct of elections in Ukraine indicates the preliminary readiness of the electoral legislation for its possible codification is considered to be inadmissible;

6) the criticism and argumentation of the premature adoption by the Parliament of the Election Code of Ukraine can not withstand. One of the reasons for the apparent instability of election legislation, in the author's opinion, is precisely the lack of an election code. Regarding the excessive politicization of election legislation, it is possible to avoid it only if it involves not only politicians, but also specialists in the field of law, capable of legal modeling of the behavior of the election procedure taking into account the further prospect of its development in the elaboration of the Election Code of Ukraine.

The foregoing proves not only the quantitative but also, more importantly, qualitative advantage of arguments in favor of the early adoption by the Ukrainian Parliament of the Election Code of Ukraine. This legal document, subject to its qualitative preparation, will not only ensure the stability of the election procedure, but will also serve as a reliable legal guarantee of the citizens' exercise of their election rights.

Keywords: *code, election code, election law, codification of legislation, Verkhovna Rada of Ukraine.*