

SUMMARY

Karipova A.T., Omarov Ye.A., Alimkulov N.-A.S., Makhanov T.G. Types of procedural costs: comparative legal analysis of criminal procedure legislation of Ukraine and Kazakhstan. The article presents the review of the provisions of the criminal procedure legislation of Ukraine and the Republic of Kazakhstan, regulating the types of procedural costs in criminal proceedings. Thus, statistical data on the recovery of procedural costs allowed the authors to calculate the average amount by type of procedure in 2018 in the Republic of Kazakhstan. Procedural costs are classified into several types depending on the content and source of payment. The authors in the criminal procedure legislation of Kazakhstan established duplicate rules on the procedure for compensation of lost income by persons with a permanent job. The positive experience of Ukraine is highlighted, filling the gap in the regulation of the procedure for reimbursement of costs to persons who do not have a permanent income to distract them from their usual occupations.

A significant difference between the laws of the two countries is the regulation of the procedure for payment of remuneration for assistance by the representative of the victim, civil plaintiff, civil defendant and legal entity: in Kazakhstan are assigned to the perpetrator, in Ukraine are the participants themselves, whose interests were protected. The study of civil procedure legislation allowed the authors to determine the types of legal costs not provided for in criminal proceedings, especially damages for loss of time. This type of costs is represented by the author as an effective mechanism for preventing abuse of procedural rights by participants. The authors identified the differences, assessed the positive experience and shortcomings in their regulation.

It is concluded that the considered list of possible procedural costs established by the criminal procedure legislation of Ukraine and Kazakhstan is not exhaustive. However, in each case, their recovery, if deemed necessary, must be motivated by the court in the verdict. The legislator prudently leaves the possibility of inclusion in the list of procedural costs of any costs not previously specified in the law, which allows not to amend the CPC.

Keywords: *procedural costs, benefits, costs, expenses, actors, law enforcement bodies, examination.*