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THE NOTION OF LEGAL RISK ADMINISTRATIVE ENFORCEMENT

The paper provides a general notion of risk, growing dynamics of risk, which is a statistical risk. The following are the object and the subject of risk:

The object of risk is managed system in relation to which decisions are made; its effectiveness and functioning are not exactly known in advance.

The subject of risk is understood as a person (individual or group) who is interested in the results of the management of the object of risk and is competent to decide on the object of risk.

Analysis of risk in contemporary legal literature found the following components: 1) elements that define (regulate, provide) protection of workers in the implementation of actions in terms of risk; 2) rules that provide for the emergence of risk in the performance of duties by the staff; 3) regulations, which include options for overcoming the consequences of risky situations.

According to the authors, the classification of risk is seen as a systematization of the plurality of concepts of risk on the basis of certain common criteria and characteristics that allow combining them in a single group.

Thus, the legal element of risk is the definition of the place and role of law in the value of risk, the importance of impact on its formation, the probability of occurrence and the possibility of applying the legal instruments to reduce exposure.

The basis of our grouping are: 1 – the sphere of human activity; 2 – expiry date; 3 – scale of effects; 4 – public importance; 5 – source of origin.

By the type of human activity it is possible to single out the following ma-

ior risks: social risks; economic risks; war risks (terrorism risks); scientific risks; natural risks; legal risks.

The main legal components of the aforementioned legal risks are volitional acts of the state administration (laws and regulations), whose purpose is to control and reduce possibilities of adverse socio-political and socio-cultural consequences. Monitoring the performance is the duty of the state coercion authorities. They are also responsible for monitoring the practical implementation of regulations, i.e. practical reduction of social risks in all phases of operation of the state.

Law plays a prominent role in group of risks because it gives the state the relevant jurisdiction to ensure the safety and power to counter threats to society. However, the negligent attitude of the officials to performance of their duties can lead to levelling the efforts of the state (actually, it is its individualistic element). Therefore, this opposition is the responsibility of public officials as a form of administrative and criminal liability.

Objective of the study of risk in today's environment is to find the optimal balance between the level of legal risks in society and possible level of democracy in the country. In this respect, we can propose the study of risk as a trend in jurisprudence, which at the application level will study legal risk at different stages of the relevant legal framework of society in all areas of law.

The main result of this study is to provide effective quality methods reducing legal risks in society in both external and internal displays.

