

O. Faraon Degree Seeking Applicant, Department of Criminal Procedure, National Academy of Internal Affairs

A CHANGE OF REPORT ABOUT SUSPECTING IN ASPECT OF THE ARTICLE 279 OF THE CRIMINAL PROCEDURE CODE OF UKRAINE

The article is devoted to the analysis of regulations of the operating Criminal Procedure Code of Ukraine and other sources in relation to realization of changes, in a written report about suspicion during pre-trial investigation in criminal proceedings by investigator, public prosecutor.

A writing report about suspicion, handed to the suspected, may remain without changes from point of both actual circumstances of criminal offence by a certain person and legal opinion concerning them; be changed; contain new suspicion. In the article 279 of the Criminal Procedure Code of Ukraine a legislator delimited judicial decisions on "changing previously notified suspicion" and "notifying of a new suspicion". However, having studies the essence of these concepts and problem of application in practical activity, the author comes to the conclusion about pointlessness of such division. In this connection, it is suggested to carry out a new report about suspicion according to the procedure, foreseen by the articles 276-278 of the Criminal Procedure Code of Ukraine, without calling it "new suspicion".

Consequently, the article 279 of the Criminal Procedure Code of Ukraine needs exigent revision and bringing of the proper changes, which will be instrumental in implementation of basic tasks of criminal proceeding.