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ЄЛЕНА ВАСЮТИНСЬКА, ОЛЕНА МАМОНОВА,  
ІРИНА СНІСАРЕНКО

# ENGLISH PRACTICAL COURSE

*for law enforcement officers and lawyers:  
study guide for students of higher education  
of specialties 262 «Law enforcement»  
and 081 «Law»*



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П69 Практичний курс англійської мови для правоохоронців та юристів: Навчальний посібник для здобувачів вищої освіти зі спеціальностей 262 «Правоохоронна діяльність» та 081 «Право» / Я.О. Черньонков, О.В. Баланаєва, Є.А. Васютинська та ін.. Київ : Алерта, 2024. 244 с.

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Навчальний посібник призначено для здобувачів вищої освіти другого (магістерського) рівня юридичних факультетів закладів вищої освіти. Посібник укладено для здобувачів спеціальностей 262 «Правоохоронна діяльність» та 081 «Право». Видання складається із розділів, присвячених науковим напрацюванням щодо формування іншомовної комунікативної компетентності здобувачів, текстів та практичних вправ з тем, спрямованих на активізацію лексичних одиниць та розвитку навичок іншомовного спілкування юристів та правоохоронців.

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## ПЕРЕДМОВА

У нових реаліях вищої школи в умовах глобалізації та інтеграції міжнародного суспільного розвитку, що відбуваються у системі вищої освіти України, процес оволодіння іноземною мовою правоохоронцями та фахівцями з права розглядається як набуття такого рівня комунікативної іншомовної компетентності, який би дозволив використовувати іноземну мову в практично-орієнтованих ситуаціях, власне, у контексті професійного спілкування, як засіб вираження своїх думок в усній і писемній формах. Зростання соціального та науково-технічного прогресу, обсягу інформації в науці, освіті, правовій сфері вимагають відповідного рівня знання іноземної мови, адже володіння останньою є важливим та обов'язковим компонентом професійної характеристики фахівця.

Посібник призначений для застосування отриманих знань з англійської мови на практиці в галузі правоохоронної діяльності та права. Пропоноване навчальне видання має на меті навчити здобувачів оволодіти навиками говоріння, читання, письма та перекладу оригінальних англійських текстів, розвивати вміння висловлювати думки чітко, логічно, послідовно та стимулювати когнітивну діяльність. Увагу приділено розвитку навичок ситуативного усного мовлення, що для працівників органів внутрішніх справ є особливо важливим у контексті професійного спілкування.

Посібник складається з чотирьох тематичних розділів (14 тем відповідно) та граматичного довідника: Розділ 1 «Types of legal profession», Розділ 2 «Typology of crimes», Розділ 3 «Legal advice and ensuring safety», Розділ 4 «Legal documents». Структура розділів посібника уніфікована, а саме кожен з них містить базовий текст з до- і після-текстовими лексичними, граматичними й комунікативними вправами. На початку розділів пропонується дати відповіді на запитання, пов'язані з основною ідеєю базового тексту. Посібник має чітку структуру, яка охоплює такі завдання: • (дотекстові) висловіть свою думку, надавши

відповіді на питання; • сполучіть слово/вираз англійською з українським відповідником; • (власне робота з текстом) прочитайте та перекладіть текст (з подальшим обговоренням); • (післятекстові) вставити у текст пропущені граматичні маркери; • поставте питання (усіх комунікативних типів) до тексту; • доберіть синоніми до поданих слів та словосполучень; • перекладіть англійською мовою речення з української.

Тематичні розділи можна вивчати як системно, так і вибірково. Вони містять інформацію про правові системи та їх історію в англійськомовних країнах, знайомлять здобувачів із суттю роботи прокурора, слідчого, нотаріуса, юрисконсульта, а також із елементами роботи на місці злочину та деякими юридичними документами. Виконання завдань вимагає від курсантів та студентів концентрації уваги при використанні лексичних та граматичних засобів, а також логічності та чіткості висловлювань. Структура посібника дає можливість викладачеві вибрати оптимальні шляхи організації аудиторної та позааудиторної роботи з урахуванням рівня знань здобувачів.

Різноманітність типів вправ допомагає заохотити магістрантів до вивчення іноземної мови та зробити роботу на заняттях більш ефективною і плідною. Підбір лексико-граматичного матеріалу підпорядкований практичній меті посібника – полегшенню сприйняття та запам'ятовування лексичних/граматичних одиниць. Формування комунікативних умінь відбувається в умовно заданих викладачем мовленнєвих ситуаціях. Навчальний матеріал спрямований на розвиток і закріплення навичок читання і перекладу оригінальної літератури, усного і писемного викладу матеріалів професійної тематики, ведення усної бесіди на професійну тематику.

Посібник можна використовувати як базове чи додаткове джерело для засвоєння фахової англійської мови як на заняттях в аудиторії під контролем викладача (для групових та індивідуальних завдань), так і під час самостійної роботи, що сприятиме розвитку та покращенню мовних і мовленнєвих навичок працівників правоохоронних органів.

# THEORETICAL PRINCIPLES OF FUTURE POLICE OFFICERS AND LAWYERS' FOREIGN LANGUAGE COMMUNICATIVE COMPETENCE FORMATION

## *1.1. Formation of foreign language communicative competence of masters as a scientific problem*

It is impossible to imagine the process of a person's knowledge of himself/herself and the world, his/her harmonious adaptation in society and successful self-realization in various social spheres, effective interpersonal communication, and in general the development and preservation of the spiritual and material culture of mankind without relying on language.

In this connection, the problem of formation of a language personality acquires fundamental and strategic importance. An important factor in the intensification of this process is language education.

As defined in the «Common European Framework of Reference for Languages: Learning, Teaching, Assessment», communication and interaction between Europeans with different native languages can be facilitated for the sake of supporting European mobility, mutual understanding and cooperation, and overcoming prejudice and discrimination only through better command of modern European languages [5, p. 15].

The content of language training is structured according to four cross-cutting content lines: speech, which determines the content of work on the formation of communicative competence, which presupposes the harmonious development of skills in the main types of speech activity (listening, reading, speaking, writing); language, which contains the main language units, concepts, facts, regularities, providing the volume of knowledge, optimal for the formation of speaking abilities and skills of pupils/students;

socio-cultural, which is integrative, involves the connection of language and speech teaching with the formation of socio-cultural competence, which ensures the unity of the content and form of communication, determines the sphere of relations, the approximate subject of texts, topics of statements, requirements for relevant skills and abilities; activity (strategic), which is aimed at ensuring the systematic development of the thinking abilities of pupils/students in the process of language teaching, at mastering basic thinking techniques and methods – comparison, generalization, modelling, as well as for pupils/students to understand the structure of their cognitive activity from setting a goal to obtaining results, developing a strategy for an individual style of activity, forming in pupils/students the ability to independently acquire knowledge, the ability to record and evaluate perceived information, to work collectively in conditions of choice, search, research etc. [7].

The state standard of basic and comprehensive general secondary education also defines speech, language, socio-cultural and activity skills through the cross-cutting content lines of language training, which respectively contribute to the formation of speech, language, socio-cultural and activity competences [4, p. 9–10].

The results of the analysis of the specialized literature show that a specialist today is understood not only as a professional in a certain specialty in the narrow sense, but also necessarily as a highly cultured individual who has not only various specific professional skills and abilities, but also knows the state and at least one foreign language, shows readiness for professional communication. Therefore, the competent language of a specialist is evidence of his/her professional potential, the content framework of which also determines the level of general cultural development of the individual.

In connection with the above, experts place special emphasis on the fact that teaching of state and foreign languages during professional training should have a professional orientation.

The problems of professionally oriented language training of students of non-linguistic specialties are the subject of attention of T. Hannichenko, I. Herasymov, T. Horokhovskaya, O. Hrygorenko, R. Hryshkova, O. Zelenska, O. Malinovska, and others.

Scientists understand professional-oriented language training as studying that takes into account the needs of students in studying a language and the features of a future profession or specialty, which in turn require its study [9].

As L. Matsko notes, professional speech communication takes place within the sphere of professional interaction of communicators and can take place in oral or written forms, under official or unofficial circumstances. Forms, conditions of communication, many aspects of professional activity determine the variability of speech communication forms [8].

A. Bogush, O. Horoshkina, S. Karaman, M. Pentylyuk, T. Symonenko and others developed the problem of applying the competence approach in the process of forming a linguistic personality. As evidenced by the literature analysis, there are ambiguous approaches to defining the content and structure of communicative competence.

The term «communicative competence» was proposed by D. Hymes in 1972 and meant the ability to use language in various social contexts [11]. S. Savignon interpreted the meaning of the concept of «communicative competence» as «the ability to communicate in a real communicative environment» [12, p. 6]. Communicative competence is a kind of readiness for communicative activity. At the same time, scientists prove that communicative competence can be developed, maintained and evaluated through speech activity

Communicative competence allows for professional communication in three directions: communicative, interactive and perceptive. At the same time, it should be noted that in addition to communicative competence, the effectiveness of communication depends on the presence of positive communication conditions

(for example, the absence of mechanical obstacles), coincidence of the motives of the communication participants, the significance for the interlocutors of the subject field of communication, the absence of communication barriers that may arise due to social, religious, professional, rank, age, gender differences, as well as due to individual psychological characteristics of the interlocutors.

Having analyzed the studies of Bondarenko [2], Vynoslavskaya [3] and Isaenko [6], we can generalize that the authors understand communicative competence as a necessary component of professional competence, a set of knowledge, abilities, skills, and personal qualities necessary for building an effective communicative action in a certain circle of professional situations of interpersonal interaction.

Communicative competence is closely related to such a concept as communicative culture, which, according to V. Barkovskiy, is a complex spiritual and practical formation of an individual, which includes learned social norms and requirements for professional communication, developed psychological mechanisms of communicative interaction with people, acquired experience of communicative activity [1, p.18]. We believe that this concept also combines creative thinking, the culture of speech activity, the culture of gestures, the perception of the partner's communicative actions, and the culture of emotions.

In the context of our research, we use the concept of «competence» and understand it as an integral formation of a personality – a set of knowledge, abilities, skills, personal qualities that allow a person to solve certain tasks in a certain field of activity.

In connection with the diversity of communication methods revealed in the process of terminological analysis, only one of which is the verbal-sign (verbal) fixation of the transmitted information [10, p. 29] we believe that it is more correct to consider the result of language training not only communicative, but linguistic and communicative competence of the individual. Thus, we consider the formation of their professional linguistic and communicative

competence to be the goal of professionally oriented language training of specialists in non-linguistic specialties in higher educational institutions.

Foreign language skills are an important component of a lawyer's and a law enforcement officer's competence. Today, in a period of rapid development of higher education, educational requirements and internal standards for the quality of specialists are increasing, including a focus on foreign language competence as an important component of professional training. Higher education institutions (HEIs) that train lawyers and law enforcement officers are involved in these processes.

Today, it is extremely important to provide the future lawyer and officer with high-quality training of individual skills that ensure the formation of a professionally and socially competent personality and a socially mobile specialist in the field of law and law enforcement.

Communicative competence in a foreign language is viewed by the vast majority of scholars as a set of skills, knowledge, attitudes, values, initiatives, and communicative experience that is necessary for understanding others and creating individual programs of linguistic behavior, and achieving communication goals.

Other researchers interpret foreign language communicative competence as an integral personal and professional quality of a person with a certain level of language which is ready to be realized on a certain basis for successful, productive, and effective activity using communicative and informative skills.

One of the most important tasks in training future lawyers in foreign languages is to overcome the language barrier. At the same time, the process of studying a foreign language should be aimed at managing the verbal conversation process. This is necessary for using in the most typical situations of professional communication. Therefore, foreign language skills and intercultural communication are an important part of the professional training of law students and cadets.

One of the methods of effective overcoming the language barrier is the method of modelling situations of professional communication in a foreign language. This contributes to effective intercultural communication.

The national programme's requirements for quality assurance of official-business communication in different spheres of life, intensive development of international contacts necessitate improving the system of vocational education, including language training of future law enforcement professionals. The mentioned above actualizes the need to find effective ways of teaching foreign languages in MIA of Ukraine institutions of higher education which would be most focused on providing job-related language training of future police officers.

Since language is an important tool for the professional activity of law enforcement officers, linguistic subjects in their professional training program should be perceived and understood as professional ones. At the same time, the process of studying foreign languages should be based on close interaction with other professional subjects, revealing in this way the integrity and practical direction of language training. The authors of modern scientific works on the problems of training future law enforcement officers emphasize the importance of using innovative forms and methods of language teaching, as well as traditional ones. Experts mention such forms and methods of interactive training as briefing-discussion, role-playing game, competition, business game, brainstorming, classes-excursions, analysis of professional incidents, solving professionally directed problem situations-cases based on group reflection, self-commenting of vital foreign language communicative situations based on authentic texts of a job-related nature, cross-cultural analysis of profile authentic texts, etc. as the most promising ones.

The development of language communication skills of cadets is facilitated by systematic work with authentic materials. In the process of classroom and individual work, they regularly listen to audio recordings, watch documentaries and feature films (for

example, «Interpol – 100 Years of International Police Cooperation», «Crime Classification», «Police community officers», «A training day», «A lawyer», «A witness for the prosecution»), video stories about the actions of police during mass events, process materials from the Internet, articles from American and British newspapers, textbooks published in Great Britain, etc. Collective discussion of the proposed topic, conducting dialogues on a professional issue, including elements of business and role-playing games, modelling of quasi-professional situations of language communication in particular (for example, at the scene of a crime, in the process of questioning witnesses, drawing up a protocol, press conferences, etc.) at the lessons of «Foreign language for professional purposes» allow cadets to focus on the research and creative activities, significantly increase the level of their independence and cognitive activity. The personal inclusion of cadets in the educational process which models a real situation of communication with its social and professional content helps the cadets to form an idea of a foreign language importance in their future practical activities.

The form of binary classes allows students and cadets to form a high level of cognitive interest and cognitive need. The main goal of a binary class is a deeper assimilation of knowledge, a high level of generalization and systematization. Binary classes contribute to the generalization and consolidation of knowledge acquired during the academic year, form creative imagination, figurative thinking, and awaken an interest in a search activity.

One of the factors stimulating cadets' interest in studying a foreign language is conducting binary classes with employees of internal affairs bodies and native speakers. The introduction of new vocabulary on the topic and its activation during discussions contributes to the formation of foreign language communication skills and increased the cadets' activity in classes.

As our experience shows, conducting binary classes with a native speaker can be a positive experience in the formation of foreign language communicative competence of future law enforcement

officers and lawyers. These types of work stimulate the cadets' activity in class, contribute to the development of foreign language communication skills, and help to eliminate the psychological barrier during discussions with foreigners. A similar practice should be used in further work with cadets to maintain their constant interest in studying foreign languages. Cadets are highly interested not only in the represented professional context but especially in the live communication with the representative of other culture.

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## ***1.2. The main characteristics of foreign language communicative competence of future law enforcement and legal specialists***

«How many languages you know – that's how many times you're human!» – these prophetic words of Johann Wolfgang von Goethe are more important today than ever. Ukraine is on the verge of joining the European Union and NATO. After the war, the borders will open again and Ukrainians will be able to travel around the world and work in different countries. In turn, representatives of different countries will be able to come to our country with the same goals. In order to get along with foreigners, you need to know different languages or the language of international communication (English).

The National Doctrine of Education of Ukraine in the XXI century ensures obligatory mastery of the state language, the ability to know native (national) and learn foreign languages. Processes of globalization of society, development of international cooperation,

expansion of international professional relations made the problem of formation and improvement of foreign language professional communicative competence of future law-enforcement officers and lawyers more prominent. For a highly qualified specialist, a foreign language is a tool for obtaining additional information by profession and form of communication with the aim of expanding one's outlook and obtaining information. Language barriers, often in tandem with ethnic disproportions in the workforce, regularly prevent the law enforcement system from functioning as well as it could. Sharing a common language is one way to drastically reduce communication roadblocks and foster better understanding [11, p. 110–113].

Cadets and students of the Donetsk State University of Internal Affairs study foreign languages. During their studies at the university, students of higher education specialties 081 «Law» and 262 «Law enforcement activities» at practical classes, performing independent and individual work, completing various test tasks, participating in scientific work (writing theses and speaking at various conferences and roundtables tables), participating in Discussion Club meetings, educational trainings from the consultative mission of the European Union and CEPOL, engaging in independent study on educational online platforms like «HELP», «Grammarly» improve their level of a foreign language, implementation of the NATO language standard «STANAG 6001» in the educational process, studying a foreign language within the discipline «Foreign Language for Specific Purposes». The ultimate goal of these processes is the formation of foreign language communicative competence. The main purpose of writing this practical manual «ENGLISH PRACTICAL COURSE for law enforcement officers and lawyers: study guide for students of higher education of specialties 262 «Law enforcement activities» and 081 «Law»» is also the formation of foreign language communicative competence of future police officers and lawyers.

One of the main objectives of national education reform is implementing a competence approach and acquiring *professional*

*foreign language communicative competence* (PFLCC) in training professionals with higher education. Implementing this goal and associated assignments would be unattainable without multidisciplinary integration as well as the engagement of employers, who could establish explicit criteria for the final outcomes of education in collaboration with Universities. *Foreign language communicative competence* (FLCC) permits greater interaction, professional communication, collaboration at various levels with specialists from different countries, and experience exchange, all of which contribute to professional and scientific self-development and self-realization in the context of globalization events throughout the world, and especially within the field of business. We believe that the function of a foreign language as a means for acquiring future specialists' professional communication competence might be effectively utilized at higher education institutions through the institution's management of the entire educational process, curriculum material, and an identifiable professional emphasis, as well as the techniques for delivering this information, types of teacher contact, and student engagement in the educational process. At the same time, achieving a distant strategic goal – such as a specialist's advancement as a professional – is mediated by accomplishing close tactical goals, such as mastery of a foreign language [6, p. 400–438].

The Department of Foreign Languages of Donetsk State University of Internal Affairs considers teaching a specific language as a priority to cadets, who start their studies to gain B2 level knowledge in a foreign language, by providing topic-oriented vocabulary and advanced grammar patterns. In order to face new challenges a teacher/language instructor must be ready to multi-tasking by using digital learning materials and creating a multi-media environment in the class.

One of the most prominent scientists N. Chomsky introduced the notion of “competence” in his research work “Language and Mind” in 1968. It was one of his most significant works. Later the

term “competence” was adopted by the world scientific community and used in the methodology of teaching foreign languages. Many scientists such as A. Leontiev, M. Canale, R. Milrud, N. Zimmaya, N. Gez, V. Safonova, J. Savignon, E. Litnevskaya, V. Bagryantseva, F. Litvinko, V. Avrorin, M. Kabardov, A. Taova have devoted their works to the issues of competence, particularly the formation and development of foreign language communicative competence in the process of teaching foreign languages.

During the last 10 years, countless research results have been published by scholars on the formation of students’ foreign language communicative competence. Problems of formation of foreign language communicative competence of specialists of different spheres were investigated in the works of Demchenko D. (legal profession), Hridnieva L. (law enforcement officers). A number of scientific publications by Kanova L., Chyrva A., Shcherba O., Yefimova O., Zakharova L. and others are devoted to the problematic issues of reforming and improving the language training of cadets of higher educational institutions.

Recently, the problem of improving the foreign language training of future specialists has become particularly relevant and has become the subject of many studies: in particular, the psychological aspects of the formation of communicative competence were studied by O. Bodalov and S. Zontova. The problem of personal mastery of foreign languages was highlighted in a number of scientific works by S. Buchatska and L. Onufrieva. Learning a foreign language takes on a personal meaning depending on the type of activity that integrates the acquired linguistic knowledge.

The urgency of the problem of formation foreign languages competence in the modern context of teaching foreign languages is confirmed by many experimental and theoretical studies, which is reflected in the works of I. Bohdanova, B. Blum, O. Brahynets, D. Bruner, H. Heis, O. Maslova, V. Matirko, Yu. Tkachenko, N. Karpova, E. Mykhailova, V. Polyakova, O. Sydorenko, Yu. Surmin, L. Burge, P. Juler, F. Lockwood, J. Mezirow,

A. Morgan, S. Nipper, D. Rosler, D. Schön, J. Taylor and others. There is also another approach to the definition of foreign language communicative competence, the representatives of which impress that it is a certain integrated formation of the personality, which involves mastering a foreign language and acquired as a result of training and determines the level of professionalism of the future specialist Pavlenko O., Halytska M., Baryshnikova S., Yefimova O., Begeka D.

Examining the writings of M. Canale and M. Swain, four components-competences might potentially be identified:

- grammatical competence – the communicator’s level of mastery of the grammatical code, including vocabulary, spelling rules and pronunciation, word formation, and sentence construction;

- sociolinguistic competence – the ability to appropriately use and understand grammatical forms in various sociolinguistic contexts to perform certain communicative functions (description, message, persuasion, information request, and so on);

- discursive competence, also known as expressive competence, is the capacity to connect distinct phrases into a cohesive message, or discourse, using multiple syntactic and semantic ways.

- strategic competence is the ability to employ verbal and nonverbal techniques when there is a risk of communication failure owing to an «insufficient level of competence of the communicator or an occurrence of side effects effects». The structure of foreign language communicative competence, according to N. Bidyuk, is a set of learning goals in various types of speech activity (listening, speaking, reading, writing), knowledge (speech, linguistic, paralinguistic, linguistic ethnographic, moral and ethical), skills, abilities (language, speech, communication, gnostic, perceptual, paralinguistic, ethnolinguistic, organizational), and experience (communicative, methodical, technological). The term «competence» is defined in the Council of Europe’s Competence for a Culture of Democracy as «specific psychological resources (attitudes, skills, knowledge, and

understanding) that are mobilized and applied in order to respond effectively to emerging demands, challenges, and opportunities in democratic and intercultural situations» [7, p. 49–62].

The analysis of scientific sources on the problem of research indicates a considerable interest in the issue of learning foreign languages in Europe and Ukraine in particular. The works of Ukrainian scientists O. Bihych, V. Derkach, N. Halskova, L. Zablotska, N. Lavrychenko, O. Maslyko and others have been devoted to this problem. In modern science, various aspects of the competence approach in the field of foreign languages have been studied by such authors as N. Bibik, L. Vashchenko, O. Lokshyna, O. Ovcharuk, L. Parashchenko, N. Kuzmina, O. Polunina, V. Rybalka, V. Sayuk, K. Sharapenko and others. V. Aitov, N. Artikutsa, P. Atutov, O. Badurka, H. Borozenets, O. Herasymenko, O. Hrosh, D. Demchenko, H. Kozlakova, N. Kostenko, T. Kostiukov, Nahorniuk, N. Nychkalo, A. Petrova, O. Poliakov, Y. Pradid, M. Pradivliannyi, I. Sekret, A. Waters have dealt with the problems of improving vocationally oriented learning of foreign languages. However, the problem of the formation of the foreign language communicative competence of future lawyers and policemen remains insufficiently studied.

Problematic aspects of training specialists for bodies of internal affairs of Ukraine, and now of the National Police, represented by the weighty specialists in administrative law, pedagogy, service and combat activity of the law enforcement activity, etc. Among others it is worth noting the research of such specialists, as O. Bandurko, V. Glukhover, R. Kalyuzhny, A. Manzhula, V. Petkov, O. Sinyavska, O. Chervyakov. Along with that further reform of the National Police of Ukraine requires the introduction of new standards of police training, in particular foreign languages. So the problems related to the development of foreign languages communicative competence of law enforcement students still remain unsolved.

The foreign language communicative competence of law enforcement officers can be characterized as a professional and

personal formation that integrates the presence of certain life attitudes, values (axiological), knowledge about the adequate use of language means (cognitive), speech and communication skills (functional), personal qualities necessary for effective foreign language professional communication, including bilingual one. Professional communication is a factor that accompanies the professional activity of a specialist and contributes to its effectiveness through the implementation of the following functions: – informational (transmission-reception of information for the purpose of exchanging thoughts, views, communicating ideas, decisions); – educational (acquiring individual professional and social experience in the process of communication); – organizational (learning the norms of socially typical behavior, mutual orientation and coordination of actions during the organization of joint activities); – expressive (revealing the content of the interaction, which involves interaction, mutual knowledge, mutual understanding of communicators [2]).

Using our experience we can say that foreign language communicative competence of future police officers and lawyers being a separate component of professional communicative competence consists of appropriate language-and-speech competence which is formed on the basis of the “knowledge – practical implementation” approach, and allows to realize communicative function of future law enforcement officers.

In our opinion, **Future Policemen and Lawyers Foreign Language Communicative Competence** can be defined as a complex integrative unity that provides competent professional communication in the language of a specialty in the context of intercultural communication; as the ability of future specialists in the field of legal and law enforcement activities to apply their foreign languages knowledge in any situation according to professional activity [3, 441–455].

The constant participation of the Armed Forces of Ukraine in peacekeeping and security operations, the reorientation of the

training of troops according to NATO standards, the expansion of international contacts require an adequate level of command of personnel in foreign languages. The need to improve the language of Ukrainian servicemen is substantiated in the “Basic principles of language training of personnel in the system of the Ministry of Defense of Ukraine”. According to this document, the main purpose of English language cadets is to develop and improve their military skills in the military professional profession in accordance with the requirements of the NATO language standard STANAG 6001. Law and law-enforcement spheres are quite close in its nature, so we will consider the formation of foreign language communicative competence of future law-enforcement officers and servicemen as a single concept. First of all, it is necessary to understand the basic concept of our article, namely foreign language communicative competence. The scientific literature on communicative competence distinguishes the concepts of “competence”, “competence”, and “communication”. Having analyzed them, we can state that the communicative competence of a future specialist consists of three main features:

- 1) practical possession of an individual stock of verbal and nonverbal means to update the informational, expressive and pragmatic functions of professional communication;

- 2) the ability to vary the means of communication and communication processes in connection with the dynamics of the situation of professional communication;

- 3) the ability to prepare speech acts in accordance with language and speech norms [11, p. p. 110–113].

The ability to communicate in foreign languages undeniably plays a key role in today’s era of globalization. In fact, communication in foreign languages is one of the eight key competences “individuals need for personal fulfillment and development, active citizenship, social inclusion and employment” under the European Reference Framework. Communication in foreign languages broadly shares the main skill dimensions of communication in the

mother tongue: it is based on the ability to understand, express and interpret concepts, thoughts, feelings, facts and opinions in both oral and written form (listening, speaking, reading and writing) in an appropriate range of societal and cultural contexts (in education and training, work, home and leisure) according to one's wants or needs. Communication in foreign languages also calls for skills such as mediation and inter-cultural understanding. An individual's level of proficiency will vary between the four dimensions (listening, speaking, reading and writing) and between the different languages and according to that individual's social and cultural background, environment, needs and/or interests. It is made quite clear in this definition that communication in a foreign language involves not only linguistic or grammatical competence (i.e. the four basic language skills of listening, speaking, reading and writing), but also the ability to use the language appropriately depending on the context of language use or purpose of communication and additionally, the capacity to deal with and act skillfully in the light of intercultural differences [12].

The formation of foreign language communicative competence of future professionals occurs during the process of learning a foreign language for professional purposes while studying in a higher education institution. The discipline "Foreign Language" and "Foreign Language for Professional Purposes" is an integral part of professional training and an organically connected prerequisite for the full development of a future specialist. The main purpose of teaching a foreign language for professional purposes is the formation of the necessary communication skills in the areas of professional communication both orally and in writing, skills of practical knowledge of a foreign language in various speech activities to the extent of professional needs, mastering the latest professional information through foreign sources. The ultimate goal of learning a foreign language is the formation of cadets' readiness and ability for intercultural communication, practical mastery of foreign language communicative competence, i.e. the ability to

compare language tools with specific goals, situations, conditions and objectives of speech communication [11, p. 110–113].

***The main goal of the discipline «Foreign Language for Specific Purposes»*** is to form the ability for intercultural communication, which, in the case of future lawyers, has a professional direction, and is implemented on the basis of the formation of intercultural communicative competence. The latter, in turn, is defined as such a level of possession of speech, language, socio-cultural and professional subject knowledge, skills and abilities in native and foreign languages, which allows communicatively acceptable intercultural communication and the opportunity to undergo internships in other countries.

Teaching English in a professional direction should be carried out in parallel with special training. In order to teach legal English to masters, it is necessary to use a specific legal context, since there is a close connection between the language and specific legal systems and their peculiarities [10, p. 101–104].

Thus, the basis of the organization of the process of training future lawyers in a foreign language based on the ideas of the competence approach as a special didactic system is the strategic goal, which is formulated as follows: the formation of foreign language communicative and translation competence of future lawyers [9, p. 223–230].

For a police officer, whose job is one of the most important in the world: to serve and protect people, knowledge of a foreign language is an integral part of the professional performance of tasks. So the system needs to approach this issue more deeply and direct the desire of the police officer to conscientiously study the language in order to acquire a higher level of qualification [5].

For example, the mastery of various reading strategies by future lawyers and policemen is fundamentally important for the professional activity of specialists of this field, as it is determined by specific communicative and cognitive tasks (description of the place, time, event, characteristics of the participants in the case, protocols) requires the mastery of the reading strategy [13, p. 94–98].

Linguistic means of professional communication, based on lexical, morphological and syntactic norms of a foreign language, terms and colloquial formulas of an official-business style, are a separate sign system used by representatives of law enforcement agencies for interaction in situations related to the professional aspects of their specific activity. To learn these language units, exercises aimed at consolidating the grammatical structure and professional vocabulary for further use in professional communication in a foreign language are offered.

According to the area of criminal jurisdiction, policemen actions at the forefront of the law to uphold authority and keep people safe. They are on the streets, at the borders, and in our airports, seaports, parks, and prisons. When officers are able to speak the same language as the individuals they encounter, they enhance communication, promote safety, and prevent dangerous misunderstandings or unnecessarily violent escalations.

As part of our research, we will show the process of learning foreign languages at the Donetsk State University of Internal Affairs (Kropyvnytskyi) for masters of «Law» and «Law Enforcement». In foreign language classes, teachers introduce this manual: «Practical English language course for law enforcement officers and lawyers: Study guide for masters of 262 «Law enforcement» and 081 «Law»» for future specialists in Law, which would be tied to the MIA OSVITA system in future.

Each unit has a fixed structure: pre-text exercises, text exercises, post-text exercises; communicative exercises; written exercises.

*Pre-text exercises:* e. g., «*Before you read the passage, explain your opinion*» are aimed at forming and developing the skills of guessing and language improvisation, setting up masters for speaking in a foreign language.

*Text exercises:* e. g. «*Read and translate the text*» are aimed at forming and developing the skills of reading and translating foreign language professional texts with further understanding of their essence.

*Post-text exercises*: e.g. «Mark the statements as true or false», «Match the words with the definitions», «Fill in the blanks with correct words and phrases from the word bank» and so on are aimed at checking the understanding of the read passage by masters and developing their knowledge activation skills.

*Speaking exercises*: e.g. «With a partner; act out / dramatize the roles below based on the conversation» are aimed to form and develop masters' foreign language speaking skills.

*Writing exercises*: e.g. «Use the conversation to write a search summary», «Use the conversation to write an officer's description of the crime scene», «Use the conversation to write the captain's order», «Use the conversation to write a police report» are aimed to form and develop foreign language writing skills.

*Tests for self-revision*: at the end of each chapter there is test for self-revision which is aimed to check the masters' knowledge of the studied information.

The conditions for professionally oriented foreign language training for students/cadets of law faculties and universities are the need to familiarize them with the general and legal terminology of law, read authentic texts, form in them the skills of independent work to create an individual dictionary, master the skills of oral professional communication using examples of the most common situations of everyday communication, necessary for professional communication [3, p. 240–255].

Language training should not be limited only to classroom activities. It is necessary to involve cadets in speaking clubs, which should be conducted with the involvement of foreign representatives. Such speaking activity gives cadets the opportunity to communicate in English, discuss ideas, making presentations, share thoughts, learning extra professional vocabulary, getting experience in professional matters, improving language and speech skills. Although most specific-purpose language textbooks and courses, including learning material in languages for law enforcement, are traditionally based mostly on written texts and

on supplementary text-based materials, today professionals of different spheres predominantly communicate orally.

It is important to involve foreign specialists in the field of Law enforcement and Law to conducting classes. Practicing speech activities of cadets (namely, listening, speaking, reading and writing skills), using authentic language materials and foreign textbooks, audio/video and multimedia materials, controlling the knowledge of students at all stages of studying process are used to form the skills of professional communication, the latter being developed during practical classes (while using texts and exercises from original sources), in sittings of Discussion Club, during meetings with native speakers and English-speaking police officers, while writing articles and thesis by cadets/students. From the first year of study it is necessary to master the vocabulary of the future specialty which helps to improve assimilating of language material in the process of language activities, especially when reading and translating professional texts [8, p. 240–255].

Conducting binary classes is one of important elements in future policemen preparation as it reveals such positive aspects as: helping to overcome the language barrier; promoting the application of acquired professional skills and abilities to solve certain problem-based situations using a foreign language; increasing motivation of cadets to learn a foreign language.

Reading authentic material is one more important component in teaching a foreign language which embraces acquaintance with publications on police themes, specifically traffic violation cases, description of suspects and lost people, detention of criminals, search-and-find of things, etc. Particular attention should be paid to the study of borrowings, specific abbreviations, ambiguous words-terms and others. Also, well organized independent work gives cadets the opportunity to develop their professional knowledge, introduces new professional terminology, as well as promotes the formation of such professional qualities of personality as independence and initiative [4].

In the lessons various video materials (e. g. on criminalistics labs, organized crimes, detention of criminals, training requirements, etc.) are presented and further discussed. The use of social sites (YouTube) is also popular among cadets. Along with tutorials to expand the law enforcement skills of the language the annual conference entitled Law Enforcement Agencies: the Defence of Public Order and Constitutional Freedoms during Peace and Martial Law is held, which provides excellent opportunities for speakers to share ideas, to communicate, to establish relations [4].

Teachers of the Department of Foreign languages stand up for the principle that teaching skills to cadets, our main aim remains the same, which is to develop their competences, through using learner-centred, constructivist approach. When applying this approach to organize educational process, task- and goal-oriented activities become prevailing with the teacher acting as a helper, coordinator and mentor [1].

The process of mastering a foreign language should include interactive, creative, problematic tasks, be diverse to promote the development of intelligence, research and creative thinking of future law-enforcement officers and servicemen, as well as the ability to reasonably and appropriately vary their language skills depending on psychological communication factors. The foreign language professional competence allows the future law enforcement officers to successfully get involved in the process of interpersonal and interlingual communication. Fluent communication in a foreign language guarantees establishment and maintaining professional contacts, and contributes to the overall cultural and professional level of the cadet's personality, his/her professional and social mobility [11, p. 110–113].

Therefore, the implementation of the system of forming foreign language communicative competence will improve the continuous studying of modern higher legal institutions' cadets and achieve high performance. A foreign language has an important applied value for future policemen, lawyers, for whom the language is a

kind of «professional weapon». It also has the special significance of the professional component of foreign language learning for future lawyers as the basis of intercultural professional communication in the context of modern international integration processes and academic mobility of students.

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# CHAPTER I

## 1.1. HISTORY OF LEGAL PROFESSION

*Task 1. Explain your opinion:*

1. What is an origin of legal profession?
2. When did people start engaging in legal activities?

*Task 2. Match the expressions in English and Ukrainian*

police service	Радник королеви (або короля)
secular stages	різноманітні законники (писарі)
litigious representation	замінити адвоката
“common law”	територія повіреного
Court of Chancery	виконання зобов'язання
secure the right	отримати юридичну підготовку
payment of damages	виконання судового рішення
includes a pretrial conference	включає досудову нараду
the execution of the judgment	відшкодування збитків
obtain legal training	забезпечити право
performance of obligation	Суд канцелярії
province of the solicitor.	загальне право
supplant the advocate	судове представництво
miscellany of legal scribes	світські сцени
Queen’s (or King’s) Counsel	поліцейська служба

*Task 3. Read and translate the text*

**Legal profession**, vocation that is based on expertise in the law and in its applications. Although there are other ways of defining the profession, this simple definition may be best, despite the fact that in some countries there are several professions and even some occupations (e.g., police service) that require such expertise but that may not regarded as within the “legal profession.”

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## HISTORY

Distinct legal systems emerged relatively early in history, but legal professions of size and importance are relatively modern. There is not the slightest trace in ancient times of a distinct legal profession in the modern sense. The earliest known legal specialist was the judge, and he was only a part-time specialist. The chief, prince, or king of small societies discharged the judicial function as part of the general role of political leader. As his power spread, he delegated the function, though not to legal specialists; in the secular stages of the early systems, legal duties were taken over by royal officials who were “generalists.” In the wake of powerful religious or quasi-religious movements, priests or wise men often judged or advised the judges. It may be that in some of these cases specialized legal aid to the ordinary citizen did exist, but at levels of social status below the notice of chroniclers or tomb inscriptions and perhaps without benefit of official approval.

England after the Norman Conquest of 1066 also was influenced by Roman example, and the clerics who staffed the Norman and Plantagenet monarchies and who provided the earliest of their judges enabled the notion of a legal profession, and especially of litigious representation, to be accepted. Only in the ecclesiastical and admiralty courts, however, did procurators (proctors) and doctors of the civil and canon laws become established as practitioners. The native “common law” was developed by a specialized legal society, the Inns of Court, in London; there, through lectures and apprenticeship, men acquired admission to practice before the royal courts. More particularly, they could become sergeants – the most dignified of the advocates, from whom alone after about 1300 the royal judges were appointed. Various agents for litigation resembling procurators also became known. The “attorneys,” authorized by legislation, at first shared the life of the Inns with the “apprentices” in advocacy, who themselves in time acquired the title of barrister. Indeed, there were cases of men working as both barristers and attorneys. When

in the 16th century the Court of Chancery was established as the dispenser of “equity,” the appropriate agent for litigation was called a solicitor, but the common-law sergeants and barristers secured the right of advocacy in that court. It was not until the 17th century that the attorneys and solicitors were expelled from the Inns and the division between advocate and attorney became rigid, and not until the 18th century did the barristers accept a rule that they would function only upon being engaged by an attorney – not upon being retained directly by a client. Other types of legal agents also developed in England, but in the 19th century all of the non-barristers were brought under the one name, solicitor. The order of sergeants was eliminated, leaving only barristers, of whom the most senior could be made Queen’s (or King’s) Counsel.

### **WORLDWIDE LEGAL PROFESSION**

The modern legal professional, earning his living by fee-paid legal services, first became clearly visible in the late Roman Empire, when the fiction that a jurisconsult received only gifts was abandoned and when at the same time the permissible fees were regulated. Changes in the methods of trial and other legal developments caused the jurisconsult to disappear in time. The orator, who now was required to obtain legal training, became the advocate. A subordinate legal agent of the classical system, the procurator, who attended to the formal aspects of litigation, took on added importance because later imperial legal procedure depended largely on written documents that the procurators produced. The jurisconsult had been important as teachers and writers on law; with their decline this function passed to government-conducted law schools at Rome, Constantinople, and Berytus (now Beirut) and to their salaried professors. There was also a humbler class of paid legal documentary experts, the *tabelliones*, who were useful in non-litigious transactions.

From then on, every country in continental Europe acquired, by various stages and with numerous local variations, a legal

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profession in which four main constituents could be observed. Procurators attended to the formal and especially the documentary steps in litigation. Advocates, who usually were university graduates in Romanist learning, gave direct advice to clients and to procurators and presented oral arguments in court. Among a miscellany of legal scribes, the notaries acquired importance because, in addition to being drafting experts, they also authenticated documents and maintained archives. University teachers of law took over the main task of explaining and adapting the mixture of Roman law and Germanic custom that produced the modern laws of the major European countries and continued to dominate in the scholarly interpretation of the law even after the 19th-century codifications. The relative importance of these classes varied enormously from place to place and from century to century. At times the teaching doctors almost supplanted the advocates; in some courts the procurators swallowed up the advocates, and in others the converse occurred; only the notaries managed to survive with little change.

The litigious function is subdivided into three main stages. First is the preparation of the case: interviewing the client and investigating the circumstances on the basis of leads provided by the client, attending to the formal requirements of the procedure in question – which may involve writs, summonses, and statements of claim or defense – and preparing for trial. Second is the trial proper, in which the facts and law are established and argued before the judge and a decision is made. Third is the execution of the judgment – payment of damages, delivery of property, or performance of obligation in civil cases; payment of fine or imprisonment, etc., in criminal cases. Similar stages arise on appeal. In the divided professions the sharing of these functions is intricate and varies between one system and another. The advocate or barrister is especially responsible for the second stage, but he may advise upon or draft many of the documents used in other stages. If incidental disputes concerning procedure have to

be litigated, he is likely to conduct the proceedings; and, if the procedure includes a pretrial conference, he is likely to represent the client. Otherwise, the first and third stages are mainly the province of the procurator or solicitor.

<https://www.britannica.com/topic/legal-profession>

**Task 4. Find a suitable definition for each word or word combination**

1. Notary	a) prone to engage in lawsuits
2. Barrister	b) in a different way or manner
3. Humbler	c) to destroy the power, independence, or prestige of
4. Otherwise	d) to observe or study by close examination and systematic inquiry
5. Litigious	e) public officer who attests or certifies writings (such as a deed) to make them authentic and takes affidavits, depositions, and protests of negotiable paper
6. Investigate	f) a counsel admitted to plead at the bar and undertake the public trial of causes in an English superior court

<https://www.merriam-webster.com>

**Task 5. Fill in the missing words and prepositions**

1. Although there are other ways of defining the profession, this simple definition may be best... 2. The chief, prince, or king of small societies discharged the judicial ... 3. Indeed, there were cases of men working ... 4. The order of sergeants was eliminated, leaving only barristers... 5. The orator, who now was required ... 6. Procurators attended to the formal and ... 7. Otherwise, the first and third stages are ...

**Task 6. Put questions to the underlined words in the texts**

**Task 7. Find the synonyms in both groups of words**

- A) court, classical, accept, procurator, enormously, legal adviser;  
 B) juriscounsalt, mainly, admit, solicitor, trial, common.

### **Task 8. Translate into English**

1. Сьогодні професія юриста є дуже важливою в Україні.  
 2. Оскільки наша держава – правова держава, перед юристами стоїть завдання утверджувати верховенство права, вдосконалювати українське законодавство, посилювати правовий захист усіх верств населення.  
 3. Юристи формують правову культуру українського суспільства, повагу до закону та правової політики держави.  
 4. Для здійснення деяких видів юридичної діяльності адвокат також повинен мати досвід роботи та скласти спеціальні кваліфікаційні іспити.  
 5. Юристи займаються різними сферами життя: політикою, науковою та викладацькою діяльністю.

<https://lingualeo.com/uk/jungle/legal-profession-in-ukraine>

## **1.2. TYPES OF LEGAL PROFESSIONS**

### **Task 1. Explain your opinion:**

- 1. What types of legal professions do you know?**
- 2. Why is the profession of a lawyer the most popular in Ukraine?**

### **Task 2. Match the expressions in English and Ukrainian**

Apart from lawyers	Європейський Суд з Прав Людини
natural similarities	право власності
independence of judges	вищі суди
refer to criminal cases	розподілити активи бенефіціарами
provide a legal assistance	ліцензовані перевізники
drafting wills and trusts	юрисконсульт
administering an estate	за всіма опитуваннями
European Court of Human Rights (ECHR)	окрім юристів
meet your specific needs	природні подібності
distribute assets to beneficiaries	складання заповітів і трастів

## 1.2. TYPES OF LEGAL PROFESSIONS

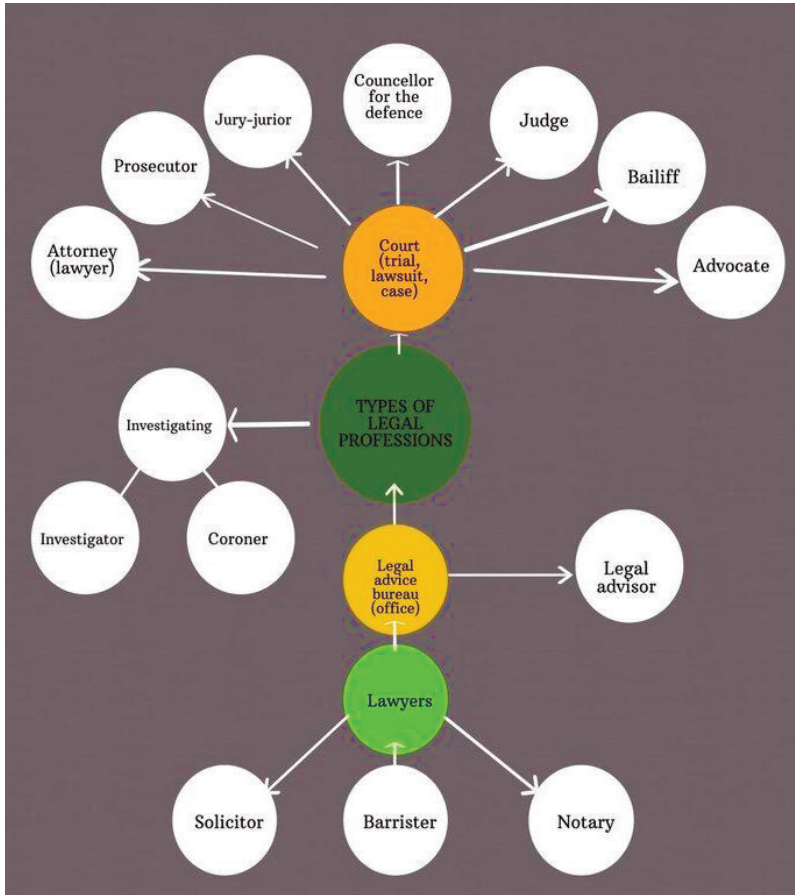
property law	відповідати вашим конкретним потребам
the higher courts	надавати юридичну допомогу
licensed conveyancers	управління маєтком
legal advisor	незалежність суддів
according to all surveys	звернутись до кримінальних справ

### ***Task 3. Read and translate the text***

Apart from lawyers, European Union law does not regulate the conditions for exercising as a legal professional. Legal professions are generally regulated at national level. Although there may be natural similarities between them, these national regulations differ quite substantially from one country to another because they reflect the continuation of often ancient traditions.

The Committee of Ministers of the Council of Europe (COE) has issued a number of recommendations on the legal professions. One of these initiatives concerns the exercise of the profession of lawyer. Another concerns the independence of judges. COE recommendations and other information on this issue may be found on its website.

In addition, the European Convention on Human Rights states that everyone charged with a criminal offence has the right to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require. This clause mainly refers to criminal cases, but the European Court of Human Rights (ECHR) has extended it to cover also civil cases.



[https://www.researchgate.net/figure/Types-of-legal-professions\\_fig5\\_349486862](https://www.researchgate.net/figure/Types-of-legal-professions_fig5_349486862)

Here we break down the different types of legal professions. What they do, why you might choose them and which bodies they are governed or regulated by.

**Will writers** are specialists in drafting wills and trusts. They can help you to create a will that meets your specific needs and ensures that your wishes are carried out after your death. Will writers are

not regulated, but they should be members of a professional body such as the Society of Will Writers or the Institute of Professional Will writer.

**Probate specialists** help people to deal with the legal and administrative process of administering an estate after someone's death. This can include tasks such as gathering assets, paying debts, and distributing assets to beneficiaries. Probate specialists are not regulated, but they should be members of a professional body such as the Society of Trust and Estate Practitioners.

**Barristers** are specialist advocates who represent clients in court. They are instructed by solicitors and can only represent clients in the higher courts, such as the Crown Court and the Court of Appeal. Barristers are regulated by the Bar Standards Board.

**Solicitors** are general legal practitioners who can advise clients on a wide range of legal matters, including business law, property law, family law, and criminal law. They can also represent clients in court, but only in the lower courts, such as the Magistrates' Court and the County Court. Solicitors are regulated by the Solicitors Regulation Authority.

**Conveyancers** are specialists in property law. They can help clients to buy, sell, or transfer property. Conveyancers can be either solicitors or licensed conveyancers. Licensed conveyancers are regulated by the Council for Licensed Conveyancers.

But the most popular legal professions in the world according to all surveys and ratings are: lawyers, advocates (attorneys, barristers), prosecutors (procurators), judges, notaries (tabellions), jurisconsults (legal advisors, solicitors, counsels).

*<https://www.thelawsuperstore.co.uk/help-and-advice/different-types-of-legal-professionals-on-the-law-superstore>*

**Task 4. Find a suitable definition for each word or word combination**

1. Will	a) a legal proceeding by which a case is brought before a higher court for review of the decision of a lower court
2. Asset	b) to establish (a will) by probate as genuine and valid
3. Appeal	c) the entire property of a person, association, corporation, or estate applicable or subject to the payment of debts
4. Probate	d) to bring into agreement
5. Tabellion	e) a legal declaration of a person's wishes regarding the disposal of his or her property or estate after death
6. According	f) an official scribe or notary public especially in England and New England in the 17th and 18th centuries

<https://www.merriam-webster.com>

**Task 5. Fill in the missing words and prepositions**

1. Solicitors are regulated by ... 2. Licensed conveyancers are regulated by ... 3. They can help you to create a will that meets your specific needs ... 4. What they do, why you might choose them and ... 5. This clause mainly refers to criminal cases, but ... 6. The Committee of Ministers of the Council of Europe (COE) has issued ... 7. Apart from lawyers, European Union law does not regulate the conditions ....

**Task 6. Put questions to the underlined words in the texts**

**Task 7. Find the synonyms in both groups of words**

A) solicitor, property, civil, divide, state, barrister;

B) attorney, asset, national, distribute, human, licensed conveyancer.

**Task 8. Translate into English**

1. Якщо у людини є юридична проблема, вона йде до повіреного. 2. Він може представляти інтереси свого

клієнта в судах нижчої інстанції та деякі шлюбні справи в магістратських судах. 3. Він готує справу і докази: опитує клієнтів і свідків. 4. У цивільному позові він може виступати в суді графства, коли справа стосується розлучення або стягнення деяких боргів. 5. Він виконує юридичну роботу, пов'язану з купівлею будинку; він пише для вас юридичні листи, він допомагає вам скласти заповіт тощо.

<https://vseosvita.ua/library/embed/0100eqsn-4d03.docx>.

## 1.3. LAWYER

### *Task 1. Explain your opinion:*

1. What are the main responsibilities of the lawyer?
2. How long should a person study to become a lawyer in Ukraine?

### *Task 2. Match the expressions in English and Ukrainian*

comes to mind	оборонні фірми
courtroom battling	бути звинуваченим у злочинній діяльності
enlightening journey	спеціалізоване навчання
delve deeper	копай глибше
defense firms	курсозна робота з деліктного права
be charged with criminal activities	дискримінаційні практики
specialized training	посередництво в суперечках
coursework in tort law	глибоке розуміння
discriminatory practices	юрист з нерухомого майна
mediate disputes	плавний перехід активів
victims of negligence	справи про порушення
a keen understanding	жертви недбалості
Estate Planning Lawyer	спадає на думку
the seamless transition of assets	судова боротьба
infringement cases	просвітницька подорож

## ***Task 2. Read and translate the text***

When the term “lawyer” comes to mind, most of us immediately picture courtroom dramas, sharp suits, and intense arguments. However, the world of law is as diverse as it is vast. Not all lawyers are in the courtroom battling it out; some might never even set foot there. But what unifies them is their commitment to justice, their specialized expertise, and the qualifications they’ve achieved to get there. This article will be your guiding light in understanding the different types of lawyers, the roles they play, and the qualifications they’ve earned. Buckle up as we set forth on this enlightening journey!

### **Types of Lawyers: Roles and Qualifications**

The legal profession is a mosaic of specialties. Each type of lawyer has specific roles to play and qualifications to match. Let’s delve deeper into these niches.

#### **1. Criminal Defense Lawyer**

- **Roles and Job Description:** They defend individuals who are charged with criminal activities, ranging from minor offences to major felonies. Their work involves negotiating with prosecutors, presenting evidence in court, and advocating for their client’s rights.

- **Qualifications:** JD degree, bar certification, and typically experience with criminal law through internships or clerkships with criminal courts or defense firms.

#### **2. Personal Injury Lawyer**

- **Roles and Job Description:** Personal injury lawyers represent individuals who have sustained injuries due to someone else’s negligence or intentional misconduct. They handle cases involving car accidents, workplace injuries, medical malpractice, slip and fall incidents, and more. Their primary objective is to ensure that victims get proper compensation for their pain, suffering, and financial losses.

- **Qualifications:** A Juris Doctor (JD) degree from an accredited law school, state bar certification, and often specialized training or coursework in tort law.

### 3. Family Lawyer

- **Roles and Job Description:** Family lawyers deal with various familial issues, including divorce, child custody, spousal support, and property settlements. They mediate disputes and represent clients in family court proceedings.

- **Qualifications:** JD degree, bar certification, and additional training or coursework in family law.

### 4. Immigration Lawyer

- **Roles and Job Description:** They guide clients through immigration processes, such as obtaining visas, green cards, and citizenship. They also represent clients facing deportation.

- **Qualifications:** JD degree, bar certification, and familiarity with immigration law and policy.

### 5. Civil Rights Lawyer

- **Roles and Job Description:** Civil rights lawyers champion the rights of individuals against discriminatory practices, fighting for justice and equality in areas like housing, employment, and education.

- **Qualifications:** JD degree, bar certification, and a strong foundation in constitutional law and civil rights legislation.

### 6. Medical Malpractice Lawyer

- **Roles and Job Description:** These lawyers represent victims of negligence by healthcare professionals. They build cases to prove medical negligence, which may involve consulting medical experts.

- **Qualifications:** JD degree, bar certification, and a keen understanding of medical terminologies and malpractice law.

### 7. Corporate Lawyer (Business Lawyer)

- **Role and Job Description:** Corporate moguls don't make decisions without their trusty lawyers by their side. These attorneys ensure that all business transactions are above board and compliant with the law.

- **Qualifications:** A Juris Doctor degree, typically complemented by corporate or business law courses. Many also possess an MBA or a background in business.

## **8. Bankruptcy Lawyer**

- **Roles and Job Description:** They advise individuals or corporations considering bankruptcy on their options and represent them in bankruptcy court proceedings.

- **Qualifications:** JD degree, bar certification, and specialized knowledge in bankruptcy codes and regulations.

## **9. Estate Planning Lawyer**

- **Roles and Job Description:** They help clients draft and implement documents like wills and trusts, ensuring the seamless transition of assets after a person's death.

- **Qualifications:** JD degree, bar certification, and expertise in estate planning and **probate laws**.

## **10. Intellectual Property (IP) Lawyer**

- **Roles and Job Description:** IP lawyers focus on protecting intellectual properties like patents, copyrights, and trademarks. They may assist with filing patents, represent clients in infringement cases, or negotiate licensing agreements.

- **Qualifications:** JD degree, bar certification, and additional training or coursework in intellectual property law.

## **11. Tax Lawyer**

- **Roles and Job Description:** They advise on tax-related matters, help clients understand complex tax laws, and represent them in disputes against taxing agencies.

- **Qualifications:** JD degree, bar certification, and often an advanced degree like a Master of Laws (LL.M) in taxation.

## **12. Labor and Employment Lawyer**

- **Roles and Job Description:** They deal with workplace-related disputes, such as wrongful termination, discrimination, wage issues, and workplace safety violations.

- **Qualifications:** JD degree, bar certification, and specialized labour and employment law knowledge.

## **13. Environmental Lawyer**

- **Roles and Job Description:** These lawyers focus on environmental laws and regulations. They may represent clients in

disputes involving pollution, land use, and wildlife conservation or work with corporations to ensure compliance with environmental standards.

- **Qualifications:** JD degree, bar certification, and specialized knowledge in environmental law and policies.

#### **14. Real Estate Lawyer**

- **Roles and Job Description:** Real estate lawyers handle property-related matters, including transactions, disputes, and tenant rights. They ensure smooth property transfers and help resolve related conflicts.

- **Qualifications:** JD degree, bar certification, and real estate and property law expertise.

#### **15. Securities and Finance Lawyer**

- **Roles and Job Description:** They guide individuals and corporations through the complexities of securities and financial regulations. This may include representing clients in regulatory inquiries or helping businesses go public.

- **Qualifications:** JD degree, bar certification, and an in-depth understanding of securities laws and financial regulations.

#### **16. International Lawyer**

- **Roles and Job Description:** Advises on laws and regulations across different countries, handles cross-border disputes, and negotiates international contracts and treaties.

- **Qualifications:** JD degree, bar certification, and expertise in international laws and treaties, often complemented by multi-language proficiency or additional training in international relations.

*<https://www.lexzur.com/types-of-lawyers/>*

*<https://onlinemasteroflegalstudies.com/career-guides/become-a-lawyer/types-of-lawyers/>*

**Task 3. Find a suitable definition for each word or word combination**

1. Diverse	a) to engage as a participant
2. Commitment	b). differing from one another
3. Employment	c) to gain or attain usually by planned action or effort
4. Obtain	d) an agreement or pledge to do something in the future
5. Involve	e) a skill that fits a person
6. Qualification	f) activity in which one engages or is employed

<https://www.merriam-webster.com>

**Task 4. Fill in the missing words and prepositions**

1. When the term “lawyer” comes to mind, most of us immediately picture ... 2. The legal profession is ... 3. Personal injury lawyers represent individuals who have sustained injuries due to someone else’s negligence ... 4. They advise on tax-related matters, help clients understand complex tax laws, and represent them in ... 5. They deal with workplace-related disputes, such as wrongful termination, discrimination, wage issues, and ... 6. This may include representing clients in regulatory inquiries or ... 7. Civil rights lawyers champion the rights of individuals against discriminatory practices, fighting for justice and equality in ...

**Task 5. Put questions to the underlined words in the texts**

**Task 6. Find the synonyms in both groups of words**

- A) roles, mosaic, play, offence, misconduct, standard;  
 B) match, felony, primary, qualifications, diverse, negligence.

**Task 7. Translate into English**

1. Юристи можуть допомогти гарантувати, що ваші інтереси будуть захищені під час купівлі чи продажу житла чи

бізнесу, складання заповіту чи ведення справ із майном, переговорів щодо укладення контракту, а також у випадку роздільного проживання чи розлучення. 2. Юристи розглянуть вашу ситуацію та розкажуть про право, яке застосовується до вашої справи. 3. Вони можуть повідомити вам про ризики та переваги кожного. 4. Наприклад, вони можуть спробувати зняти кримінальні звинувачення або розглянути справу поза судом. 5. Коли адвокати звертаються до суду за своїх клієнтів, вони там, щоб захистити інтереси свого клієнта.

<https://www.plea.org/courts-legal-system/lawyers-1/role-of-lawyers>

## 1.4. PROSECUTOR

### *Task 1. Explain your opinion:*

1. What are the primary qualifications of prosecutors?
2. Can the representative of this legal profession be accused of a crime and convicted? Why? Why not?

### *Task 2. Match the expressions in English and Ukrainian*

fair and equitable criminal justice	відповідно до місцевої практики
improved methods of recruitment	лікувальна сила
individuals of integrity and ability	страждають від професійної невігідності
maintain the honour and dignity	прагнути до співпраці
be protected by the authorities	мати право на свободу вираження поглядів
discharge of prosecutorial functions	дії щодо неповнолітніх
adequate remuneration	справедливі та неупереджені процедури
promotion of prosecutors	переведення кримінальних справ
fair and impartial procedures	просування по службі прокурорів
be entitled to freedom of expression	стигматизація попереднього ув'язнення

suffering professional disadvantage	адекватна винагорода
consistent with local practice	з дискреційними функціями
the execution of court decisions	виконання прокурорських функцій
consistently and expeditiously	грубі порушення прав людини
smooth functioning	бути під захистом влади
grave violations of human rights	безперерйне функціонування
with discretionary functions	зберігати честь і гідність
stigmatization of pre-trial detention	послідовно і оперативно
diverting criminal cases	чесні та здібні люди
action against juveniles	виконання судових рішень
strive to cooperate with	справедливе та чесне кримінальне правосуддя
remedial power.	удосконалені методи вербування

### ***Task 3. Read and translate the text***

Whereas prosecutors play a crucial role in the administration of justice, and rules concerning the performance of their important responsibilities should promote their respect for and compliance with the above-mentioned principles, thus contributing to fair and equitable criminal justice and the effective protection of citizens against crime,

Whereas it is essential to ensure that prosecutors possess the professional qualifications required for the accomplishment of their functions, through improved methods of recruitment and legal and professional training, and through the provision of all necessary means for the proper performance of their role in combating criminality, particularly in its new forms and dimensions,

#### **Qualifications, selection and training**

1. Persons selected as prosecutors shall be individuals of integrity and ability, with appropriate training and qualifications.

2. States shall ensure that:

a. Selection criteria for prosecutors embody safeguards against appointments based on partiality or prejudice, excluding any discrimination against a person on the grounds of race, colour, sex, language, religion, political or other opinion, national, social or ethnic origin, property, birth, economic or other status, except that it shall not be considered discriminatory to require a candidate for prosecutorial office to be a national of the country concerned;

b. Prosecutors have appropriate education and training and should be made aware of the ideals and ethical duties of their office, of the constitutional and statutory protections for the rights of the suspect and the victim, and of human rights and fundamental freedoms recognized by national and international law.

### **Status and conditions of service**

3. Prosecutors, as essential agents of the administration of justice, shall at all times maintain the honour and dignity of their profession.

4. States shall ensure that prosecutors are able to perform their professional functions without intimidation, hindrance, harassment, improper interference or unjustified exposure to civil, penal or other liability.

5. Prosecutors and their families shall be physically protected by the authorities when their personal safety is threatened as a result of the discharge of prosecutorial functions.

6. Reasonable conditions of service of prosecutors, adequate remuneration and, where applicable, tenure, pension and age of retirement shall be set out by law or published rules or regulations.

7. Promotion of prosecutors, wherever such a system exists, shall be based on objective factors, in particular professional qualifications, ability, integrity and experience, and decided upon in accordance with fair and impartial procedures.

### **Freedom of expression and association**

8. Prosecutors like other citizens are entitled to freedom of expression, belief, association and assembly. In particular, they shall have the right to take part in public discussion of matters

concerning the law, the administration of justice and the promotion and protection of human rights and to join or form local, national or international organizations and attend their meetings, without suffering professional disadvantage by reason of their lawful action or their membership in a lawful organization. In exercising these rights, prosecutors shall always conduct themselves in accordance with the law and the recognized standards and ethics of their profession.

9. Prosecutors shall be free to form and join professional associations or other organizations to represent their interests, to promote their professional training and to protect their status.

**Role in criminal proceedings**

10. The office of prosecutors shall be strictly separated from judicial functions.

11. Prosecutors shall perform an active role in criminal proceedings, including institution of prosecution and, where authorized by law or consistent with local practice, in the investigation of crime, supervision over the legality of these investigations, supervision of the execution of court decisions and the exercise of other functions as representatives of the public interest.

12. Prosecutors shall, in accordance with the law, perform their duties fairly, consistently and expeditiously, and respect and protect human dignity and uphold human rights, thus contributing to ensuring due process and the smooth functioning of the criminal justice system.

13. In the performance of their duties, prosecutors shall:

a. Carry out their functions impartially and avoid all political, social, religious, racial, cultural, sexual or any other kind of discrimination;

b. Protect the public interest, act with objectivity, take proper account of the position of the suspect and the victim, and pay attention to all relevant circumstances, irrespective of whether they are to the advantage or disadvantage of the suspect;

c. Keep matters in their possession confidential, unless the performance of duty or the needs of justice require otherwise;

d. Consider the views and concerns of victims when their personal interests are affected and ensure that victims are informed of their rights in accordance with the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.

14. Prosecutors shall not initiate or continue prosecution, or shall make every effort to stay proceedings, when an impartial investigation shows the charge to be unfounded.

15. Prosecutors shall give due attention to the prosecution of crimes committed by public officials, particularly corruption, abuse of power, grave violations of human rights and other crimes recognized by international law and, where authorized by law or consistent with local practice, the investigation of such offences.

16. When prosecutors come into possession of evidence against suspects that they know or believe on reasonable grounds was obtained through recourse to unlawful methods, which constitute a grave violation of the suspect's human rights, especially involving torture or cruel, inhuman or degrading treatment or punishment, or other abuses of human rights, they shall refuse to use such evidence against anyone other than those who used such methods, or inform the Court accordingly, and shall take all necessary steps to ensure that those responsible for using such methods are brought to justice.

#### **Discretionary functions**

17. In countries where prosecutors are vested with discretionary functions, the law or published rules or regulations shall provide guidelines to enhance fairness and consistency of approach in taking decisions in the prosecution process, including institution or waiver of prosecution.

#### **Alternatives to prosecution**

18. In accordance with national law, prosecutors shall give due consideration to waiving prosecution, discontinuing proceedings conditionally or unconditionally, or diverting criminal cases from the formal justice system, with full respect for the rights of suspect(s) and the victim(s). For this purpose, States should fully

explore the possibility of adopting diversion schemes not only to alleviate excessive court loads, but also to avoid the stigmatization of pre-trial detention, indictment and conviction, as well as the possible adverse effects of imprisonment.

19. In countries where prosecutors are vested with discretionary functions as to the decision whether or not to prosecute a juvenile, special consideration shall be given to the nature and gravity of the offence, protection of society and the personality and background of the juvenile. In making that decision, prosecutors shall particularly consider available alternatives to prosecution under the relevant juvenile justice laws and procedures. Prosecutors shall use their best efforts to take prosecutory action against juveniles only to the extent strictly necessary.

#### **Relations with other government agencies or institutions**

20. In order to ensure the fairness and effectiveness of prosecution, prosecutors shall strive to cooperate with the police, the courts, the legal profession, public defenders and other government agencies or institutions.

#### **Disciplinary proceedings**

21. Disciplinary offences of prosecutors shall be based on law or lawful regulations. Complaints against prosecutors which allege that they acted in a manner clearly out of the range of professional standards shall be processed expeditiously and fairly under appropriate procedures. Prosecutors shall have the right to a fair hearing. The decision shall be subject to independent review.

22. Disciplinary proceedings against prosecutors shall guarantee an objective evaluation and decision. They shall be determined in accordance with the law, the code of professional conduct and other established standards and ethics and in the light of the present Guidelines.

#### **Observance of the Guidelines**

23. Prosecutors shall respect the present Guidelines. They shall also, to the best of their capability, prevent and actively oppose any violations thereof.

24. Prosecutors who have reason to believe that a violation of the present Guidelines has occurred or is about to occur shall report the matter to their superior authorities and, where necessary, to other appropriate authorities or organs vested with reviewing or remedial power.

<https://www.ohchr.org/en/instruments-mechanisms/instruments/guidelines-role-prosecutors>

***Task 4. Find a suitable definition for each word or word combination***

1. Pre-trial	a) legal action
2. Detention	b) concerned with the correction of faulty study habits and the raising of a pupil's general competence
3. Proceeding	c) occurring or existing before a trial
4. Prosecutor	d) the maintenance or administration of what is just especially by the impartial adjustment of conflicting claims or the assignment of merited rewards or punishments
5. Justice	e) a period of temporary custody prior to disposition by a court
6. Remedial	f) a person who institutes a prosecution before a court

<https://www.merriam-webster.com/>

***Task 5. Fill in the missing words and prepositions***

1. For this purpose, States should fully explore the possibility of adopting diversion schemes not only to alleviate excessive court loads, but also to avoid the stigmatization of pre-trial detention, indictment and conviction... 2. Reasonable conditions of service of prosecutors, adequate remuneration and, where applicable, tenure, pension and age of retirement shall be set out by ... 3. States shall ensure that prosecutors are able to perform their professional functions without intimidation, hindrance, ... 4. Persons selected as prosecutors shall be individuals ... 5. The office of prosecutors shall be strictly ... 6. In countries where prosecutors are vested

with discretionary functions as to the decision whether or not to prosecute a juvenile, special consideration shall be given to the nature and gravity of the offence, protection of society ...

7. Prosecutors shall use their best efforts to take prosecutory action against juveniles only to ...

**Task 6. Put questions to the underlined words in the texts**

**Task 7. Find the synonyms in both groups of words**

A) fair, lawful, qualification, prosecute, agency, carry out;

B) institution, equitable, charging, function, promote, legal.

**Task 8. Translate into English**

1. Центр підвищення кваліфікації прокурорів України є державною установою, створеною з метою підвищення кваліфікації прокурорів. 2. Процес створення Центру є невід’ємною частиною реформування ГПУ, яка включає, зокрема, атестацію прокурорів усіх рівнів та розробку нових механізмів їх роботи. 3. Центр підвищення кваліфікації прокурорів України забезпечує потреби процесу підготовки прокурорів та якісного підвищення їх професійного рівня. 4. Схоже, що Навчальний центр ефективно використовує найкращі світові практики підходу до навчальних програм, що базується на професійних потребах. 5. Під час тренінгів особлива увага приділяється розвитку особистісних компетенцій у контексті формування якісно нової професійної культури прокурорів.

<https://ptcu.gp.gov.ua/en/about-training-center/>

## 1.5. JUDGE

### *Task 1. Explain your opinion:*

1. How many judges are there in Ukraine? What types of judges do you know?
2. Which crimes judges can be convicted for?

### *Task 2. Match the expressions in English and Ukrainian*

arbiter of justice	головувати в суді
preside over a court	призначатися Президентом
an umpire in a game	іммунітет від кримінального переслідування
interpretation of the law	органи судового управління
be appointed by the President	правовий захист суддів
be protected from dismissal	подати пропозиції
protected from liability	передбачені процесуальним законом
immunity from prosecution	арбітр правосуддя
judicial governance bodies	тлумачення закону
adopt respective decisions	захищений від відповідальності
legal protection of judges	зразки посвідчень суддів
courts of general jurisdiction	суди загальної юрисдикції
submit proposals	прийняти відповідні рішення
sample certificates of judges	бути захищеним від звільнення
prescribed by procedural law	суддя в грі

### *Task 3. Read and translate the text*

A **judge**, or arbiter of justice, is a lead official who presides over a court of law, either alone or as part of a panel of judges. The powers, functions, method of appointment, discipline, and training of judges vary widely across different jurisdictions. The judge is like an umpire in a game and conducts the trial impartially and in an open court. The judge hears all the witnesses and any other evidence presented by the parties of the case, assesses the

credibility of the parties, and then issues a ruling on the matter at hand based on his or her interpretation of the law and his or her own personal judgment.

*[https://e-justice.europa.eu/29/EN/types\\_of\\_legal\\_profession](https://e-justice.europa.eu/29/EN/types_of_legal_profession)*

Since the juridical reform of 2016 judges are appointed by the President of Ukraine upon their nomination by the Supreme Council of Justice. Prior judges were appointed by presidential decree for a period of five years, after which the Ukrainian parliament confirmed them for life in an attempt to insulate them from politics. This five-year probation period was also abolished in 2016. Judges are protected from dismissal (save in instances of gross misconduct). Immunity from prosecution was guaranteed to judges until 2016. Currently a judge is protected from liability resulting from their judicial actions only.

A judge who holds office for an indefinite period is guaranteed to remain in office until he reaches sixty-five years of age, except for the cases of dismissal of the judge from office or resignation of the judge in accordance with the law.

After judicial reforms, there was, effectively, a hiring freeze, which increased case backlog and caused a dearth of 2,600 judges, about a third of the judiciary, as they retired or were dismissed. In the later half of 2023, due to requirements of accession to the European Union, Ukraine re-opened two judicial governance bodies and sought to hire 1,100 judges over a period of months, and 2,000 judges over a period of years.

The new number of judges in Ukraine is 7,976 judges in courts of first instance and appeals. On August 24, 2023, the Supreme Council of Justice approved the new temporary number of judges in courts of first instance and appeals for 2023.

**COUNCIL OF JUDGES OF UKRAINE:  
MAIN PRIORITIES**

1) Develop and provide for the implementation of measures to ensure the independence of courts and judges, improvement of the organizational support of the activity of courts Congress of Judges of Ukraine;

2) Consider the issues related to the legal protection of judges, social security of judges and their families, adopt respective decisions on these matters;

3) Appoint a person authorized to present budgetary inquiries for financing of courts of general jurisdiction, other bodies and institutions of the court system during consideration of the draft Law on State Budget of Ukraine for a relevant year or any amendments thereto;

4) Elect and dismiss the Chairman of the State Judicial Administration of Ukraine and his/her deputies;

5) determine by the proposal of the Chairman of the State Judicial Administration of Ukraine the maximum number of employees of the State Judicial Administration of Ukraine, including its regional departments within the funding for the State Judicial Administration of Ukraine;

6) Oversee the organization of activity of the courts; hear the reports on these issues of the Chairman of the State Judicial Administration of Ukraine, his deputies, heads of departments and territorial departments of the State Judicial Administration of Ukraine;

7) Submit proposals on issues related to the activity of courts to state authorities and local governments;

8) Approve the sample certificates of judges, retired judges, people's assessors, jurors;

9) Exercise control over the compliance with legislation on the settlement of the conflict of interests in the activity of the judges of courts of general jurisdiction, the Chairman and members of the High Qualifications Commission of Judges of Ukraine, Chairman

of the State Judicial Administration of Ukraine and his deputies; adopt decisions on the settlement of an actual or potential conflict of interest in the activity of the above persons (if such a conflict cannot be settled in the manner prescribed by procedural law).

<https://rsu.gov.ua/en/pro-rsu>

**Task 4. Find a suitable definition for each word or word combination**

1. Judge	a) to take a lower court's decision to a higher court for review
2. Adopt	b) withdrawn from one's position or occupation: having concluded one's working or professional career
3. Court	c) a person and especially a man who serves as chairperson
4. Appeal	d) a public official authorized to decide questions brought before a court
5. Retired	e) to take (someone or something) by choice into a relationship
6. Chairman	f) the residence or establishment of a sovereign or similar dignitary

<https://www.merriam-webster.com/>

**Task 5. Fill in the missing words and prepositions**

1. Oversee the organization of activity of the courts; hear the reports on these issues of the Chairman of the State Judicial Administration of Ukraine, his deputies, heads of ... 2. Submit proposals on issues related to the activity of courts to state ... 3. A judge, or arbiter of justice, is a lead official who presides over a court of law, either alone or ... 4. The judge hears all the witnesses and any other evidence presented by the parties of the case, assesses the credibility of the parties, and then issues a ruling on the matter at hand based on his ... 5. Since the juridical reform of 2016 judges are appointed by the President of Ukraine upon their nomination by ... 6. The new number of judges in Ukraine

is 7,976 judges in courts of ... 7. The judge is like an umpire in a game and conducts the trial impartially and ....

**Task 6. Put questions to the underlined words in the texts**

**Task 7. Find the synonyms in both groups of words**

A) powers, judge, prosecution, procedural, implement, people's assessor;

B) umpire, improve, liability, juror, processual, functions.

**Task 8. Translate into English**

1. Відповідно до конституційних засад поділу влади судова влада в Україні здійснюється незалежними та безсторонніми судами, утвореними законом 2. Судову владу здійснюють судді, а у випадках, визначених законом, присяжні, шляхом здійснення правосуддя в порядку відповідного судочинства. 3. Суд, здійснюючи правосуддя на основі верховенства права, забезпечує право будь-якої особи на справедливий суд та повагу до інших прав і свобод, гарантованих Конституцією і законами України. Основним завданням Ради суддів України є вжиття заходів щодо забезпечення незалежності суддів. 5. Кінцевим завданням судді є остаточне та публічно законне вирішення судового спору за згодою істотних упереджень.

[https://vkksu.gov.ua/sites/default/files/field/file/lu\\_jst.pdf](https://vkksu.gov.ua/sites/default/files/field/file/lu_jst.pdf)

## 1.6. NOTARY

### *Task 1. Explain your opinion:*

1. Why the profession of a notary is so necessary and popular in Ukraine?

2. What's the difference between a notary and a legal advisor?

### *Task 2. Match the expressions in English and Ukrainian*

legal practitioner	юрист-практик
important role in the State legislature	складання афірмацій, декларацій
wide range of legal services	важлива роль у законодавчому органі штату
be appointed by the Chief Justice	бути підтвердженим письмовим свідченням (аффідевіт)
discharge principal functions	широкий спектр юридичних послуг
authentication of documents;	оформити довіреності
verifying of signatures on documents	призначатися головним суддею
execution of notarial protests	складати присяги
taking of affirmations, declarations	виконувати основні функції
be verified by affidavit	займатися транспортуванням
draw up powers of attorney	аутифікація документів;
administer oaths	повітовий писар
engage in conveyancing	завірення підписів на документах
be prohibited from certifying copies	забороняється завіряти копії
county clerk	вчинення нотаріальних протестів

### *Task 3. Read and translate the text*

**Notaries** are legal practitioners specialized and authorized to act in certain legal matters. By virtue of their tasks and

responsibilities, notaries play an important role in the State legislature in the 22 Member States where the legal order is based on Latin civil law. Ireland is the single Common Law Jurisdiction within the European Union also has a notarial profession whose practice extends across a wide range of legal services and whose functions and authority are principally exercised in relation to legal acts and instruments to be used in overseas jurisdictions. They have a significant role in the international trade and commerce of their domestic jurisdiction.

**Notaries Public** are appointed by the Chief Justice sitting in open court. The Notary Public discharges the following principal functions:

- Authentication of documents;
- Attesting and verifying of signatures on documents;
- Execution of notarial protests in respect of commercial documents such as bills of exchange and promissory notes, and of maritime matters;
- Taking of affirmations, declarations and (save in respect of proceedings before the Irish courts) affidavits.

Applications are made by petition showing the residence and occupation of the Petitioner, the number of Notaries Public in the district, the population of the district and the circumstances showing the necessity for a Notary Public and/or how a vacancy has occurred. The Petition must be verified by affidavit of the Petitioner in which is exhibited a certificate of fitness generally signed by six local solicitors and six leaders of the local business community. The petition is brought before the Chief Justice by Notice of Motion which is served through the Supreme Court Office on the Registrar of the Faculty of Notaries Public in Ireland, The Secretary of the Law Society and all Notaries Public practicing in the applicant's counties and adjoining counties.

The general practice is to appoint Solicitors only as Notaries Public. When a person, who is not a Solicitor, applies to be a Notary Public, the Law Society will require that an undertaking

be given by the Petitioner to the Chief Justice not to engage in conveyancing or in legal work usually performed by a solicitor. For all petitioners to be appointed a Notary Public, they must first pass an exam set by the Faculty of Notaries Public in Ireland.

*<https://www.notarypublic.ie/what-does-a-notary-do/functions-of-a-notary/>*

**Functions.** A Notary Public is empowered by law and by custom and usage of notaries through the ages to:

- Administer Oaths;
- Attest Signatures;
- Authenticate Documents;
- Give Notarial Acts;
- Take Affidavits (though not for use in the courts in Ireland);
- Take Affirmations and Declarations;
- Receive and Make Protests under Mercantile Law, and issue notarial certificates in respect of documents and persons;
- Draw up Powers of Attorney and other legal documents customarily prepared by Notaries Public;
- The acts of Notaries Public have worldwide recognition.

**Signature Witnessing.** Sometimes a notary is asked to simply witness an individual's signing of an instrument (document) that requires neither an acknowledgment nor an oath/affirmation. States that allow a notary to witness signatures will specify so in their notary statutes.

For signature witnessing, a document signer will personally appear before a notary and will present the document to be signed. The notary will positively establish the identity of the signer through personal knowledge of the signer, or by examining satisfactory evidence of identification. The notary will next witness the signer signing the document, and will complete the appropriate notarial certificate. There is no verbal ceremony for this notarial act.

**Copy Certification.** Some states allow their notaries to make or witness the making of a photocopy of an original document. The notary's signed and sealed certificate, attached to the photocopy,

attests to the genuineness of the photocopy. *The document to be copied must be an original document. It cannot be a copy itself.*

Notaries are prohibited from certifying copies of documents whose true originals are vital or public records. These would include birth certificates, death certificates and marriage certificates. The originals of these documents reside with governmental entities such as county clerks or the state division of vital statistics. Only the governmental entity that holds the original public or vital record may produce certified copies.

<https://www.asnnotary.org/?form=basicduties>

#### ***Task 4. Find a suitable definition for each word or word combination***

1. Affidavit	a) to testify to
2. Signature	b) to prepare a draft or version of
3. Verifying	c) a solemn usually formal calling upon God or a god to witness to the truth of what one says or to witness that one sincerely intends to do what one says
4. Oath	d) to establish the truth, accuracy, or reality of
5. Draw up	e) the name of a person written with his or her own hand
6. Witness	f) a sworn statement in writing made especially under oath or on affirmation

<https://www.merriam-webster.com/>

#### ***Task 5. Fill in the missing words and prepositions***

1. The general practice is to appoint Solicitors only as ... 2. The notary will positively establish the identity of the signer through personal knowledge of the signer, or ... 3. They have a significant role in the international trade and commerce of ... 4. By virtue of their tasks and responsibilities, notaries play an important role in the State legislature in the 22 Member States ... 5. The document to be copied must be ... 6. You Notaries are prohibited from

certifying copies of documents whose true originals are ... 7. Only the governmental entity that holds the original public or vital record may ....

**Task 6. Put questions to the underlined words in the texts**

**Task 7. Find the synonyms in both groups of words**

A) oath, appeal, witness, verify, affidavit, certification;

B) affirm, protest, declaration affirmation, authentication, evidence.

**Task 8. Translate into English**

1. Нотаріус – це державний службовець, який відіграє вирішальну роль у правовій системі, виступаючи неупередженим свідком під час підписання важливих документів. 2. Деякі з ключових функцій державного нотаріуса включають: прийняття присяги, перевірка підписів, засвідчення підписів, засвідчення копій, отримання подяк. 3. Загалом державні нотаріуси допомагають запобігти шахрайству, гарантують автентичність документів і забезпечують додатковий рівень безпеки та довіри до юридичних операцій. 4. Конкретні функції державного нотаріуса можуть відрізнятися залежно від юрисдикції, тому важливо перевірити закони та нормативні акти у вашому регіоні, щоб отримати більш детальну інформацію. 5. Функції державного нотаріуса можуть відрізнятися залежно від юрисдикції, тому важливо перевірити закони та правила у вашому регіоні, щоб отримати більш детальну інформацію.

*<https://www.quora.com/What-are-the-functions-of-a-notary-publicity>*

## 1.7. LEGAL ADVISOR

### *Task 1. Explain your opinion:*

1. Where can the legal advisor work?
2. What do you know about legal advisors in Ukraine?

### *Task 2. Match the expressions in English and Ukrainian*

do a university degree	отримати вищу освіту
relevant experience	знайти
to find out	спеціалізуються на правових питаннях
qualification requirements	період кваліфікаційної роботи
specialize in legal matters	старший дипломований юридичний виконавець
relevant university qualification,	досвід роботи
period of qualifying employment	виконання юридичних обов'язків компанії
under the supervision of a solicitor	підготовка претензій щодо збитків
senior chartered legal executive	проведення правових досліджень
legal executive higher apprenticeship	користь
on-the-job experience	юридичний виконавець з вищою освітою
Benefit	під наглядом адвоката
handling a company's legal responsibilities	відповідна університетська кваліфікація
preparing damage claims	кваліфікаційні вимоги
conducting legal research	відповідний досвід

### *Task 3. Read and translate the text*

How to become a legal advisor? There are several routes to becoming a legal advisor. You could do a university degree, a college course, an apprenticeship or apply to an employer directly if you have relevant experience.

You should explore these routes to find out which is the right one for you. Although some of these options have certain qualification requirements, many employers are more interested in people who are enthusiastic, willing to learn and can follow instructions.

**University.** You could complete an undergraduate degree in law, or a postgraduate degree such as a Graduate Diploma in Law (GDL), and specialize in legal matters relating to construction. If you have a relevant university qualification, you could apply to a legal company's graduate training scheme to gain experience as a legal advisor, or specialize in construction.

**College.** You could qualify as a legal advisor by completing a Level 3 Professional Diploma in Law and Practice or a Level 6 Professional Higher Diploma in Law and Practice.

After completing a college qualification, you would need to complete a further three-year period of qualifying employment. This means you would carry out legal work under the supervision of a solicitor, senior chartered legal executive, barrister or licensed conveyancer. You could do this in a legal practice, a legal department of a private company or in a government department.

**Apprenticeship.** An apprenticeship with a law firm is a good way into the industry. You could complete a chartered legal executive higher apprenticeship to become a legal advisor. This is usually done after completing a paralegal apprenticeship.

To complete a higher or degree apprenticeship you will usually need 4–5 GCSEs at grades 9 to 4 (A\* to C), and A levels, or equivalent.

Apprenticeships are open to anyone over the age of 16. As an apprentice, you will be fully employed by your company and expected to work a minimum of 30 hours a week. Your time will be split between on-the-job experience and a college or training provider.

Find out what the entry requirements are where you live.

- Find an apprenticeship near you
- Guide to apprenticeships

**Work.** If you have previous experience within a legal company, you may be able to apply directly to a large construction company for a job within its legal department. You could then gain experience and receive further training to specialize in legal matters related to construction. You may then start as an assistant to a more experienced legal advisor and progress as your abilities improve.

**Work experience** is essential to gaining employment within the construction industry. You could gain this at school or by working weekends and holidays with a company or relative who works as a legal advisor. Potential employers will always be pleased to see work experience listed on your CV.

- Find out more about work experience

**Additional skills** which may benefit anyone considering a job as a legal advisor include:

- Knowledge of legal matters;
- Excellent communication skills;
- Attention to detail;
- Administration skills;
- Good team working abilities;
- Ability to use your initiative.

**Qualifications.** To become a legal advisor, you could complete a:

- Higher apprenticeship for a Chartered Legal Executive A university degree in law might be an undergraduate degree or a postgraduate degree such as a Graduate Diploma in Law.

- A level 3 professional diploma in law and practice or a level 6 professional higher diploma in law and practice is required.

**What does a legal advisor do?**

- As a legal advisor, you will be responsible for handling a company's legal responsibilities. Duties may include preparing contracts and documentation, and providing a variety of legal support.

The role of a legal advisor in the construction industry involves the following duties:

- Overseeing client and vendor contracts;
- Providing commercially sensible and cost-effective legal advice for construction contracts management;
- Conducting legal research;
- Drafting basic legal documents for construction projects;
- Ensuring compliance to construction laws and regulations;
- Preparing damage claims;
- Resolving buy-sell disputes and property infringements;
- Providing arbitration, litigation and mediation support;
- Advising on the latest building standards;
- Explaining building standards to stakeholders;
- Overseeing health and safety and injury claims and offering advice on court cases;
- Meeting and interviewing clients;
- Drafting documents, letters and contracts;
- Acting on behalf of clients in disputes, if necessary.

<https://www.goconstruct.org/construction-careers/what-jobs-are-right-for-me/legal-advisor/>

**Task 3. Find a suitable definition for each word or word combination**

1. Apprenticeship	a) an arrangement in which someone learns an art, trade, or job under another
2. Oversee	b). an encroachment or trespass on a right or privilege
3. Resolve	c) a demand for something due or believed to be due
4. Claim	d) to watch over and direct (an undertaking, a group of workers, etc.) in order to ensure a satisfactory outcome or performance
5. On behalf	e) to deal with successfully: clear up
6. Infringement	f) as a representative of

<https://www.merriam-webster.com/>

**Task 4. Fill in the missing words and prepositions**

1. There are several routes to becoming in ... 2. If you have a relevant university qualification, you could apply to a legal company's graduate training scheme to gain experience as ... 3. After completing a college qualification, you would need to complete a further three-year period of ... 4. Duties may include preparing contracts and documentation, and providing a variety of ... 5. As an apprentice, you will be fully employed by your company and expected to work a minimum of ... 6. Work experience is essential to gaining employment within ... 7. You could do a university degree, a college course, an apprenticeship or apply to ....

**Task 5. Put questions to the underlined words in the texts**

**Task 6. Find the synonyms in both groups of words**

A) additional skills, qualified, apprenticeship, advising, arbitration, legal adviser;

B) attorney, education, experienced, explain, litigation, requirements.

**Task 7. Translate into English**

1. Юридичний радник або юридичний консультант надає юридичні рекомендації компаніям або клієнтам. 2. До їхніх основних обов'язків входить структурування рішень для суперечок, надання підтримки в правових питаннях і розгляд юридичних матеріалів і контрактів. 3. Деякі з обов'язків юридичних консультантів включають перегляд і узгодження контрактів щоденних операторів, постачальників і компаній. 4. Іншими словами, юридичні консультанти є штатними юристами, порівняно з адвокатами та адвокатами, які надають свої послуги громадськості в цілому, а не роботодавцю. 5. Більшість юридичних консультантів є колишніми адвокатами або адвокатами, які хочуть працювати в корпоративному середовищі.

<https://uk.indeed.com/hire/job-description/legal-advisor>

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## 1.8. TEST FOR SELF-REVISION

### Choose the correct word:

1. The advocate or \_\_\_\_\_ is especially responsible for the second stage, but he may advise upon or draft many of the documents used in other stages.

a) barrister; b) judge; c) client

2. The \_\_\_\_\_ has issued a number of recommendations on the legal professions.

a) Court of Appeal b) Magistrates' Court c) Council of Europe

3. \_\_\_\_\_ help people to deal with the legal and administrative process of administering an estate after someone's death.

a) Conveyancers b) Probate specialists; c) Will writers

4. Civil rights lawyers champion the rights of individuals against discriminatory practices, \_\_\_\_\_ for justice and equality in areas like housing, employment, and education.

a) representing b) ensuring; c) fighting

5) Prosecutors shall be free to form and join professional associations or other organizations to represent their interests, \_\_\_\_\_ their professional training and to protect their status.

a) to disturb b) to promote; c) to discharge

6) Consider the issues related to the legal protection of judges, social security of judges and their families, adopt \_\_\_\_\_ decisions on these matters.

a) respective b) illegal; c) unfair

7) The notary will positively establish the identity of the signer through personal knowledge of the \_\_\_\_\_, or by examining satisfactory evidence of identification.

a) signer b) oath c) crime scene

8) If you have a relevant university qualification, you could apply to a \_\_\_\_\_ company's graduate training scheme to gain experience as a legal advisor, or specialize in construction.

a) industrial b) legal c) criminal

9) \_\_\_\_\_ lawyers deal with various familial issues, including divorce, child custody, spousal support, and property settlements.

a) Immigration b) Environmental c) Family

10) \_\_\_\_\_ lawyers advise on laws and regulations across different countries, handles cross-border disputes, and negotiate international contracts and treaties.

a) Intellectual Property b) Bankruptcy; c) International

*Answers: 1-a; 2-c; 3-b; 4-c; 5-b; 6-a; 7-a; 8-b; 9-c; 10-c*

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# CHAPTER II

## TYOLOGY OF CRIMES





### 2.1. CRIME CLASSIFICATION

Education is a key to preventing crime (*James Orr*)



Try to remember the words below

2.1. CRIME CLASSIFICATION

 A cartoon illustration of a detective wearing a green and blue checkered hat, a brown trench coat, and red shoes. He is leaning forward, holding a magnifying glass over a small object on the ground. There are some faint lines on the ground suggesting a trail or a small object.	<p>to investigate the circumstances of a crime розслідувати обставини злочину</p>
<p>to be armed бути озброєним</p>	 A close-up photograph of a person's hand holding a black handgun. The hand is wearing a green wristband. The background is dark.
 A photograph of a young boy with brown hair, wearing a dark jacket and a light-colored hat. He is looking out from a doorway with a surprised or concerned expression.	<p>a witness свідок</p>
<p>a victim потерпілий</p>	 A photograph of a woman with blonde hair holding a large, hand-drawn sign that says "SOS" in black marker on a piece of cardboard. She has a serious expression.



to cause bodily injuries  
нанести тілесні ушкодження

a number of suspects  
ряд підозрюваних





to leave traces on the body  
залишити сліди на тілі

to burgle  
здійснювати крадіжку  
зі зломом

burglary  
крадіжка зі зломом



## 2.1. CRIME CLASSIFICATION

	<p>to break into проникнути</p>
<p>forced entry проникнення із застосуванням сили</p>	
	<p>to mug грабувати (на вулиці) mugging пограбування (на вулиці) a mugger вуличний грабіжник</p>
<p>physical evidence речовий доказ</p>	

to attack  
нападати



at knifepoint  
під загрозою смерті

to threaten  
погрожувати



to steal красти  
a thief крадій  
theft крадіжка

<p>rob грабувати</p> <p>robbery пограбування</p> <p>a robber грабіжник</p>	
	<p>to shoplift красти (з крамниці)</p> <p>shoplifting крадіжка в крамниці</p> <p>a shoplifter крадій, який краде в крамниці</p>

### ***Task 1. Read and translate the following text.***

#### **CRIMES**

The term «crime» is mostly common regarded as an offence against the state or individuals. The list of acts considered as crimes is constantly changing. For example, in the USA witchcraft is no longer a crime, although it was in colonial Massachusetts. There exist many classifications of crimes. One of them is as follows:

The first group is crimes against people or property. Crimes against people include assault kidnapping, murder, manslaughter, and rape. Such crimes usually bring severe punishment. Crimes against property include arson, car theft, burglary, embezzlement, forgery, fraud, trespassing and vandalism. These crimes carry a lighter punishment than crimes against people.

The second group is crimes against public order and morality. They include disorderly behaviour, gambling, prostitution, public drunkenness, and vagrancy (having no permanent residence). Some

people don't regard some of these ones as crimes. For example, they believe drunkenness is a medical problem and it should be treated.

The third group is organized crime – activities of groups of gangsters or racketeers. Such groups are often called «crime syndicates». They specialize in gambling, blackmail, prostitution, drug peddling and some others. These crimes are sometimes called “victimless crimes» because buyers and sellers take part in them willingly. People who use the services of such syndicates try to avoid the police. That is why it is generally very difficult to bring them to justice.

The fourth group is called «white-collar crimes». These are fraud, cheating in the payment of taxes, petty thefts by employees. You commit a “white collar crime” if you take money for a car repair that was not made or medical services that were not performed. One of the most common «white-collar» crimes today is a computer crime, which can be easily committed once a criminal learns the code or password to activate the system.

The last group is political crimes. It includes acts of terrorism and assassinations of political figures throughout the world. Nowadays such political crimes as airplane hijacking, assassinations, bombing and taking of hostages have become more frequent.

People commit crimes for different reasons. For example, many people steal things they couldn't obtain otherwise. Others, such as drug addicts, steal to get money to buy drugs or other things they need. Some shoplifters steal for excitement, but others do because they are poor. Many car thieves take cars for joy riding, but others strip down the stolen autos and sell them. Many embezzlers take money from their employers to meet some personal needs, intending to return the money later.

The motives also vary in crimes of violence. A robber may kill the victim to avoid detection. Some gangsters blackmail people to obtain money. A man may beat his wife in a fit of rage during a quarrel.

**Task 2. Give English equivalents for the words below.**

Assault, kidnapping, murder, manslaughter, rape, arson, car theft, burglary, embezzlement, forgery, fraud, trespassing, vandalism, disorderly behaviour, gambling, prostitution, public drunkenness, vagrancy, blackmail, prostitution, drug peddling.

**Task 3. Give the Ukrainian equivalents for the words below.**

**Compose your own sentences.**

Шантажувати, вбивство, самогубство, крадіжка з магазину, жертва, шахрайство, підпал, викрадення людини, викрадення авто, вандалізм, порушувати права людини, брати хабарі.

**Task 4. Agree or disagree with the following statements.**

1. Felonies are generally punishable with imprisonment.
2. All murders are committed spontaneously and as a result of quarrels or provocation.
3. The traditional legal definition of rape is the performance of sexual intercourse by a man other than her husband with a woman against her will, by force or fraud.
4. Theft (or larceny) is probably the most common crime involving a criminal intent.
5. Homicide is killing of one human being by another.
6. Robbery is the taking of property from a victim by force and violence or by the threat of violence.
7. White-collar crime is a sociological concept, encompassing any corporate or individual criminal activity marked by fraud and deception.

**Task 5. Give a free translation of the following passage.**

**Злочинність** та причини її виникнення можуть бути вивчені на індивідуальному, груповому та соціальному рівнях. Отже, їх можна пояснити з **психологічної, соціологічної та філософської точки зору**. Ці пояснення не суперечать одне одному, а доповнюють одне одного, що допомагає проаналізувати **причини злочинності** з різних точок зору.

**Розглядаючи цю проблему** на індивідуальному рівні, ми можемо виділити такі причини злочинності як **конфлікт поведінки людини із соціальним середовищем**.

Коли людина **потрапляє в проблемну ситуацію**, вона часто не знаходить виходу з неї і **вибирає злочинний шлях**.

Обставинами, що спричиняють **злочинну поведінку**, вважаються: **антигромадська поведінка батьків**, алкоголізм та **нервово-психічні захворювання** батьків, **низький рівень культури** в сім'ї.

Негативними особливостями особистості та поведінки вважаються: **колишні судимості**, вчинення інших протиправних дій, негативне ставлення до **моральних цінностей**, злостивість, грубість та мстивість, пияцтво, вживання наркотиків, азартні ігри.

Отже, неважко зробити висновок про те, що злочинність може виникнути на основі **взаємодії особистості та соціального середовища**.

**Task 6. Complete the following text with the words and phrases from the box using them in the appropriate form.**

**Give Ukrainian translation of the following passage.**

Organizations; clothes; economic cost; defective materials; illegal actions; out of the market; corporate crime; business people; to fix prices; fines; manufacturing licenses; criminal courts; safety; individual; falsifying reports; jail; gross national product

Crimes committed by \_\_\_\_\_, professionals, and politicians in the course of their occupation are known as “white-collar” crimes, after the typical \_\_\_\_\_ of their perpetrators. Criminologists tend to restrict the term to those \_\_\_\_\_ intended by the perpetrators principally to further the aims of their \_\_\_\_\_ rather than to make money for themselves personally.

Examples include conspiring with other corporations \_\_\_\_\_ of goods or services in order to make artificially high profits or to drive a particular competitor \_\_\_\_\_; bribing officials or \_\_\_\_\_ of tests on pharmaceutical products to obtain \_\_\_\_\_; and constructing buildings or roads with cheap, \_\_\_\_\_. The cost of \_\_\_\_\_ in the United States has been estimated at \$200,000,000,000 a year. Such crimes have a huge impact upon the \_\_\_\_\_ of workers, consumers, and the environment, but they are seldom detected.

Compared with crimes committed by juveniles or the poor, corporate crimes are very rarely prosecuted in the \_\_\_\_\_, and executives seldom go to \_\_\_\_\_, though companies may pay large \_\_\_\_\_. The public and academics, to describe fraud and embezzlement, use the term “white-collar crime” in another sense. Rather than being crime “by the firm, for the firm” this constitutes crime for profit by the \_\_\_\_\_ against the organization, the public, or the government. Tax fraud, for example, costs at least 5 percent of the \_\_\_\_\_ in most developed countries. Because of the concealed nature of many frauds and the fact that few are reported even when discovered, the cost is impossible to estimate precisely. The \_\_\_\_\_ of white-collar crime in most industrial societies is thought to be much greater than the combined cost of larceny, burglary, auto theft, forgery, and robbery.

***Task 7. Make a presentation on one of the following topics.***

1. Murder is always somebody’s mistake.
2. The worst type of crime.
3. Crimes and offences: the differences and similarities.

***Task 8. Study your professional vocabulary.***

**Vocabulary notes:**

cover v	(тут) охоплювати
commit v	вчиняти (злочин)
lead to v	приводити до чогось

disruption <i>n</i>	зруйнування
disadvantage <i>n</i>	школа, збитки
felony <i>n</i>	кримінальний злочин ( <i>категорія тяжких злочинів</i> )
treason <i>n</i>	зрада батьківщині
misdemeanour <i>n</i>	проступок, що підлягає судовому покаранню; злочин ( <i>категорія найменш небезпечних злочинів, які межують з адміністративними правопорушеннями</i> )
amount <i>v</i>	доходити, становити, бути рівнозначним
attempt <i>n</i>	1. спроба, намагання; 2. замах
overthrow <i>v</i>	повалити, скидати
destroy <i>v</i>	руйнувати, знищувати
to regard as	розглядати як
guilty <i>adj</i>	винний
loss <i>n</i>	1. втрата; 2. школа, збитки ( <i>мн</i> )
in addition to	додатково до
punishment <i>n</i>	покарання
indictable crime	злочин, що підлягає судовому переслідуванню
offence <i>n</i>	злочин; порушення закону
determine <i>v</i>	вирішувати
to be concerned with smth	стосуватися чогось
behaviour <i>n</i>	поведінка
maintenance <i>n</i>	дотримання
traffic <i>n</i>	1. торгівля; 2. дорожній рух; 3. перевезення
riot <i>n</i>	1. порушення громадського порядку; 2. бунт, заколот
sedition <i>n</i>	1. заклик до заколоту; 2. підривна діяльність

2.1. CRIME CLASSIFICATION

abuse <i>n</i>	1.зловживання; 2.образа, нецензурне висловлювання
obstruction <i>n</i>	перешкода, бойкотування
destruction <i>n</i>	руйнування, знищення
extortion <i>n</i>	вимагання, здирство;
blackmail	шантаж
bribery <i>n</i>	хабарництво
perjury <i>n</i>	лжесвідчення
injury <i>n</i>	1. образа; 2. наклеп; 3. пошкодження
nuisance <i>n</i>	порушення громадського спокою
include <i>v</i>	включати в себе, охоплювати
homicide <i>n</i>	убивство
assault <i>n</i>	1. напад; 2. згвалтування; 3. образа словами і погроза фізичного насильства
rape <i>n</i>	згвалтування
abduction <i>n</i>	викрадення силою, обманом
libel <i>n</i>	наклеп
stealing <i>n</i>	1. крадіжка; 2. украдені речі ( <i>мн</i> )
robbery <i>n</i>	грабіж, пограбування
forgery <i>n</i>	підробка, фальшування
burglary <i>n</i>	крадіжка зі зломом
motor vehicle <i>n</i>	автомобіль, транспортний засіб
previously <i>adv</i>	раніше, заздалегідь
convict <i>v</i>	визнавати винним
sentence <i>n</i>	вирок; рішення ( <i>судове</i> )
imprisonment <i>n</i>	ув'язнення
pickpocket <i>n</i>	кишеньковий злодій
welfare	добробут, достаток

**Task 9. Read and translate the text****Classification of Crimes**

Crime is a committed act, injurious to the public welfare and for which punishment is prescribed by law.

Crimes may be classified in a number of ways. The English common law classified crimes into **treasons**, **felonies** and **misdemeanours**. (*Old classification*).

**Treasons** cover those crimes, which amount to an attempt to overthrow the monarch or to destroy the power of the state. They are regarded as the most serious of all crimes.

A **felony** is a serious crime but not as serious as treason. Commission of a felony involves the automatic loss of the guilty person's land and goods in addition to punishment handed out by the court. All other crimes are regarded as **misdemeanours** and are generally of a less serious nature.

In the *modern* context, the most valuable classification of crimes is into **indictable** and **non-indictable** offences.

**Indictable offences** are those, which are usually tried before a judge and jury with the jury responsible for determining the facts and the judge responsible for administering the law.

The **indictable** or more serious crimes may be classified further into six categories:

1. The most serious of them cover **offences against society or the state**. They broadly cover those offences, which were regarded as treason under the old common law classification. Specific examples are treason, riot and sedition.

2. Those, which involve **abuses** and **obstructions of public authority**. These are those offences, which would tend to prevent an organized society from functioning properly rather than lead to the destruction of the society itself. Examples are extortion, bribery and perjury.

3. Those regarded as **offences, which will lead to injury of the public**. These include offences against morality and offences, which create nuisance to the public.

**4. Offences against a person.** Examples of these would include homicide, assault, rape, abduction and libel.

**5. Offences against property.** Examples of these would be stealing, robbery, forgery and burglary.

**6.** The sixth group covers a variety of **offences** such as those **connected with driving of motor vehicles.**

In **non-indictable offences**, usually known as **summary offences**, the trial will take place in a Magistrates' Court without the jury.

They are generally concerned with the regulation of behaviour in a society and the maintenance of good order. Traffic offences of various kinds make up a very large proportion of summary offences.

In accordance with the modern classification crimes are divided into **arrestable** and **non-arrestable** ones. An arrestable offence is any offence for which the sentence is fixed by law (murder) or for which a person, not previously convicted, may be sentenced to a term of imprisonment for five years or more (all offences of theft). Otherwise, an offence is a non-arrestable one. The classification of arrestable and non-arrestable offences is not therefore synonymous with that of felonies and misdemeanours.

### WORD-FAMILIES

#### **criminal**

1. злочинний
2. карний, кримінальний

**Criminology**  
кримінологія

**criminality**  
злочинність

**punitive**  
каральний

**criminal**  
злочинець

**Crime**  
злочин

**crimeful**  
злочинний

**to punish**  
карати

**punishment**  
покарання

**to incriminate**  
обвинувачувати в  
скоєнні злочину

**incrimination**  
обвинувачення  
в скоєнні злочину

**incriminatory**  
обвинувальний

**punishable**  
що заслуговує  
покарання

PAY

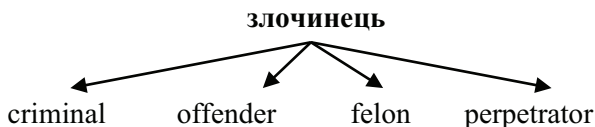
ATTENTION

<b>to prison</b>	ув'язнювати
<b>to commit</b>	<b>a suicide</b> покінчити життя самогубством <b>an offence, crime</b> скоїти злочин <b>oneself</b> компрометувати себе <b>a theft/larceny</b> здійснювати крадіжку

<b>вбивство</b>	<b>murder</b> (тяжке вбивство) <b>killng</b> <b>pre-paid murder, contract murder</b> (на замовлення) <b>assassination</b> (підступне; з політичних мотивів) <b>manslaughter</b> (неумисне) <b>felonious homicide</b> (умисне)
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<b>крадіжка</b>	<b>theft</b> <b>larceny</b> (особистих речей/власності) <b>stealing</b> <b>pilfering</b> (дрібних речей) <b>burglary</b> (зі зломом) <b>shoplifting</b> (в магазині) <b>motor-vehicle theft</b> (автотранспорту) <b>pickpocketing</b> (кишенькова)
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### MEMORISE THE WORDS



### DEFINITIONS OF CRIMINALS

**Thief** is a person who steals things secretly, usually without violence. When violence is used, especially out of doors, a word *robber* is preferred:

*Thieves stole £ 1,000 from the post office last night.*

**Robber** is a person who steals something from a person or place, especially by violence or threat:

*The robber stole £ 2,000 from a bank, by threatening people with a gun.*

**Pickpocket** is a person who steals something out of your pocket in crowded places:

*The pickpocket took the purse in a crowded train.*

**Burglar** is a person who enters a building during the hours of darkness in order to steal. A person who enters a building in daylight to steal is a *thief*, or, if he breaks into a building by using force, is a *house-breaker*:

*The burglars escaped through the window.*

**Shoplifter** is a person who steals from the shops:

*A security officer stopped the shoplifter who tried to leave the shop with unpaid goods.*

**Bigamist** is a person who marries illegally, being married already.

**Traitor** is a person who betrays his or her country to another state.

**Forger** is a person who makes false money or signatures.

**Smuggler** is someone who gets goods into or out of a country illegally without paying duties.

**Spy** is a person who gets secret information from another country.

**Kidnapper** is someone who takes away people by force and demands money for their return.

**Drug dealer** is a person who buys and sells drugs illegally.

**Terrorist** is a person who uses violence for political, economical and religions reasons.

**Arsonist** is a person who sets fire to property illegally.

**Accomplice** is a person who helps a criminal in a criminal act.

**Murderer** is a person who kills someone.

**Gangster** is a member of a criminal group.

CRIME	CRIMINAL	ACTION
murder	murderer	to murder
shoplifting	shoplifter	to shoplift
burglary	burglar	to burgle
smuggling	smuggler	to smuggle
arson	arsonist	to set fire to
kidnapping	kidnapper	to kidnap
killing	killer	to kill
assassination	assassin	to assassinate
theft	thief	to steal
mugging	mugger	to mug
robbery	robber	to rob
pickpocketing	pickpocket	to pickpocket
terrorism	terrorist	to terrorize
blackmail	blackmailer	to blackmail
drug-trafficking	drug-trafficker	to sell (to traffic) in drugs
forgery	forgery	to forge
assault	assaulter	to assault
rape	rapist	to rape
swindle/fraud	swindler/fraudster	to swindle/to cheat
perjury	perjurer	to violate an oath/ to give false evidence

***Task 10. Translate into Ukrainian:***

crime, disruption, treason, felony, misdemeanour, to overthrow, sedition, forgery, guilty, punishment, court, summary offence, riot, robbery, rape, burglary, injury, bribery, extortion, abuse, nuisance, arrestable offence, a term of imprisonment.

**Task 11. Match the English and Ukrainian equivalents:**

1. common law	a) зрада
2. to lead to the disruption	b) суд
3. treason	с) загальне право
4. riot	d) визнавати винним
5. to convict	е) призводити до руйнування
6. to lead to the disadvantage	f) призводити до збитків
7. offence	g) згвалтування
8. rape	h) здійснити крадіжку
9. to commit a larceny	i) злочин
10. court	j) бунт, заколот

**Task 12. Explain in Ukrainian the meaning of the following words and expressions:**

crime, to commit a crime, to lead to, common law, disruption, to be classified, treason, abduction, stealing, forgery, robbery, perjury, to prevent, abuse, homicide.

**Task 13. Fill in the table**

<i>crimes against state</i>	<i>crimes against person</i>	<i>crimes against property</i>

extortion, stealing, high treason, assault, bribery, abduction, riot, forgery, homicide, sedition, perjury, rape, trademark pirating, burglary, libel, abuse, smuggling, robbery, pickpocketing, kidnapping, counterfeiting, money laundering, drug trafficking, housebreaking.

**Task 14. Make word combinations:**

to commit	the power of the state
to kill	suicide
to destroy	the destruction of the society
to prevent	the monarch
to lead to	a crime
to overthrow	the law
to break	a person

**Task 15. Give the Ukrainian equivalents:**

to prevent	<b>a crime</b>
to charge with	
to commit	
to punish for	
to detect	
to deal with	
to disclose	
to investigate	

**Task 16. Use the verbs TO ROB or TO STEAL in the sentences below.**

1. Last night an armed gang ... the post office.
2. They ... £2,000.
3. My handbag ... at the theatre yesterday.
4. Every year a large number of banks ...
5. Jane ... of the opportunity to stand for president.

**Task 17. Complete the following sentences with the words in the box. Translate them:**

treasons, summary offences, crimes, felony, theft, indictable, shoplifters, law, gangster

1. Al Capone was a Chicago ...

2. Indictable ... are those which are usually tried before a judge and jury.

3. A ... was again a serious crime.

4. All other ... were regarded as misdemeanours.

5. The English common ... classified crimes into treasons, felonies and misdemeanours.

6. ... offences are generally concerned with the regulation of behavior in a society and the maintenance of public order.

7. The old classification of crimes involves ..., felonies and misdemeanours.

8. The two groups ... and non-indictable offences now overlap to some extent.

9. ... steal for various reasons, some just for excitement, some out of necessity or greed, and others do it as a "profession".

10. Have you told the police about the ... of your bicycle?

***Task 18. Choose the correct answers to the following questions:***

***1. What are the most serious crimes?***

a) Traffic offences are the most serious crimes.

b) Originally treasons are regarded as the most serious of all crimes.

c) Offences against property are the most serious crimes.

***2. What are indictable and non-indictable offences?***

a) Indictable offences are known as summary offences, which are generally concerned with the regulation of behaviour.

b) Indictable offences are those, which are usually tried before a judge and jury, with the jury determining the facts and the judge being responsible for administering the law.

c) In non-indictable offences, which are usually known as summary offences, the trial will take place in a Magistrates' Court without the jury.

**Task 19. Give English equivalents:**

злочин, суддя, дорожній рух, вбивство, зґвалтування, крадіжка, грабіж, порушення громадського порядку, зрада, покарання, поведінка, лжесвідчення, хабарництво, винний.

**Task 20. Translate the words from the box and use them to complete the following sentences:**

<p><b>грабіжник, кишеньковий злодій, магазинний злодій, контрабандист, порушення громадського порядку, пограбувати, підробка</b></p>
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1. This picture is not really by Picasso. It is a ...
2. In Britain, about 1, 7 million ... are caught every year.
3. ... stole \$20, 000 from a bank, by threatening people with a gun.
4. ... took the purse in a crowded train.
5. ... is a person who brings goods into a country illegally without paying duties.
6. A person is guilty of ... only if he intends to use violence or is aware that his conduct may be violent.
7. They ... the museum last Saturday.

**Task 21. Answer the following questions:**

1. What does the word «crime» cover?
2. In what way may the crimes be classified?
3. What is treason?
4. How can you explain indictable and non-indictable crimes?
5. What is the classification of indictable crimes?
6. What do non-indictable crimes cover?

**Task 22. Find the definition for:**

<b>murder -</b>	• use of violence and intimidation, especially for political purposes.
<b>mugging -</b>	• act of stealing, especially secretly and without violence.
<b>rape -</b>	• act of setting something on fire intentionally and unlawfully, e.g. another person's property or one's own with the purpose of claiming under an insurance policy.
<b>vandalism -</b>	• act of person who steals things from shops while pretending to be a customer.
<b>terrorism -</b>	• unlawful killing of a human being on purpose.
<b>theft -</b>	• to attack somebody violently and rob (e.g. in a dark street, in a lift, in an empty corridor).
<b>arson -</b>	• act of committing crime by forcing sexual intercourse (on a woman or girl).
<b>football violence -</b>	• act of destroying wilfully works of art or public and private property, spoiling the beauties of nature.
<b>drug dealing-</b>	• act of breaking something, act contrary to what one's conscience tells one to do, especially during football matches.
<b>illegal parking</b>	• killing of many people at once, massacre; killing of people in road accidents.
<b>manslaughter-</b>	• unlawful placing a motor-vehicle.
<b>shoplifting -</b>	• distribution of drugs punishable by law.

**Task 23. Translate into English:**

1. Злочин – це протиправне суспільно-небезпечне діяння, за яке людина повинна нести покарання згідно закону.
2. Правоохоронні органи повинні запобігати скоєнню злочинів.
3. Англійське загальне право поділяє правопорушення на такі, які підлягають судовому переслідуванню та правопорушення, які не підлягають судовому

переслідуванню. 4. равопорушення, які не підлягають судовому переслідуванню, відомі як “дисциплінарні”. 5. Дисциплінарні равопорушення пов’язані з регулюванням поведінки в суспільстві та охороною равопорядку.

***Task 24. Match the definition with the offence:***

1. A motorist kills a pedestrian after an evening's drinking.
2. A husband kills his wife after finding she has been unfaithful.
3. Two groups of rival football supporters start a battle and are all arrested.
4. A group of men kills five customers in a pub by leaving a bomb there.
5. A group of young men takes a woman's handbag after threatening to attack her in a dark street.
6. A motorist parks in a no-parking area and obstructs the traffic so that an ambulance can't get past.
7. A group of boys break all the windows in a telephone box and damage the telephone.
8. An office worker helps himself to pens and paper from his office for his own personal use.
9. A man attacks a girl in a park and has sex with her against her will.
10. A well-off housewife takes a bottle of perfume from a department store.
11. A woman sells heroin to young people in the street.
12. A boy sets fire to a shop.

**terrorism**

**theft**

**arson**

**shoplifting**

**murder**

**mugging**

**rape**

**vandalism**

**football violence**

**manslaughter**

**illegal parking**

**drug dealing**

***Task 25. Read the texts below. Compose a summery using your active vocabulary:***

### **1. CONVENTIONAL CRIMES**

The most serious felonies are crimes against the person: criminal homicide, forcible rape, robbery, and aggravated assault. These four crimes arouse the greatest public emotion and concern. They are the “headline” crimes that create fear and incite demands for tougher and more vigorous law enforcement. However, most felonies are directed not against persons, but against property. Property crimes – burglary, larceny-theft, motor vehicle theft, arson – exclude crimes of violence. Other offences not commonly thought of as violent crimes or crimes against the person have the potential for violence. For example, an act of shoplifting can result in physical injury if a store employee tries to restrain the shoplifter and is attacked. Similarly, a homeowner who is awakened by a burglar may end up as a murder victim rather than a victim of breaking and entering. An arson may turn into a crime against the person of a security guard is in a building when it is torched. Thus what starts as a crime against property may, as a consequence of a circumstances become a different crime – a crime against the person.

The government for reason long criticized by criminologists collects data on eight offenses that make up the FBI’s Crime Index: criminal homicide forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson. The Crime Index provides information on “crime in the streets”; however, it fails to provide adequate coverage of “crime in the suites” (i.e., the highly profitable, large-scale property crimes perpetrated by corporations and businesses). Official statistics also fails to report accurately on “workplace crimes” – the auto mechanic who performs unneeded repairs or the microwave repairer who replaces a transistor and charges for a new mag tube: annual losses from these offenses dwarf by comparison losses from conventional crimes such as shoplifting and burglary.

## 2. ECONOMIC CRIMES

Economic Crimes are illegal acts committed by non-physical means and by concealment or guile to obtain money or property or to obtain business or personal advantage.

These crimes include:

1. Personal crimes. Crimes committed by persons operating on an individual ad hoc basis (credit purchases with no intention to pay individual income tax violations credit frauds bankruptcy frauds and security frauds).

2. Abuses of trust. Crimes committed in the course of their occupations by workers operating inside business government or other establishments in violation of their duty of loyalty of fidelity to employer or client (commercial bribery and kickbacks embezzlement securities fraud employee theft and padding of payroll and expense accounts).

3. Business crimes. Crimes incidental to and in furtherance of business operations but that are not the central purpose of the business (antitrust violations tax violations food and drug violations commercial espionage and deceptive advertising).

4. Con games. White-collar crime committed as a business or as the central activity of a business (medical and health frauds phony contests diploma mills; charity and religious frauds: insurance frauds; and coupon) redemption frauds. Economic crime is now receiving the attention it is due from the criminal justice system. One reason for this attention is that consumer advocacy has raised the public consciousness about economic crime. Companies about the rudeness, stridency, and partisan zeal of groups can probably be considered testimonials to the effectiveness of their activities.

Advocates of ecology and environmental protection have contributed greatly to increasing public awareness of economic crime. Ever since the offshore oil spill that blackened the beaches of Santa Barbara, organizations like the Sierra Club and Common Cause have pressured the government relentlessly for the passage of legislation – or for the effective enforcement of existing

legislation – to prevent further despoliation of irreplaceable natural resources. These efforts have focused on the concept of corporate accountability.

### **3. SYNDICATED (ORGANIZED) CRIME**

Organization is the keynote of syndicated crime. In fact, organized crime is the more familiar expression for the illegal activities of syndicate criminals. Syndicated crime is a continuing and self-perpetuating conspiracy that relies heavily on fear and corruption.

The roots of syndicated crime reach far back into our national (American) history, with almost every nationality and ethnic group having been represented in the ranks at one time or another. The latter fact has given rise to the hotly disputed concept of ethnic succession, which maintains that immigrant arrivals used syndicated crime to attain wealth and power before finding safer and more attractive opportunities in legitimate business.

Among the principal revenue sources for syndicated crime are illegal importation and distribution of drugs – chiefly cocaine, heroin, and marijuana – and gambling, which has an estimated annual take of billions of dollars.

Another lucrative activity is loan-sharking, a low-risk, high-return enterprise. Syndicated crime has also infiltrated legitimate business, where it is involved in bankruptcy fraud, the manipulation of stocks and bonds, land fraud, and union racketeering.

### **4. COMPUTER CRIME**

The explosive growth in the use of computers in the business world in the past few years has brought with it a corresponding increase in computer misuse. Traditional (pre-computer) state and federal laws applicable to such crimes as trespass and larceny are not necessarily appropriate for prosecution of cases of computer fraud and computer theft.

For example, one court held that a city employee's use of the city's computer facilities in his private sales venture could not support

a theft conviction absent any evidence that the city was deprived of any part of value or use of the computer. In some cases, use of a computer has not been deemed “property” within traditional theft statutes. Computer crimes fall mainly into three broad categories: simple unauthorized access, theft of information, and theft of funds.

Among schemes that have been subjects of litigation are stealing a competitor’s computer programme; paying an accomplice to delete adverse information and insert favourable false information into the defendant’s credit file; a bank’s president having his account computer coded so that his checks would be removed and held rather than posted so he could later remove the actual checks without their being debited; and a disgruntled ex-employee’s inserting a “virus” into his former employer’s computer to destroy its records. Some estimate that losses due to computer misuse may be as high as \$35 to \$40 billion per year (including thefts of funds, losses of computer programmes and data, losses of trade secrets, and damage done to computer hardware). These estimates may not be reliable, but it is clear that a substantial amount of computer crime is never discovered and a high percentage of that which is discovered is never reported because companies do not want publicity about the inadequacy of their computer controls and financial institutions, such as banks, fear that reports of large losses of funds, even when insured, are likely to cause depositors to withdraw their funds in the interest of safety.

Whatever the actual loss due to computer misuse, both Congress and the state legislatures have passed statutes to deal specifically with computer crime.

## **5. COMPUTER HACKING – HIGH-TECH CRIME**

You can rob a bank without leaving the house these days. Who needs stocking masks, guns and getaway cars? If you’re a computer whizz-kid, you could grab your first million armed with nothing more dangerous than a personal computer (PC), a telephone and a modem to connect them.

All you have to do is dial into the network that link the computers in large organizations together, type in a couple of passwords and you can rummage about in the information that's stored there to your hearts content. Fortunately, it isn't always quite as easy it sounds. But, as more and more information is processed and stored on computer, whether it's details of your bank account or the number of this of tins of baked beans in the stockroom at the supermarket, computer crime seems set to grow.

A couple month ago a newspaper reported that five British banks were being held to ransom by a gang of hackers who had managed to break into their computer. The hackers were demanding money in return for revealing exactly how they did it. In cases like this, banks may consider paying just so they can protect themselves better in the future. No one knows exactly how much money is stolen by keyboard criminals – banks and other companies tend to be very secretive if it happens to them. It doesn't exactly fill customers with confidence if they think their bank account can be accessed by anyone with a PC! Some experts believe that only around a tenth of all computer crimes are actually reported. Insurance company Hogg Robinson estimate that computer crimes are 'inside jobs, where staff with access to the company's computers fiddle with the records.

A comparatively small amount is committed by the more glamorous-and headline-grabbing-hackers. The true hacker, it seems, doesn't do it for financial gain. The thrill appears to be, not in getting rich, but in beating the system. Two of Britain's most notorious hackers are Nicholas 'Mad Hacker' Whitely and Edward Singh. The renegade pair have been the scourge of organization with insecure computers for years, seemingly competing for the title of Britain's best hacker. There are plenty of software companies who specialize in writing software that make computers hacker-proof. One company in the States set out to prove that its system can defeat by asking over 2,000 of them to try to hack in.

## **6. WHITE – COLLAR CRIME**

The term ‘white-collar crime’ originally referred only to crimes committed against business firms, usually by their employees, through the use of non-physical, nonviolent means. In this sense, such crime consisted essentially of embezzlement, the taking of an employer’s funds by an employee entrusted with such funds, and theft, the wrongful taking of any other property of the employer. Today, however, the term has almost universally been broadened to refer to all nonviolent criminal acts committed by business firms as well as against business firms. Used in this broader sense, white-collar crime embraces a very wide spectrum of business misconduct, covering such diverse wrongs as practicing of fraud on insurance companies, securities fraud, obtaining property through misuse of credit cards, and even income tax evasion.

The term also includes computer fraud, a topic warranting special attention at the end of this chapter. In the following section, we will examine some of the most common business-related actions that violate federal or state criminal statutes-most of which fall under the white-collar heading.

## **7. SELECTED STATE CRIMES**

As might be imagined, there are so many criminal statutes in the various states – even when one’s inquiry is limited to statutes relating to business offenses alone – that a comprehensive treatment of the subject is well beyond the scope of this chapter. Nonetheless, there are a number of major areas of business misconduct that are treated so uniformly by the various states’ criminal laws that one can give a ‘feel’ for such laws by examining a few of these areas.

Larceny is generally defined as the wrongful and fraudulent taking by one person of the personal property of another, with the intent on the part of the taker of converting the property to his or her own use. In addition to simple larceny statutes, some states have larceny by trick statutes or false pretences statutes that

generally prohibit the obtaining of another's money or property by deception, by trick, or by some other fraudulent ruse. Examples of such conduct are the filling of false claims with insurance companies and taking of buyers' money for goods or services.

Additionally, the sales in recent years by 'investment firms' of investor's right to participate in federally operated lotteries of oil lands, with investors being assured that their chances in selection are 1 in 4 (when in reality the chance is 1 in 1,000), clearly fall within the purview of these statutes. Violations of such statutes are usually misdemeanors when the money or value of the property is under the specific sum (such as \$ 150), and felonies if the value is \$ 150 or above.

## 8. BIGAMY

**Bigamy** is a crime of marrying the continuance of a lawful marriage. Bigamy is not committed if a **prior** marriage has been **terminated** by a divorce or a decree of **nullity** of marriage. In the United States if a husband or wife is absent and unheard of for seven (in some state five) years and not known to be alive, he is **presumed** dead; and remarriage by the other spouse is not bigamous. It is necessarily a defence to a charge of bigamy that the offending party believed in good **faith** that he was divorced or that his previous marriage was not lawful. The U.S. Supreme Court ruled in 1878 that plurality of wives (polygamy), as originally permitted by the Mormon religion, **violated** criminal law and was not **defensible** as an exercise of religious liberty.

## 9. WHITE-COLLAR CRIMINALS

What Do White-Collar Criminals Do?

White-collar criminals commit the following crimes:

Fraud: Getting money by «selling» products or services that do not actually exist or that don't do what the criminals say they can.

- **Embezzlement:** Taking money or property that the white-collar criminal controls but does not own.

- **Bribery:** Giving a government worker or company employee a gift so that the person will help the criminal.

- **Forgery:** Signing another person's name to a check or other legal paper.

- **Insider Trading:** Using information that the public doesn't know in order to decide to buy or **sell stock**.

- **Kickback:** Similar to a bribe. Giving money back to the person who purchased your service or product; this **money profits** the buyer, not the buyer's business.

- **Money Laundering:** Investing money from an illegal business (dirty money)

in a legal business to cover or hide criminal activity.

### **Why Do They Do It?**

White-collar criminals do not look like criminals. They aren't poor. They don't associate with other criminals. They usually live ordinary lives and they are well respected at work and in their community. So why do they commit crimes?

**Greed:** Even though they aren't poor, they want more money than they can earn legally. **Power:** They feel that money is power. They want to win at all costs. **Anger at The System:** Some white-collar criminals are angry at their companies, their bosses, or society. **Corporate Modelling:** Some corporations are not good role models. They teach their employees that lying or **stretching the truth** is acceptable. If the company doesn't act morally, their employees often feel that it's **OK to cheat** it.

### **What Happens to White-Collar Criminals?**

White-collar criminals often are not punished because they have very high positions and a lot of power. People are afraid of them; there is a long history of small punishments for white-collar crime; many white-collar crimes seem victimless. People may not even realize that they are victims.

## 10. BURGLARY

Burglary at common law is the breaking and entering of a dwelling house of another at night with the intent to commit a felony, whether the intent is carried out or not. This definition has been generally adopted with some modifications in the criminal law of the various states of the United States. At common law burglary is primarily an offense against the security of habitation, not against the property as such, but today by statute burglary usually includes breaking into places other than dwellings. Breaking as well as entering is essential to commission of the crimes; to constitute a breaking, the use of physical force is necessary and sufficient, even though the amount of force may be slight, e. g., turning a key, opening a partly closed window, pushing out a windowpane. By statute most states do not restrict burglary to action at night, as common law does. Burglary under common law requires that the intent be to commit a felony, but some statutes declare that the intent need only be “to commit some crime”.



## 2.2. CRIME SCENE SEARCH

*Task 1. Learn by heart given words and combinations.*

### VOCABULARY

search <i>n</i>	1. обшук; 2. розшук
crime scene search	огляд місця злочину
obviously <i>adv</i>	очевидно
embezzlement <i>n</i>	присвоєння ( <i>чужого майна</i> )
vigorous physical activity	фізична дія, що вимагає зусиль

exceptional <i>adj</i>	винятковий; незвичайний
impact <i>n</i>	вплив
element of unpredictability	елемент непередбачуваності
shoe impression <i>n</i>	відбиток взуття
visualise <i>v</i>	уявляти
link <i>v</i>	зв'язати, з'єднати
locale <i>n</i>	місце ( <i>дії</i> )
flour <i>n</i>	1. борошно; 2. порошок; пудра
soil <i>n</i>	пляма; бруд
seed <i>n</i>	насіння, зерно
dust <i>n</i>	пил, порох
anticipation <i>n</i>	передбачення, очікування, сподівання
impart <i>v</i>	передавати

### **Task 2. Read and translate the text.**

#### **CRIME SCENE SEARCH**



The search of the scene of crimes in certain types of offences is the most important part of the investigation. Obviously, many kinds of crimes do not have a «scene» in the sense of an area where traces are usually found. Offences such as forgery and embezzlement require no vigorous or exceptional physical activity in their commission. There

is no impact of the criminal on his surroundings.

Crimes of violence, however, involve a struggle, a break, the use of weapons, and the element of unpredictability. In homicide, assaults, and burglary, the criminal is in contact with the physical surroundings in a forceful manner. Traces may be left in the form of clothing, shoe impressions, fingerprints, blood stains, overthrown furniture, disturbed articles in general.

The scene of the crime must, moreover, be viewed in an active as well as a passive sense. There is not only the effect of the criminal on the scene to be considered, but also the manner in which the scene may have imparted traces to the criminal.

The investigator must be able to visualize the way in which the perpetrator may have carried with him the available evidentiary material that may link him to the scene. Flour and coal dust, paint, seeds, soil and many other traces, depending on the character of the locale, may later be discovered on the clothing or effects of a suspect. Samples of the trace material must also be gathered at the time of the search in anticipation of the finding of these traces on a suspect.

***Task 3. Guess the meaning of the international words used in the text:***

criminal, scene, type, sense, physical, activity, element, contact, form, active, passive, effect, material, character.

***Task 4. Translate the following word-combinations into Ukrainian:***

crime scene search, certain types of offences, impact of the criminal on his surroundings, crimes of violence, in forceful manner, to leave the traces, disturbed articles, to be able to visualize, effects of a suspect, in anticipation, evidentiary material.

***Task 5. Complete the sentences using the text:***

1. Crimes of violence involve...
2. There is not only the effect of the criminal on the scene to be considered, but ...
3. The search of the scene of the crime is ...
4. Many different traces may later be ...
5. Offenses such as ... require no ... in their ...
6. The investigator must be able to ... the way in which the ...

**Task 6. Find in the text and translate the sentences in which the following words are used:**

sample, offence, fingerprints, violence, weapons, locale, search.

**Task 7. Find in the text the English equivalents of the following Ukrainian words and word-combinations:**

підозрюваний, під час обшуку, виняткова фізична активність, крадіжка зі зломом, вугільний пи́л, в залежності від..., передбачення, насильство, пляма крові, брати до уваги, фізичне оточення, поєднати з місцем злочину, слід, бути в контакті, напад, відбитки взуття, уявити, відбитки пальців, огляд місця злочину, присвоєння, підробка.

**Task 8. Find in the text the answers to the questions:**

1. What is considered to be the most important part of the investigation?
2. What kinds of offences do not require vigorous or exceptional physical activity in their commission?
3. In what kinds of crimes is the criminal in contact with the physical surroundings in a forceful manner?
4. In what form could the traces be left?
5. What must be gathered at the time of the search? And what for?

**Task 9. Open the brackets using the correct Voice form:**

1. Traces may (to *leave*) in different forms.
2. There (to *be*) no impact of the criminal on his surroundings in such crimes as forgery and embezzlement.
3. Samples of the trace material must also (to *gather*) at the time of the search.
4. Flour, coal dust, paint, etc. may later (to *discover*) on the clothing of the suspect.
5. Crimes of violence (to *involve*) a struggle, a break, the use of weapons and the elements of unpredictability.

**Task 10. Retell the text “Crime Scene Search” using the key words:**

search, offence, traces, forgery, embezzlement, impact, locale, link, surrounding, unpredictability, to visualize, sample, anticipation, suspect.

**Task 11. Translate into English using active vocabulary of the text:**

1. Група вчених, що розглядала роботу поліції, дала таке визначення поняття слідства: “збір інформації та свідчень для виявлення, затримання та звинувачення підозрюваних правопорушників”.

2. Криміналістика є наукою, що реконструює минуле.

3. Слідчий повинен виявити, чи дійсно стався злочин.

4. Найкращі відбитки пальців з’являються від контакту з твердою, блискучою поверхнею, такою як скло або дзеркало.

5. Останнім часом наука знайшла нові, часто незвичайні методи виявлення відбитків у важкодоступних місцях.

6. На місці злочину треба бути особливо уважним, щоб захистити від руйнування можливі докази.

**Task 12. Translate into Ukrainian and remember this information:**

Fingerprints found at crime scenes, more correctly called finger-marks, can help you by:

- confirming a suspect involvement in the offence;
- identifying the offender (if the prints are on file);
- eliminating suspects.

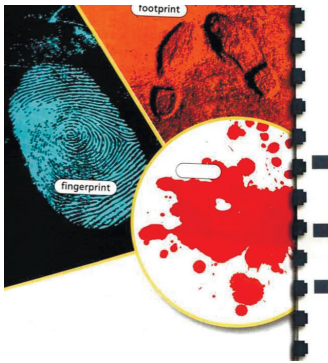
The value of fingerprints in establishing absolute identity has been recognized since the early part of the 20th century. Most fingerprints are a deposit of sweat containing ridge detail from the finger ends.

Prints can also be left by anything which contaminates the fingers such as blood and grease.

The most common method of visualizing fingerprints at crime scene involves using powder which is applied with the brush. Marks found are either lifted on adhesive tape or are photographed.

When taking the fingerprints:

- make sure the suspect's hands are sweat free;
- use the appropriate amount of ink;
- roll fingers smoothly from side to side.



*Task 13. Read the page from an officer's manual. Read the summary. Then, fill in the blanks with the correct words and phrases from the word bank.*

**Cambridge Police Academy  
Procedures Manual  
PRESERVING CRIME SCENES**

Establishing the **crime scene** is the first and most important stage of any investigation. Initial treatment of the scene can make or break a case. Responding officers should take the following actions: Survey the scene for danger or an ongoing crime. Keep all persons unrelated to the investigation away. Protect all possible evidence until crime scene **specialists** arrive.

**1) Surveying the area.** Responding officers should note all persons and vehicles present. Any odd smells should be noted. These may disappear before specialists arrive. Officers should pull aside potential witness for questioning.

**2) Keeping people out.** It is important to keep members of the public and the media out of the crime scene area. **Cordon off** the crime scene’s perimeter. Only allow access to authorized personnel.

**3) Protecting evidence.** It is crucial to preserve all physical evidence as well as possible. Officers should note objects and surfaces that may contain **fingerprints**. They should protect anything that may have traces of **hair, blood, or saliva** from **contamination**. Officers should not **disturb** the ground within a crime scene. It may contain **footprints**. Officers must protect all such evidence until specialists arrive to **document** it.

**A: Fill in the gaps**

survey	establish	crime scene	contamination	public
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Proper treatment of the 1 \_\_\_\_\_ is an important part of an investigation. Officers should

2 \_\_\_\_\_ the scene, keep people out, and protect evidence. An initial check for safety conditions comes first. Then officers should 3 \_\_\_\_\_ a means of separating the scene from the 4 \_\_\_\_\_. Finally, officers should make efforts to protect evidence from 5 \_\_\_\_\_ or disturbance.

**B: Match the words (1–6) with the definitions (A–F).**

1 __ fingerprints	A. the place where a crime has occurred
2 __ cordon off	B. someone who is trained for a specific task
3 __ specialist	C. marks people leave on objects after touching them
4 __ crime scene	D. exposing evidence to uncontrolled conditions
5 __ contamination	E. to prevent people from entering an area with rope or tape
6 __ saliva	F. a bodily fluid produced in the mouth

**C: Fill in the blanks with the correct words and phrases from the word bank.**

blood	document	post	footprints	crime scene	evidence
-------	----------	------	------------	-------------	----------

1. \_\_\_\_\_ a guard outside the courtroom.
2. The yard was blocked off as a(n) \_\_\_\_\_.
3. There was pool of red \_\_\_\_\_ on the floor.
4. Large \_\_\_\_\_ lead away from the house.
5. The knife was crucial \_\_\_\_\_ in the case.
6. The specialist will \_\_\_\_\_ the evidence.

***Task 14. Read the following text and make up a detailed plan of it:***

### **INITIAL RECEIPT OF INFORMATION**

Homicide investigation is probably the most exacting task confronting the criminal investigator. It begins with the initial notification that a homicide has occurred.

Investigators are rarely the first officers at the scene of a homicide. The body is usually discovered by friends, relatives or citizens who in turn notify the police or call for an ambulance. The notification to detectives or investigators is usually made through department channels.

In order not to overlook the obvious, the most basic details should be recorded.

The first entry should be the receipt of information that a homicide has occurred, including:

- date and time of notification;
  - method of transmission, e. g., telephone, radio, or in person;
  - name, rank, shield number and other data identifying the person who is reporting the information to detectives;
  - complete details of the information and event.
- Prior to leaving for the scene, the investigator should instruct the person notifying him or her that patrol officers at the scene should:
- preserve the crime scene;
  - hold all witnesses and/or suspects;
  - avoid using telephones located within the crime scene;

- initiate a *personnel log* accounting for all activities at the scene, including identification of all persons who have had access to the scene;
- record the license numbers and vehicle information of all autos in the area of the crime scene (if applicable).

initial <i>adj</i>	початковий
receipt <i>n</i>	отримання; одержання
notification <i>n</i>	повідомлення
preserve <i>v</i>	охороняти, зберігати
log <i>n</i>	записи, що відтворюють перебіг подій



**Task 15. Translate the text into Ukrainian:**

### ARRIVAL AT THE SCENE

When the investigator arrives at the scene, he should note the following:

- time of arrival,
- the exact address of the scene,
- persons present (officers, ambulance or medical people, relatives, friends, etc.),
- the condition and position of the body (personally verify death),
- information concerning death,
- weather conditions,
- outside lighting conditions in night time situations,
- points of observation (locations where persons such as the local busybody could have observed what happened).

In addition, the investigator should stop and observe the area as a whole, noting everything possible before entering the actual crime scene for the detailed examination. Only the investigator

and detective supervisor should enter the homicide crime scene, of course, with the exception of the first officers, and even then only to confirm death and observe scene conditions.

**Task 16. Discuss the statements using the expressions:**

*to my mind ..., on the one hand – on the other hand ...,  
it is not quite so ..., on the contrary ..., it is quite true ...*

- The search of the crime scene in certain types of offences is the most important part of investigation.
- Offences such as forgery and embezzlement require no vigorous physical activity.
- The scene of the crime must be viewed in an active as well as in a passive sense.

**Task 17. For your individual work. Read the text, then give the information in your own words (10–12 sentences):**

**DESCRIBING THE SCENE**

A complete description of the dead body and the surrounding area, covering the following items, should be entered in the notebook of the investigator upon arrival. (Although some of the points I have listed may seem quite obvious, I can assure you from my own experience that the obvious is sometimes overlooked, especially during this initial phase, as you attempt to “cover all the bases.”)

1. Sex, appearance, age, build, colour of hair of the deceased and the description of the deceased’s clothing.
2. Evidence of injury and apparent cause of death.
3. Are the bloodstains wet or dry?
4. What is the condition of the body (lividity, rigor, etc.)?
5. Describe the colour of the blood (bright red or brown).
6. Note any tears in clothing and evidence of gunshot or stab wounds.
7. Careful examination of the hands. Are there any wounds or a weapon?

8. Note whether or not there is any jewellery (rings, watches, gold chains, etc.). If there is no jewellery, make a negative notation. The defence has been known to resort to dirty tactics during trials. If they can make you appear like a thief to discredit your testimony, *they'll do it*.

9. Describe the immediate surroundings.

a. Position of the body in relation to articles in the room.

b. Note doors, windows, furniture, etc.

10. If the weapon is nearby, take detailed notes. Do not handle.

11. Look for bullet holes or fired shells. Note: do not collect at this stage of the investigation.

12. In poison and drug-overdose cases, note presence of drugs, bottles or glasses.

## 2.3. TESTS FOR SELF-REVISION

### Choose the correct word:

1. Crimes against person include assault, kidnapping, \_\_\_\_, manslaughter, and rape.

a) interrogation; b) murder; c) criminal

2. Crimes against property include arson, car theft, \_\_\_\_, embezzlement, forgery, fraud, trespassing and vandalism.

a) offender; b) felony; c) burglary

3. Crimes against public order and morality include disorderly behaviour, \_\_\_\_, prostitution, public drunkenness, and vagrancy.

a) gambling; b) white-collar crimes; c) shoplifter

4. The English common law classified crimes into treasons, \_\_\_\_ and misdemeanours.

a) assault; b) felonies; c) offence

5. Economic Crimes are illegal acts committed by \_\_\_\_ and by concealment or guile to obtain money or property or to obtain business or personal advantage.

a) commercial; b) violation; c) non-physical means

6. Among the principal revenue sources for syndicated crime are illegal importation and distribution of \_\_\_\_ and gambling.

a) drugs; b) fraud; c) property

7. The term ‘white-collar crime’ originally referred only to crimes committed against \_\_\_ firms, usually by their employees, through the use of non-physical, nonviolent means.

a) dealer; b) inquiry; c) business

8. Traces may be left in the form of clothing, shoe impressions, fingerprints, \_\_\_ stains, overturned furniture, disturbed articles in general.

a) protect; b) blood; c) pickpocketing

9. Establishing the crime scene is the first and most important stage of any \_\_\_.

a) prevention; b) interviewing; c) investigation

10. Officers should note objects and surfaces that may contain \_\_\_.

a) fingerprints; b) cordon off; c) initial treatment

*Answers: 1-b; 2-c; 3-a; 4-b; 5-c; 6-a; 7-c; 8-b; 9-c; 10-a*

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# CHAPTER III.

## LEGAL ADVICE AND ENSURING THE SAFETY

### 3.1. LEGAL ADVICE AND ASSISTANCE

**LEGAL  
ASSISTANCE**



#### *Task 1. Match the expressions in English and Ukrainian*

legal assistance/ aid	отримати правову допомогу
legal advice	бути обвинуваченим у вчиненні кримінального правопорушення
seek an advice	правова допомога
obtain a legal assistance	закріпити, зберегти
provide an assistance	забезпечити ефективний доступ до правосуддя
be charged with criminal offence	юридична порада
apply for legal aid	досудова консультація
enshrine	звернутися за правовою допомогою
to ensure effective access to justice	шукати поради
pre-litigation advice	надати допомогу

## ***Task 2. Read and translate the texts***

### **Legal advice and assistance**

Advice and assistance is oral or written advice on a matter of law provided to your client by you. Advice and assistance means any of the following:

a) oral or written advice provided to a person by a solicitor (or, where appropriate, by counsel); on the application of law to any particular circumstances which have arisen in relation to the person seeking the advice; as to any steps which that person might appropriately take (whether by way of settling any claim, instituting, conducting or defending proceedings, making an agreement or other transaction, making a will or other instrument, obtaining further legal or other advice and assistance, or otherwise) having regard to the application of law to those circumstances;

b) assistance provided to a person by a solicitor (or, where appropriate, by counsel).

*<https://www.slab.org.uk/guidance/what-is-advice-and-assistance/>*

### **Legal aid**

The right to legal aid allows those who do not have sufficient financial resources to meet the costs of a court case or legal representation. Legal aid systems exist in all Member States of the European Union (EU) in both civil and criminal proceedings.

Imagine a situation in which you are in dispute with somebody in your own country or abroad and you wish to take the case to court or a situation where you are required to defend yourself if the other party takes the initiative of bringing a case against you. Imagine a situation where you are charged with criminal offences in your own country or abroad and cannot afford legal advice and/or representation before a criminal court. In all these examples you may apply for legal aid.

The right to legal aid is enshrined by:

the European Convention on Human Rights (ECHR) – Article 6 (3)(c) of the ECHR guarantees the right to legal assistance where the defendant has insufficient means to pay for legal assistance,

and to get free legal aid when the interest of justice so requires.

the Charter of Fundamental Rights of the European Union – Article 47 of the Charter stipulates that legal aid shall be made available to those who lack sufficient resources in so far as such aid is necessary to ensure effective access to justice.

### **Legal aid in civil proceedings**

If you are in dispute with a company, a professional person, an employer or other person in the country of your residence and you do not have sufficient financial resources to meet a court case, you can apply for legal aid under existing national regulations.

A comparison of national schemes on legal aid reveals, however, that there are fundamental differences in the philosophy, organization and management of the legal aid systems in the Member States. As regards the philosophy of the systems, the broad objective in some States seems to be to make legal services and access to justice generally available, whereas in others, legal aid can be available only to the very poorest.

Cross-border disputes. If you are in a dispute with a company, a professional person, an employer or other person abroad and you do not have sufficient financial resources to bring a court case, you can apply for legal aid on cross-border disputes.

In order to facilitate access to legal aid in civil and commercial matters, the Directive on legal aid in cross-border issues was adopted. It covers pre-litigation advice with a view to reaching a settlement prior to bringing legal proceedings; legal assistance in bringing a case before the court and representation by a lawyer in court and assistance with, or exemption from, the cost of proceedings.

In order to obtain legal aid in cross-border issues, you have to complete the relevant form for legal aid applications. The Directive provides two forms: one for legal aid applications and one for the transmission of legal aid applications. They are available here in all EU languages.

**Task 3. Find a suitable definition for each word or word combination**

1. justice	a) any action by a judge re: trials, hearings, petitions or other matters formally before the court
2. legal services	b) free legal service to persons unable to pay for a lawyer.
3. case	c) the making of a demand (asserting a claim) for money due, for property, from damages or for enforcement of a right
4. judicial proceedings	d) judgment of persons or causes by judicial process
5. claim	e) short for a cause of action, lawsuit, or the right to sue. It is also shorthand for the reported decisions (appeals, certain decisions of federal courts and special courts such as the tax court) which can be cited as precedents.
6. legal aid	f) the work performed by a lawyer for a client

<https://dictionary.law.com/>

**Task 4. Complete the sentences**

1. A legal aid system exists in ... 2. There are fundamental differences in the philosophy, organization and management of ... 3. The right to legal aid allows ... 4. Article 6 (3)(c) of the ECHR guarantees the right to legal assistance where... 5. The Directive provides two forms: one for ... 6. You can apply for legal aid on cross-border disputes, if you are ... 7. The forms for legal aid applications are available in ....

**Task 5. Put questions to the underlined words in the texts**

**Task 6. Find the synonyms in both groups of words**

- A) offence, lawful, assistance, provide, advice, legal adviser;  
B) attorney, ensure, aid, counselling, crime, legal.

**Task 7. Translate into English**

1. Консультаційні послуги – це інтелектуальна, нематеріальна діяльність, результати якої не є фізично осяжними. 2. До цих послуг належать у тому числі аудиторські, юридичні, послуги, пов’язані з консультуванням, експертизою, оцінкою, підготовкою висновків і рекомендацій, послуги з навчання, підготовки спеціалістів. 3. Правові послуги – це надання правової інформації, консультацій і роз’яснень з правових питань; складення заяв, скарг, процесуальних та інших документів правового характеру. 4. Правовими послугами є також здійснення представництва інтересів особи в судах, інших державних органах, органах місцевого самоврядування; забезпечення захисту особи від обвинувачення; надання особі допомоги в забезпеченні доступу особи до вторинної правової допомоги та медіації.

<https://kodeksy.com.ua/dictionary>

**Task 8. Match the expressions in English and Ukrainian**

gathering evidence	надати взаємну допомогу
extend reciprocal assistance	для доказових цілей
mutual legal assistance	конфіскація
for evidential purposes	сприяти взаємодопомозі
domestic law	збір доказів
respond to requests	взаємна правова допомога
facilitate mutual assistance	боротися з незаконним обігом наркотиків
cooperation in criminal matters	національне (внутрішнє) право
seizure	співробітництво у кримінальних справах
combat illicit drug trafficking	відповідати на запити

***Task 9. Read and translate the texts***

**Mutual legal assistance**

Mutual legal assistance in criminal matters is a process by which countries seek and provide assistance to other countries in the servicing of judicial documents and gathering evidence for use in criminal cases. While in the past the process for securing assistance between different countries was bureaucratic and relatively slow, with the globalization of crime, formal treaties have now created a solid basis for international cooperation.

The UN Convention Against Transnational Organized Crime requires countries to put in place methods for cooperating with other countries within the same region (regional instruments) as well as with different regions of the world (international instruments) on matters pertaining to investigations, prosecutions and judicial proceedings. In addition, countries are called on to extend reciprocal assistance to each other where a transnational crime is suspected, for instance if victims, witnesses, proceeds or evidence are located in another country, and if an organized criminal group is involved. Mutual legal assistance in such cases may include activities related to controlled deliveries such as:

- executing searches and seizures and examining objects;
- providing information, evidence, expert evaluations, documents and records;
- identifying or tracing the proceeds of crime or property for evidential purposes and their seizure for the purpose of confiscation;
- any other type of assistance not barred by domestic law.

It is critical that any request for investigative activity in another country in support of a controlled delivery is undertaken in accordance with national laws otherwise it will be rendered inadmissible in subsequent court proceedings.

### **Competent Authorities**

Law enforcement requests for mutual assistance from other countries should be channeled between the Competent Authorities of each country. Sometimes referred to as ‘central authorities’, Competent Authorities are national points of contact that are designated to receive, process and respond to requests for mutual legal assistance and cooperation to combat illicit drug trafficking within the context of the UN Convention Against Transnational Organized Crime. In the event of a possible controlled delivery transiting between two countries, investigators should make early contact with their own Competent Authority so that discussions can take place with the Competent Authority of the other country.

The UNODC Directory of Competent Authorities is an online database listing competent national authorities designated under the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988), the United Nations Convention against Transnational Organized Crime, the United Nations Convention against Corruption and other relevant legal instruments. This is a secure database containing contact information of national authorities authorized to receive, respond to and process requests for mutual legal assistance.

In Europe, the requirement to have a mutual legal assistance arrangement in place before undertaking a controlled delivery can vary, therefore advice should be sought from national Competent Authorities.

The Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union seeks to promote and facilitate mutual assistance between EU judicial, police and custom authorities as well as to streamline judicial cooperation in criminal matters.

*<https://syntheticdrugs.unodc.org/syntheticdrugs/en/advancedinvestigativetechniques/legal-basis/mutual-legal-assistance.html>*

**Task 10. Find a suitable definition for each word or word combination**

1. proceeding	a) a person who sees an event
2. search	b) any legal filing, hearing, trial and/or judgment in the ongoing conduct of a lawsuit or criminal prosecution
3. evidence	c) in criminal law, the government attorney charging and trying the case against a person accused of a crime
4. admission of evidence	d) every type of proof legally presented at trial (allowed by the judge) which is intended to convince the judge and/or jury of alleged facts material to the case
5. prosecution	e) a judge's acceptance of proofs in a trial
6. witness	f) to examine another's premises (including a vehicle) to look for evidence of criminal activity.

<https://dictionary.law.com/>

**Task 11. Complete the sentences**

1. Competent Authorities are designated to ... 2. The UNODC Directory of Competent Authorities is a secure database ... 3. The countries seek and provide assistance to other countries ... 4. The countries are called on to extend ... 5. Mutual legal assistance in such cases may include activities ... 6. Any request for investigative activity in another country in support of a controlled delivery is undertaken in accordance with ... 7. The formal treaties have now created a ....

**Task 12. Put questions to the underlined words in the texts**

**Task 13. Find the synonyms in both groups of words**

- A) cooperation, support, request, investigate, seizure;
- B) demand, maintain, confiscation, inquire, partnership.

**Task 14. Translate into English**

1. Правова допомога – це надання правових послуг, спрямованих на забезпечення реалізації прав і свобод людини

і громадянина, захисту цих прав і свобод, їх відновлення у разі порушення. 2. Порушення права на захист – це Недопущення чи ненадання своєчасно захисника, а також інше грубе порушення права підозрюваного, обвинуваченого, підсудного на захист, вчинене особою, яка провадить дізнання, слідчим, прокурором або суддею. 3. Позивач – це 1) особа, на захист прав, свобод та інтересів якої подано адміністративний позов до адміністративного суду, а також 2) суб'єкт владних повноважень, на виконання повноважень якого подана позовна заява до адміністративного суду. 4. Відповідач – це суб'єкт владних повноважень, а у випадках, передбачених законом, й інші особи, до яких звернена вимога позивача. 5. Показання свідка – це повідомлення про відомі йому обставини, які мають значення для справи.

<https://kodeksy.com.ua/dictionary>

### ***Task 15. Match the expressions in English and Ukrainian***

eligibility	запевняти громадян
waiver	забезпечити ефективні засоби правового захисту
a right of access to legal aid	мати право на правову допомогу
a right of access to a lawyer	прийнятність; право на обрання
facilitate the mutual recognition	відмова; виняток
assure the citizens	право на доступ до правової допомоги
be entitled to legal aid	право на доступ до юриста/адвоката
ensure effective remedies	полегшити взаємне визнання

### ***Task 16. Read and translate the texts***

#### **Key components of the right of access to legal aid**

##### **Part 1.**

The United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems (UNPG) provide that

States should guarantee the right to legal aid in their national legal systems at the highest possible level, including, where applicable, in the constitution. Next principle further provides as follows:

- States should consider the provision of legal aid their duty and responsibility. To that end, they should consider, where appropriate, enacting specific legislation and regulations and ensure that a comprehensive legal aid system is in place that is accessible, effective, sustainable and credible.
- States should allocate the necessary human and financial resources to the legal aid system.

The key elements of a legislative and/or regulatory regime governing access to legal aid can be summarized as follows:

- Anyone who is detained, arrested, suspected of, or charged with a criminal offence punishable by a term of imprisonment or the death penalty is entitled to legal aid at all stages of the criminal justice process; and regardless of the person's means, it should be provided if the interests of justice require, for example because of the urgency or complexity of the case; and, where appropriate, to victims of crime, and witnesses.

- Provisions setting out eligibility for and access to legal aid at different stages of the criminal justice process.

- Provisions requiring information about the right of access to legal aid to be provided to those who are or who may be eligible.

- Provisions regarding other procedural rights linked to the right to legal aid.

- Provisions regarding the waiver of the right to legal aid.

- Provisions to ensure that requests for legal aid are promptly given effect.

- Provisions regarding non-discrimination; that legal aid be provided in the best interests of a child; and, as appropriate, provisions to ensure equity in access to legal aid, including special provisions for women.

- Provisions that ensure effective remedies and safeguards.

States take different approaches to implementing the right of access to legal aid. Extensive examples of the differing approaches

to regulating the right of access to legal aid can be found in the Commentaries to the UNODC Model Law, and the Model Law itself includes an approach to these matters.

### **Part 2.**

Some States set out the key terms of the right to legal aid in their constitution or similar. In Canada, the Canadian Charter of Rights and Freedoms sets out the right to legal assistance for persons arrested or detained in broad terms, but this has required interpretation in a series of Supreme Court decisions to determine the precise meaning of the Charter right. Another approach is for the right to legal aid to be set out in legislation, and for detailed provisions to be set out in regulations; which is the method adopted in England and Wales.

In Europe, the right to a lawyer, and to legal aid, is set out in broad terms in the European Convention on Human Rights (article 6), and there is extensive case-law of the European Court of Human Rights fleshing out the implications of the Convention right. The European Union has adopted a novel approach to establishing regional standards regarding access to legal aid, and associated rights such as the right to information and the right of access to a lawyer. The objective of this approach is to establish minimum standards across the Member States of the European Union to facilitate the mutual recognition and law enforcement provisions of the Union, and to assure citizens that their procedural rights will be respected. Thus, the European Union has adopted a series of Directives concerning the procedural rights of suspected and accused persons, and these must be given effect in each of the Member States, with disputes going to the Court of Justice of the European Union.

An important issue, since it cannot be assumed that legal norms are necessarily given effect, concerns the variables that affect the implementation of the right of access to legal aid in practice. There are three significant variables:

- Regulations: that set out in detail the circumstances in which a person is entitled to legal aid, the rules regarding financial eligibility, whose responsibility it is to inform suspects and accused persons of their entitlement and how to exercise it, how legal aid is to be delivered and by whom and how actions taken and decisions made are to be verified.

- Procedures and protocols: for implementing the law and regulations in individual cases, for example, how regulations governing the provision of information about the right to legal aid are to be implemented in individual cases, how the provision of information and the decision of the suspect or accused person is to be recorded, the process by which a legal aid provider is to be contacted and what information has to be recorded.

- Appropriate professional cultures and attitudes: that ensure that all criminal justice actors work effectively to make sure that the right to early access to legal aid is respected.

<https://www.unodc.org/e4j/en/crime-prevention-criminal-justice/module-3/key-issues/3—key-components-of-the-right-of-access-to-legal-aid.html>

***Task 17. Find a suitable definition for each word or word combination***

1. legislation	a) a person suspected of a crime
2. case-law	b) the defendant in a criminal case
3. punishment	c) the exercise of the power and function of making rules (such as laws) that have the force of authority by virtue of their promulgation by an official organ of a state or other organization
4. suspect	d) law that prescribes the procedures and methods for enforcing rights and duties and for obtaining redress (as in a suit) and that is distinguished from law that creates, defines, or regulates rights
5. accused person	e) a penalty inflicted on an offender through judicial procedure
6. procedural law	f) law established by judicial decision in cases

<https://www.merriam-webster.com/dictionary/legislation>

***Task 18. Fill in the missing words and prepositions***

1. States should guarantee the right to legal aid in ... 2. Anyone who is detained, arrested, suspected of, or charged ... a criminal offence punishable by a term of imprisonment or the death penalty is entitled to legal aid. 3. The European Union has adopted a series of Directives ... the procedural rights of suspected and accused persons. 4. The objective of the approach is to establish minimum standards across the Member States of the European Union to ... the mutual recognition and law enforcement provisions of the Union. 5. There is extensive case-law of the European Court of Human Rights fleshing out ... of the Convention right. 7. The states set out the key terms of the right ... legal aid in their constitution or similar.

***Task 19. Put questions to the underlined words in the texts***

***Task 20. Translate into English***

1. Заява – це звернення громадян із проханням про сприяння реалізації закріплених Конституцією та чинним законодавством їх прав та інтересів або повідомлення про порушення чинного законодавства чи недоліки в діяльності підприємств, установ, організацій незалежно від форм власності, народних депутатів України, депутатів місцевих рад, посадових осіб, а також висловлення думки щодо поліпшення їх діяльності. 2. Клопотання – це письмове звернення з проханням про визнання за особою відповідного статусу, прав чи свобод тощо. 3. Скарга – це звернення з вимогою про поновлення прав і захист законних інтересів громадян, порушених діями, рішеннями державних органів, органів місцевого самоврядування, підприємств, установ, організацій, об'єднань громадян, посадових осіб. 4. Законне рішення – це рішення, ухвалене судом відповідно до норм матеріального права при дотриманні норм процесуального права.

<https://kodeksy.com.ua/dictionary>

**Task 21. Match the expressions in English and Ukrainian**

be provided by lawyer	надати правову допомогу
be supported by paralegal	ізолятор попереднього ув'язнення
be under a professional obligation	бути наданим юристом
provide legal aid service to	передбачуваність попиту
embedded schemes	бути професійним обов'язком
pre-trial detention facility	підтримуватися помічником юриста
predictability of demand	вбудовані схеми

**Task 22. Read and translate the texts**

Models for delivering legal aid services. Part 1

Legal aid systems develop in the context of a State's legal and criminal justice systems, as well as its available resources and needs. Indeed, the adoption of a certain legal aid model is dependent on a number of factors, including the number and availability of lawyers, demand for legal aid services, vulnerability of potential beneficiaries and available financial resources. No matter what system is adopted, however, the institutional arrangements and funding mechanisms should ensure the independence of legal aid providers in the performance of their functions.

The United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems (UNPG) place responsibility on States to ensure that legal aid is provided, but they are not prescriptive as to how this should be done. The primary models for delivering general criminal legal aid services can be categorized as follows.

**Public defender schemes.** Legal advice, assistance and representation is provided by lawyers (sometimes supported by paralegals or law students) who work in specialist offices, directly or indirectly funded by national or federal governments, civil society organizations or NGOs. Examples may be found in Israel, Scotland, Ukraine, some African countries such as Liberia, and in most countries in Latin America.

**Private lawyer schemes.** Legal aid services are provided by lawyers working in private law firms, but there are different approaches to the way in which this is organized:

- **Contract schemes** – lawyers or law firms are contracted to provide legal aid services for a particular period of time and/or location, and are normally under contract to a legal aid authority or to a public defender service (for example, in England and Wales, and China);

- **Ex officio or panel schemes** – lawyers are appointed to act in individual cases, normally by a prosecutor or judge who is dealing with a specific suspect or accused person (for example, in Poland);

- **Pro bono schemes** – in some countries lawyers are under a professional obligation to undertake several unpaid cases per year, and in others, trainee lawyers are required to undertake a number of such cases during their training (for example, in the Philippines).

### **Models for delivering legal aid services. Part 2**

**Paralegal schemes.** Legal aid services are provided by paralegals, who may or may not have a legal qualification. They tend to be of two types. In the first, paralegals perform some of the functions of lawyers, although not the full range of services, and either work with or for lawyers, or refer cases to lawyers in respect of work that is only permitted to be carried out by a lawyer. In the second type of paralegal scheme, paralegals perform all the functions that a lawyer can carry out, at least in relation to certain stages of the criminal justice process. Examples of the former are found in Malawi and Sierra Leone, and of the latter in England and Wales.

University law clinics: Legal aid services are provided by law students working in university law clinics, appropriately trained and supervised by law professors and/or lawyers. Examples may be found in many countries, including the USA, and several countries in Africa and Latin America.

**Specialized legal aid service providers.** Legal aid services are provided for people from certain socio-demographic groups, such as children, women, ethnic minorities, prisoners, etc. For example, Legal Aid South Africa works with NGOs to provide legal aid services to women, children and farming communities. In Jordan, the Justice Center for Legal Aid provides legal aid to poor and vulnerable persons through several legal aid clinics.

In practice, in any particular country a number of different models may be used to deliver legal aid in parallel or in co-ordination. For instance, even in countries with a comprehensive legal aid service, specialist organizations run by NGOs or civil society organizations may provide legal aid services for persons with special needs requiring particular expertise and those from ‘hard to reach’ groups who, for a variety of reasons, do not use mainstream services. Whichever model is under consideration, or applied in practice, independence, and training and quality assurance are key issues, which are dealt with under.

In addition to the question of the model of organization of legal aid services, consideration is also needed of the mechanism(s) by which legal aid services are to be delivered. This is particularly relevant at the early stages of the criminal justice process, where those who need legal aid services are often in detention, either at police stations or in pre-trial detention facilities; but it is also relevant at later stages of the criminal justice process, particularly with respect to sentenced prisoners.

Two connected but conceptually distinct issues are relevant. First, legal aid services need to be organized in such a way that legal advice and assistance can be delivered promptly, when and where it is needed. Second, criminal justice agencies, such as the police and detention facilities, must facilitate prompt access by legal aid providers. Principle 7 of the UNPG provides that States should ensure that effective legal aid is provided promptly at all stages of the criminal process.

The most effective way of ensuring prompt access to legal aid at the early stages of the criminal process, and to those in detention, depends on a variety of factors, including:

- The level and predictability of demand. For example, busy city police stations are likely to generate consistently high demand, whereas less busy police stations may not only generate lower demand, but variable demand.
- The numbers of legal aid providers in a particular location who have sufficient expertise and experience to provide legal assistance of the kind required.
- The willingness of legal aid providers to provide legal assistance to an acceptable standard, as and when it is required.

Countries have developed a variety of mechanisms for ensuring prompt delivery of legal aid for those in police or other detention: call-in and duty lawyer schemes; embedded schemes; and visiting schemes.

<https://www.unodc.org/e4j/en/crime-prevention-criminal-justice/module-3/key-issues/6—models-for-delivering-legal-aid-services.html>

**Task 23. Find a suitable definition for each word or word combination**

1. paralegal	a) a holding in custody
2. prosecutor	b) by virtue or because of an office
3. detention	c) being a paraprofessional who assists a lawyer
4. public defender	d) being, involving, or doing professional and especially legal work donated especially for the public good
5. ex officio	e) a person who institutes a prosecution before a court
6. pro bono	f) a lawyer usually holding public office whose duty is to defend accused persons unable to pay for legal assistance

<https://www.merriam-webster.com/dictionary/legislation>

**Task 24. Fill in the missing words and prepositions**

1. Legal advice, assistance and representation is provided ... lawyers. 2. Lawyers or law firms are contracted to provide ... aid services for a particular period of time and/or location. 3. Legal aid services are provided by law students working in university law clinics, appropriately trained and ... by law professors and/or lawyers. 4. Legal aid services are provided for people ... certain socio-demographic groups, such as children, women, ethnic minorities, prisoners, etc. 5. The police and detention facilities must ... prompt access by legal aid providers. 6. Legal aid services need to be ... in such a way that legal advice and assistance can be delivered promptly, when and where it is needed.

**Task 25. Put questions to the underlined words in the texts****Task 26. Translate into English**

1. Соціальна допомога – це система заходів, спрямованих на повернення особи до активного життя та праці, відновлення соціального статусу і формування в особи якостей, установок щодо пристосування до умов нормальної життєдіяльності шляхом правового і матеріального захисту її існування, підготовки до самообслуговування з формуванням здатності до пересування і спілкування, повсякденних життєвих потреб тощо. 2. Професійна адаптація – це система заходів, спрямованих на забезпечення успішного професійного становлення працюючої особи, формування в неї професійних якостей, установок, потреби активно і творчо працювати. 3. Моральна шкода – це шкода, яку заподіяно особистим немайновим правам суб'єктів зовнішньоекономічної діяльності та яка призвела або може призвести до збитків, що мають матеріальне вираження.

<https://kodeksy.com.ua/dictionary/>

## 3.2. PUBLIC SAFETY



### Task 1. Match the expressions in English and Ukrainian

preserve public favor	законне покарання
maintain the respect	поліцейсько-виконавча функція
legal punishment	зберегти громадську прихильність
secure observance of law	досягнення цілей поліції
police-executive function	узурпувати повноваження
achieve the police objectives	забезпечити дотримання закону
usurp the powers	підтримувати повагу

### Task 2. Read and translate the text

#### 9 Policing Principles

In 1829, Sir Robert Peel established the London Metropolitan Police Force. He became known as the «Father of Modern Policing», and his commissioners established a list of policing principles that remain as crucial and urgent today as they were two centuries ago. They contain three core ideas and nine principles.

To prevent crime and disorder, as an alternative to their repression by military force and severity of legal punishment.

To recognize always that the power of the police to fulfill their functions and duties is dependent on public approval of their existence, actions and behavior, and on their ability to secure and maintain public respect.

To recognize always that to secure and maintain the respect and approval of the public means also the securing of the willing cooperation of the public in the task of securing observance of laws.

To recognize always that the extent to which the cooperation of the public can be secured diminishes proportionately the necessity of the use of physical force and compulsion for achieving police objectives.

To seek and preserve public favor, not by pandering to public opinion, but by constantly demonstrating absolute impartial service to law, in complete independence of policy, and without regard to the justice or injustice of the substance of individual laws, by ready offering of individual service and friendship to all members of the public without regard to their wealth or social standing, by ready exercise of courtesy and friendly good humor, and by ready offering of individual sacrifice in protecting and preserving life.

To use physical force only when the exercise of persuasion, advice and warning is found to be insufficient to obtain public cooperation to an extent necessary to secure observance of law or to restore order, and to use only the minimum degree of physical force which is necessary on any particular occasion for achieving a police objective.

To maintain at all times a relationship with the public that gives reality to the historic tradition that the police are the public and that the public are the police, the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.

To recognize always the need for strict adherence to police-executive functions, and to refrain from even seeming to usurp the powers of the judiciary of avenging individuals or the State, and of authoritatively judging guilt and punishing the guilty.

To recognize always that the test of police efficiency is the absence of crime and disorder, and not the visible evidence of police action in dealing with them.

**Task 3. Find a suitable definition for each word or word combination**

1. observance	a) a definite course or method of action selected from among alternatives and in light of given conditions to guide and determine present and future decisions
2. duty	b) the fact of having committed a breach of conduct especially violating law and involving a penalty
3. policy	c) an act or instance of following a custom, rule, or law
4. power	d) to determine or pronounce after inquiry and deliberation
5. guilt	e) obligatory tasks, conduct, service, or functions that arise from one's position (as in life or in a group)
6. judge	f) possession of control, authority, or influence over others

<https://www.merriam-webster.com/dictionary/legislation>

**Task 4. Put questions to the underlined words in the text**

**Task 5. Translate into English**

1. Правочин який порушує публічний порядок – це якщо він був спрямований на порушення конституційних прав і свобод людини і громадянина, знищення, пошкодження майна фізичної або юридичної особи, держави, Автономної Республіки Крим, територіальної громади, незаконне заволодіння ним. 2. Фіктивний правочин – це правочин, який вчинено без наміру створення правових наслідків, які обумовлювалися цим правочином. 3. Порушення іноземцями та особами без громадянства правил перебування в Україні – це проживання без документів на право проживання в Україні, за недійсними документами або документами, термін дії яких закінчився, або працевлаштування без відповідного дозволу на це, якщо необхідність такого дозволу передбачено законодавством України, або недодержання встановленого порядку пересування і зміни місця проживання, або ухилення від виїзду з України після закінчення відповідного

терміну перебування, неприбуття без поважних причин до визначеного місця навчання або працевлаштування після в'їзду в Україну у визначений строк, а так само порушення правил транзитного проїзду через територію України.

<https://kodeksy.com.ua/dictionary/>

### ***Task 6. Match the expressions in English and Ukrainian***

intimidation	посилити інститут державної безпеки
adjudicate cases	дотримуватися закону
strengthen the state security institution	залякування
prerequisite	страждати
Afflict	поставити під загрозу
Jeopardize	розглядати справи
uphold a law	передумова

### ***Task 7. Read and translate the text***

#### **What is public order? Why is it a necessary condition?**

Public order is a condition characterized by the absence of widespread criminal and political violence, such as kidnapping, murder, riots, arson, and intimidation against targeted groups or individuals. Under this condition, such activity is reduced to an acceptable minimum, perpetrators are pursued, arrested, and detained, and the local population – no matter which party to the conflict they may belong to – is able to move freely about the country without fear of undue violence. Public disorder can be profoundly destabilizing for societies emerging from conflict. It can instill constant fear in the local population, undercut efforts to strengthen state security institutions, and jeopardize the success of the peace process. Criminal and politically motivated activity is often accompanied by widespread violation of human rights, including torture; rape; cruel, inhuman, or degrading treatment; and arbitrary arrest and detention. The population has few means by which to address these threats – the police are usually in short supply, with a legacy of abuse and corruption. There

are few judges, and confidence is low in their ability to adjudicate cases independently. Prisons are overflowing. Without public order, people will never build confidence in the public security system.

Public order is the domain of police or other policing agencies, courts, prosecution services, and prisons – all of which make up the criminal justice system. Understand that this system is chain-linked – all elements need to work together. Take a holistic approach when developing a strategy for public order. Often, the police are prioritized at the expense of other parts of the criminal justice system, especially criminal defense and corrections. While reconstructing police may be a priority, nest this within a broader strategy. Police require criminal codes, courts, and prisons, and courts require timely delivery of evidence by the police to adjudicate cases. Arbitrary or politicized sentencing, an incompetent or corrupt judiciary, or inhumane prison conditions will undermine the benefits that come from better policing and public order in general. Increased information flow and cooperation among criminal justice actors is critical. The goal is not to simply grow the number of institutions and officials, but to improve the overall delivery of criminal justice. Transform systemic threats to public order as a prerequisite. In these environments, it is unlikely that peace accords will recognize and address all abuses and sources of dysfunction that have afflicted judicial systems. It is also highly unlikely that the parties to accords will comply fully without any need for assistance in dealing with the impunity of spoilers, the legacy of politicization of the legal system, or the risk of institutional criminalization rooted in illicit revenue sources. In this context, local police, judges, and jailers who seek to uphold the law will not survive for long, even with comprehensive vetting, training, and mentoring programs. To enable public order, the mission may need a very broad spectrum of capabilities that goes beyond establishing institutional capacity to include disrupting and dismantling spoiler networks that subvert the rule of law.

*<https://www.usip.org/guiding-principles-stabilization-and-reconstruction-the-web-version/rule-law/public-order>*

**Task 8. Find a suitable definition for each word or word combination**

1. rule of law	a) to make an official decision about who is right in (a dispute): to settle judicially
2. criminalize	b) a situation in which the laws of a country are obeyed by everyone
3. detention	c) to bring about or carry out (something, such as a crime or deception): commit
4. adjudicate	d) to turn into a criminal or treat as criminal
5. perpetrate	e) to compel or deter by or as if by threats
6. intimidate	f) a holding in custody

<https://www.merriam-webster.com/dictionary/legislation>

**Task 9. Fill in the missing words and prepositions**

1. The perpetrators are pursued, ... and detained. 2. Public disorder can be profoundly destabilizing for ... emerging from conflict. 3. Criminal and politically motivated ... is often accompanied by widespread violation of human rights. 4. Without public order, people will never build ... in the public security system. 5. To enable public order, the mission may need a very broad spectrum of ... that goes beyond establishing institutional capacity to include disrupting and dismantling spoiler networks that subvert the rule of law. 6. The goal is not to simply grow the number of institutions and officials, but to ... the overall delivery of criminal justice.

**Task 10. Put questions to the underlined words in the text**

**Task 11. Translate into English**

1. Грабіж – це відкрите викрадення чужого майна. 2. Готування до злочину – це підшукування або пристосування засобів чи знарядь, підшукування співучасників або змова на вчинення злочину, усунення перешкод, а також інше умисне створення

умов для вчинення злочину. 3. Громадські роботи – це виконання особою, яка вчинила адміністративне правопорушення, у вільний від роботи чи навчання час безоплатних суспільно корисних робіт, вид яких визначають органи місцевого самоврядування. 4. Групове порушення громадського порядку – це організація групових дій, що призвели до грубого порушення громадського порядку або суттєвого порушення роботи транспорту, підприємства, установи чи організації, а також активна участь у таких діях. 5. Корупційне правопорушення – це умисне діяння, що містить ознаки корупції, вчинене особою, зазначеною у частині першій статті 4 цього Закону (ст. 1 ЗУ Про засади запобігання і протидії корупції), за яке законом встановлено кримінальну, адміністративну, цивільно-правову та дисциплінарну відповідальність.

<https://kodeksy.com.ua/dictionary/>

### ***Task 12. Match the expressions in English and Ukrainian***

avoid overreliance	доцільність кримінального покарання
feasibility of criminal sanction	припущення, допущення
self-destructive conduct	забезпечити дотримання заборони
be reevaluated	унікати надмірної довіри
assumption	залучати до / брати участь у вирішенні конфлікту
to enforce the prohibition	саморуйнівна поведінка
engage in the resolution of conflict	бути переоціненим

### ***Task 13. Read and translate the text***

#### **Methods and authority available to the police for fulfilling the tasks given to them**

**Alternative methods used by police.** The process of investigation, arrest, and prosecution, commonly viewed as an end

in itself, should be recognized as but one of the methods used by police in performing their overall function, even though it is the most important method of dealing with serious criminal activity. Among other methods police use are, for example, the process of informal resolution of conflict, referral, and warning. The alternative methods used by police should be recognized as important and warranting improvement in number and effectiveness; and the police should be given the necessary authority and resources to use them under circumstances in which it is desirable to do so.

**Avoiding overreliance upon criminal law.** The assumption that the use of an arrest and the criminal process is the primary or even the exclusive method available to police should be recognized as causing unnecessary distortion of both the criminal law and the system of criminal justice.

**Legislative concern for feasibility of criminal sanctions.** Within the field of criminal justice administration, legislature should, prior to defining conduct as criminal, carefully consider whether adequate authority and resources exist for police to enforce the prohibition by methods which the community is willing to tolerate and support. Criminal codes should be reevaluated to determine whether there are adequate ways of enforcing the prohibition. If not, noncriminal solutions to all or a portion of the problem should be considered, or the criminal justice system should be strengthened to enable it to enforce the prohibition.

**Need for clarified, properly limited authority to use methods other than the criminal justice system.** There should be clarification of the authority of police to use methods other than arrest and prosecution to deal with the variety of behavioral and social problems which they confront. This should include careful consideration of the need for and problems created by providing police with recognized and properly limited authority and protection while operating thereunder:

(a) to deal with interferences with the democratic process. Although it is assumed that police have a duty to protect free

speech and the right to dissent, their authority to do so is unclear, particularly because of the questionable constitutionality of many statutes, such as the disorderly conduct statutes, upon which police have relied in the past;

(b) to deal with self-destructive conduct such as that engaged in by persons who are helpless by reason of mental illness or persons who are incapacitated by alcohol or drugs. Such authority as exists is too often dependent upon criminal laws which commonly afford an inadequate basis to deal effectively and humanely with self-destructive behavior;

(c) to engage in the resolution of conflict such as that which occurs so frequently between husband and wife or neighbor and neighbor in the highly populated sections of the large city, without reliance upon criminal assault or disorderly conduct statutes;

(d) to take appropriate action to prevent disorder such as by ordering crowds to disperse where there is adequate reason to believe that such action is required to prevent disorder and to deal properly and effectively with disorder when it occurs;

(e) to require potential victims of crime to take preventive action such as by a legal requirement that building owners follow a burglary prevention program similar to common fire prevention programs.

**Developing alternative responses.** The development of alternatives to investigation, arrest, and prosecution should be the responsibility of the entire community and not of the police alone. However, the police should inform the community of the need for such alternatives within their area of responsibility. The choice among alternative responses should be based on a careful assessment of effectiveness in dealing with social problems.

*[https://www.americanbar.org/groups/criminal\\_justice/publications/criminal\\_justice\\_section\\_archive/crimjust\\_standards\\_urbanpolice/](https://www.americanbar.org/groups/criminal_justice/publications/criminal_justice_section_archive/crimjust_standards_urbanpolice/)*

**Task 14. Find a suitable definition for each word or word combination**

1. assessment	a) difference of opinion
2. prohibition	b) a systematic investigation often of a matter of public interest
3. authority	c) the action or an instance of making a judgment about something
4. inquiry	d) the act of twisting or altering something out of its true, natural, or original state
5. dissent	e) power to influence or command thought, opinion, or behavior
6. distortion	f) an order to restrain or stop

<https://www.merriam-webster.com/dictionary/legislation>

**Task 15. Fill in the missing words and prepositions**

1. Other methods used by the police are the process of informal ... of conflict, referral, and warning. 2. The process of investigation, arrest, and ..., should be recognized as but one of the methods used by police in performing their overall function. 3. ... codes should be reevaluated to determine whether there are adequate ways of enforcing the prohibition. 4. There should be clarification of the authority of police to use methods other than arrest and ... to deal with the variety of behavioral and social problems which they confront. 5. The police should inform the community of the need for such alternatives within their ... of responsibility.

**Task 16. Put questions to the underlined words in the text**

**Task 17. Translate into English**

1. Масові заворушення – це організація масових заворушень, що супроводжувалися насильством над особою, погромами, підпалами, знищенням майна, захопленням будівель або споруд, насильницьким виселенням громадян,

опором представникам влади із застосуванням зброї або інших предметів, які використовувалися як зброя, а також активна участь у масових заворушеннях. 2. Заклики до вчинення дій, що загрожують громадському порядку – це публічні заклики до погромів, підпалів, знищення майна, захоплення будівель чи споруд, насильницького виселення громадян, що загрожують громадському порядку, а також розповсюдження, виготовлення чи зберігання з метою розповсюдження матеріалів такого змісту. 3. Декларація безпеки – це документ, який визначає комплекс заходів, що вживаються суб'єктом господарської діяльності з метою запобігання аваріям, а також забезпечення готовності до локалізації, ліквідації аварій та їх наслідків. 4. Додаткові покарання – це позбавлення військового, спеціального звання, рангу, чину або кваліфікаційного класу та конфіскація майна.

***Task 18. Read and translate the text. Which ways may be implemented and used by Ukrainian police officers?***

### **25 Ways Police Officers Serve Their Communities**

Police officers make a vow to protect and to serve. In the course of their work, they often put their lives in danger to keep citizens and communities safe. From sheriffs working in small towns to criminal investigators solving crimes in big cities, people with careers in criminal justice go to work to serve and protect our communities. And at the center of their role is community engagement. Here are 25 ways police officers serve their communities: responding to calls for police service; maintaining public order; enforcing the law and preventing criminal activities; investigating crimes; protecting victims; conducting patrols; directing traffic; mediating disputes; assisting at accidents; collecting unused prescription medication; ensuring child safety seats are correctly installed; speaking to groups about crime prevention; performing first aid; helping citizens get to safety; preventing the destruction of

property; directing evacuations; assisting in emergency situations during adverse weather conditions; conducting search and rescue operations; collecting evidence at a crime scene; testifying in court; conducting home checks to make sure homes are safe while owners are on vacation; partnering with volunteer Neighborhood Watch or block watch programs to keep neighborhoods safe; providing self-defense training; keeping schools safe by working as school resource officers; performing welfare checks upon request.

Police officers also have a role in many innovative and important programs that help them further connect with the communities they serve. Here are just a few:

**Shop With a Cop.** Numerous communities across the U.S. offer this program (also known as Heroes & Helpers), which pairs police officers with underprivileged youth to shop together for holiday presents for their families with gift cards donated by police and individual, nonprofit, and corporate donors.

**Cops and Barbers.** This program started in Charlotte, North Carolina, and is now worldwide. It brings cops into neighborhood barber shops to foster open dialogue and positive relationships.

**National Night Out.** Police officers connect with communities through fun events like festivals and block parties.

**Coffee With a Cop.** This program allows community members to get to know their local officers over a cup of coffee.

**PAL.** More than 300 Police Athletics/Activities League (PAL) organizations across the U.S. connect cops with youth through sports, academics, and mentoring opportunities.

**The Landlord Education Assistance Program (LEAP).** This partnership between police and rental property managers in Davenport, Iowa, aims to help keep drugs and illegal activities out of rental properties.

**Police Explorer programs.** Young adults interested in law enforcement careers are brought together with police to learn more about the criminal justice system.

LAPD Read Along. Members of the Los Angeles Police Department read to children at local libraries through this program.

Citizen police academies. Participants have the opportunity to meet cops, learn about their roles and responsibilities, and even explore the tools and equipment local officers use.

*<https://www.waldenu.edu/programs/criminal-justice/resource/twenty-five-ways-police-officers-serve-their-communities>*

***Task 19. Read and translate the text. Which innovations are used by Ukrainian police officers?***

### **Policing innovations**

To confront the challenges of the life, law-enforcement agencies must adopt new approaches that will not only ensure public safety, but encourage better relations with the communities they serve.

Law enforcement is constantly evolving, and innovative technologies are being developed to help officers do their jobs more safely and effectively. One particularly visible example is unmanned aerial vehicles, or drones, which have become an increasingly common sight in the skies above American cities. Equipped with live video feeds, infrared cameras, and radar, these powerful surveillance aircraft are an invaluable tool for reaching difficult-to-access areas without putting officers in danger. Drones are helping police with rescue operations, traffic enforcement, crowd control, covert surveillance, and crime-scene investigations. They can stay in the air for hours or days at a time, scan entire cities, or zoom in and read a license plate from 60,000 feet away. The U.S. Department of Homeland Security (DHS) reportedly used a Predator drone in Minneapolis to monitor protests during the summer of 2020, obtaining footage that could later be used by the local police department. Drones can additionally serve as platforms for «cell-site simulators,» also known as «Stingrays.» These devices imitate cell-phone towers and trick phones into

connecting to them, which can help determine a suspect's real-time location or intercept texts and phone calls.

Cloud-based, real-time 911 emergency systems, such as those developed by Carbyne, are giving law-enforcement agencies and first responders a new suite of abilities that were not possible just a few years ago. Traditional 911 dispatch systems rely on triangulating cell-phone towers to pinpoint a caller's location, which can slow down response time. These new systems, by contrast, use GPS technology to pinpoint callers' mobile-device locations instantly and forward that information directly to dispatchers. This level of precision allows for unprecedented cooperation with other emergency services, such as Real Time Crime Centers, to access the latest information about fast-developing situations. Cloud-based, real-time 911 systems also incorporate live video and instant messaging – crucial capabilities for people who are deaf or hard of hearing or for those who are in dangerous situations and cannot speak.

In the past few years, law enforcement has also sought to capitalize on groundbreaking advances in artificial intelligence (AI). Facial-recognition software, such as Clearview AI, allows police to take a picture of a person, match it with other photos of that person, and generate links to where those photos first appeared. This system – which is based on more than 3 billion images scraped from the internet – goes far beyond any existing mugshot database. Today, Clearview AI's facial-recognition software is used by hundreds of law-enforcement agencies, from local officers in Florida to the FBI and DHS. Data-analysis companies such as Palantir and Peregrine promise to operationalize the disparate data streams available to police. They seek to combine video from closed-circuit television cameras, drones, body cameras, and «a multitude of public and private video systems» to provide law enforcement with 24/7 surveillance capabilities.

While these systems are designed to help law enforcement protect public safety and produce better outcomes in emergency

situations, new advances in technology come with new threats to civil liberties. Implementing AI systems responsibly will be crucial to preventing racial profiling and the emergence of an Orwellian surveillance state. The Fourth Amendment, which safeguards citizens against unreasonable searches and seizures, has never been more relevant.

Law enforcement's swift embrace of new surveillance, robot, and AI technologies has highlighted the absence of a national framework for regulating how the government uses these tools. A patchwork of state and local laws is currently the only legal framework for protecting individuals' privacy. Congress might consider policies such as requiring law enforcement to obtain a warrant before using a drone or setting limits on how long surveillance images can be retained. These regulations would set reasonable limits on government intrusion into the lives of citizens without undermining law-enforcement agencies' ability to protect and serve the public. Such steps would also ensure that Americans enjoy the public-safety benefits of these new technologies without allowing Big Brother to monitor, record, and track our every move.

*<https://www.nationalaffairs.com/publications/detail/a-new-era-of-american-policing>*

***Task 20. Read and translate the text. What innovative programmes are used by Ukrainian police officers?***

### **Deflection or diversion programs**

Since the late 1990s, states and cities nationwide have developed promising new approaches to manage non-violent, low-level offenders outside the formal criminal-justice system. «Diversion» is a broad term that encompasses many types of off-ramps from the justice system. Ideally, it occurs before an arrest ever takes place. This type of diversion, known as «deflection,» or «pre-arrest diversion,» aims to redirect low-level offenders away from the criminal-justice system and toward community-based services that address the root causes of

negative behaviors. These programs are geared toward individuals involved in drug-related offenses, homelessness, or mental-health emergencies on the premise that certain offenders are better served by treatment than by incarceration. By deflecting these individuals away from the formal criminal-justice system, pre-arrest diversion helps them receive interventions for their underlying issues – such as substance-abuse treatment or mental-health counseling – without the negative consequences associated with an arrest.

This approach has been particularly effective in Laramie County, Wyoming, where the Law Enforcement Assisted Diversion (LEAD) program was implemented. The community turned to this program after realizing that the standard practice of prosecuting and incarcerating individuals with behavioral-health issues was not improving public safety. Local law enforcement experienced a revolving door in which the same individuals were repeatedly arrested and cycled through the justice system. Residents also noted that, in the absence of support or resources, people would likely revert to substance use or other destructive habits upon release. Given the escalating number of mental-health calls, violent crimes, and deaths from drug overdoses, the community recognized the need for a fresh approach. Since implementing LEAD, Laramie County has experienced a significant reduction in recidivism and contact with frequent offenders.

The Safety Net Collaborative in Cambridge, Massachusetts, is a deflection model that provides treatment tailored for at-risk youth through multi-agency, cross-system cooperation. By blending funding streams, case-planning processes, and staff expertise across the law-enforcement, social-welfare, education, and mental-health systems, Safety Net breaks down the barriers that cause service fragmentation. Recognizing that police are the principal gatekeepers of the justice system, Safety Net employs specially trained Youth Resource Officers to act as case managers. They coordinate all outreach, prevention, and support activities and reframe the role of police from antagonist to advocate. This model

stands in stark contrast to the usual protocol for police. Mental-health partnerships, for example, typically involve the officer handing off the juvenile with no further outreach from police.

The Safety Net Collaborative's sophisticated data-collection system has demonstrated a substantial impact on juvenile arrests, recidivism, and the use of services. In the city of Cambridge, juvenile arrests have declined at a statistically significant rate compared to local and national averages. Safety Net has also had an observable effect on juvenile recidivism rates: The program was able to connect youth with behavioral-health services more often than if they were arrested, serving as a first step toward treatment in many cases. The success of the Cambridge Safety Net Collaborative proves that deflection can achieve better public-safety outcomes – and cost less for taxpayers – than other types of diversion.

*<https://www.nationalaffairs.com/publications/detail/a-new-era-of-american-policing>*

### 3.3. TESTS FOR SELF-REVISION

#### **Choose the correct word:**

1. Mutual legal assistance in criminal matters is a process by which countries seek and \_\_\_ assistance to other countries in the servicing of judicial documents and gathering evidence for use in criminal cases.

a) illegal; b) lawyer; c) provide

2. Law enforcement requests for mutual \_\_\_ from other countries should be channeled between the Competent Authorities of each country.

a) assistance; b) helpful; c) attorney

3. The United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems (UNPG) provide that States should \_\_\_ the right to legal aid in their national legal systems at the highest possible level.

a) legal; b) guarantee; c) judge

4. The European Union has adopted a novel approach to \_\_\_\_ regional standards regarding access to legal aid, and associated rights such as the right to information and the right of access to a lawyer.

a) preventing; b) felonies; c) establishing

5. The European Union has \_\_\_\_ a series of Directives concerning the procedural rights of suspected and accused persons, and these must be given effect in each of the Member States, with disputes going to the Court of Justice of the European Union.

a) adopted; b) violated; c) sign

6. Legal advice, assistance and representation is provided by \_\_\_\_ who work in specialist offices, directly or indirectly funded by national or federal governments, civil society organizations.

a) prosecutors; b) lawyers; c) criminals

7. The paralegals perform some of the \_\_\_\_ of lawyers, although not the full range of services.

a) customs; b) inquiries; c) functions

8. Legal aid services are provided by law students working in university law clinics, appropriately trained and \_\_\_\_ by law professors and/or lawyers.

a) prevented; b) supervised; c) help

9. Legal aid services are provided for \_\_\_\_ from certain socio-demographic groups, such as children, women, ethnic minorities, prisoners, etc.

a) people; b) prisoners; c) investigators

10. Public order is a condition \_\_\_\_ by the absence of widespread criminal and political violence and intimidation against targeted groups or individuals.

a) characterized; b) cordoned off; c) refused

*Answers: 1-c; 2-b; 3-b; 4-c; 5-b; 6-b; 7-c; 8-b; 9-a; 10-a*

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# CHAPTER IV.

## LEGAL DOCUMENTS

### 4.1. CONTRACT LAW

#### Lead-in

1. What is the difference between Employment Law and Contract Law?
2. Lawyers are usually involved at the formation stage of a contract which includes advising, drafting and negotiating. How could you describe all steps of the formation of a contract?
3. Name all clauses of a contract in your jurisdiction.

#### Part I. Nature of contracts. Importance of Contract Law

Contract law can be defined as a body of rules governing the formation, performance, and enforcement of contracts. Its major purpose is to protect the reasonable expectations of individuals, businesses, and governments that contracts will be binding on and enforceable by the parties. Because contracts are **enforceable**, private parties can make personal and business plans of immense variety, **confident of** receiving the **bargained-for exchange** or a **court-ordered** equivalent (usually a money payment called «damages»). The large-scale, long-term business planning necessary for a modern industrial society would be difficult to achieve without the legal enforceability of contracts.

Common law contract principles appear throughout the law governing employment, labor-management relations, partnerships, corporations, antitrust and merger problems, secured transactions such as mortgages, insurance, and the landlord-tenant relationship. The law of contracts has been adapted to serve special needs. For example, we have a special body of contract law governing the sale of goods. An even more specialized body of contract

law applies to **commercial paper**: the checks, notes, drafts, and certificates of deposit used in financial transactions. Even the law of bankruptcy requires attention to contract principles, since the courts must decide which of the troubled debtor's contracts are to be enforced and which are not. A study of the concepts, principles, and technical vocabulary of contract law will aid immensely in understanding most other business law.

A contract may be defined simply as a promise or set of promises that the court will enforce. A contract may also be defined as a legally enforceable agreement. This agreement often consists of an exchange of promises between two persons, called "parties", who hope to **strike a bargain** that is acceptable to each party.

Since promises are a vital part of contracting, it is helpful to consider the legal meaning of promise and its contractual function. A promise is "a manifestation of intention to act or to **refrain from** acting in a specified way, so made as to **justify** a promise in understanding that a **commitment** has been made". The party who makes a promise is called the promisor. The one to whom the promise is made is called the promisee. The "commitment" is the promisor's **pledge** or assurance that he or she will perform in the way specified, and it ordinarily is made to **induce** the promisee into a contract. Because the ability to rely on commitments is essential for planning and carrying out business activities, the law protects promisees' expectations of performance by enforcing contractual and certain other kinds of promises.

A promise may be communicated by language or by nonverbal conduct. When communicating in language, a promisor need not to use the word "promise". Expressions such as "I will pay" and "I'll give you 10\$ for it" are promises to pay. Often, promises are **inferred** from nonverbal conduct. For example, at an auction, a promise to pay may be inferred from the **bidder's** act of raising a hand or a card. This is so regardless of any secret intention of the bidder not to pay. Contracting parties such as a seller at an auction usually can rely on external (objective) manifestations of

intention and are not bound by internal (subjective) intentions that **contradict** the outward manifestations.

The usual goal of contracting parties is an exchange of values: money for goods or for real estate, goods for services, and so on. There may be a period of negotiation or bargaining during which the parties try to establish the price and other terms. The resulting contract will call for one party to render a performance (or to make a promise to perform) in exchange for the other party's return performance or promise.

A contract for an exchange of values usually must meet the following requirements:

1. **Agreement.** Agreement is defined as a manifestation of mutual assent ordinarily arrived at by a process of offer and acceptance (which may or may not involve bargaining over terms). Ann asks Ben to paint her house for 2000\$. Ann is the offeror (the person making an offer) and Ben is the offeree (the person receiving the offer). A contract forms, or "arises", when the offeree (Ben) indicates agreement to, or "accepts", the offer.

2. **Consideration.** The promises must be supported by consideration. Ann's promise to pay money is consideration for Ben's promise to paint her house. His promise to paint the house is consideration for her promise to pay money. (Thus, usually, each contracting party is both a promisor and a promisee.)

3. **Capacity.** The parties involved must have capacity (mental or legal ability) to contract.

4. **Lawful Purpose (Legal Object).** The agreement must serve a purpose that is permitted by law. For example, an agreement to buy heroin for recreational use or for resale would not be a contract because the agreement has an illegal purpose.

<https://www.studysmarter.co.uk/explanations/law/contract-law/>

**Active Vocabulary**

<b>enforceable</b>	має позовну силу; який може бути примусово здійсненим у судовому порядку
<b>confident of</b>	впевнений у (у чому-л.)
<b>bargained-for exchange</b>	чекає обміну
<b>court-ordered</b>	за наказом суду
<b>commercial paper</b>	оборотні кредитно-грошові документи
<b>to strike a bargain</b>	укладати угоду
<b>to refrain</b>	утримуватись (від вчинення дії)
<b>to justify</b>	підтверджувати
<b>commitment</b>	зобов'язання
<b>pledge</b>	посвідчення, зобов'язання
<b>to induce</b>	спонукати; схилити; залучати
<b>to infer</b>	укладати, робити висновок, мати на увазі
<b>bidder</b>	особа, яка виступає на аукціоні, учасник торгів
<b>to contradict</b>	суперечити, заперечувати, спростовувати
<b>consideration</b>	зустрічне задоволення; компенсація; винагорода; відшкодування
<b>capacity</b>	здатність, правоздатність; дієздатність

**Vocabulary Focus**

**Task 1. Match the words to form collocations as they appear in Reading 1. Make your own sentences using these collocations:**

- |                     |                  |
|---------------------|------------------|
| 1. reasonable       | a) assent        |
| 2. confident of     | b) expectations  |
| 3. bargained-for    | c) a performance |
| 4. court-ordered    | d) receiving     |
| 5. labor-management | e) of values     |
| 6. secured          | f) exchange      |
| 7. contract         | g) conduct       |
| 8. enforceable      | h) equivalent    |

9. strike	i) pledge
10. justify	j) transactions
11. promisor's	k) a promise
12. nonverbal	l) a bargain
13. exchange	m) agreement
14. render	n) principles
15. mutual	o) relations

***Task 2. Match the terms to their definitions:***

- |                     |  |
|---------------------|--|
| 1. capacity         | a) sure that you can do something or deal with a situation successfully                        |
| 2. confident of     | b) to expect that something will happen and make it part of your plans                         |
| 3. consideration    | c) an order given by a court of law that someone must do or must not do something              |
| 4. bargain-for      | d) to agree on terms   |
| 5. contradict       | e) to abstain (from action)  |
| 6. court-ordered    | f) to prove or see to be just or valid; vindicate  |
| 7. infer            | g) a promise to do something or to behave in a particular way                                  |
| 8. strike a bargain | h) a formal or solemn promise or agreement, esp to do or refrain from doing something.         |
| 9. induce           | i) to persuade or use influence on; to make someone decide to do something                     |
| 10. refrain         | j) to conclude (a state of affairs, supposition, etc.) by reasoning from evidence; deduce      |
| 11. pledge          | k) to affirm the opposite of (a proposition, statement, etc.)                                  |
| 12. justify         | l) cause, motive, price or impelling motive which induces one party to enter into an agreement |
| 13. commitment      | m) someone's ability to do something; someone's job, position or duty                          |

**Task 3. Give English equivalents for the following word combinations using active vocabulary:**

Укласти угоду; договірні зобов'язання; виконувати зобов'язання; пов'язувати себе зобов'язаннями; боржник за договором; кредитор за договором; робити висновки; взаємна згода; зустрічне задоволення; великомасштабне довгострокове планування; має обов'язкову силу; становище договору; без можливості примусового провадження за законом; оборотні кредитно-грошові документи.

**Task 4. Fill in the gaps with prepositions:**

1. This agreement often consists .....an exchange ..... promises between two persons, called “parties”, who hope to strike a bargain that is acceptable .....each party.

2. A promise is “a manifestation .....intention to act or to refrain .....acting.

3. The law protects promisees’ expectations ..... performance ..... enforcing contractual and certain other kinds of promises.

4. Often, promises are inferred ..... nonverbal conduct.

5. The usual goal of contracting parties is an exchange of values: money..... goods or ....real estate, goods .....services, and so on.

6. Agreement is defined as a manifestation ..... mutual assent ordinarily arrived ..... a process of offer and acceptance.

7. Common law contract principles appear .....the law governing employment, partnership etc.

**Task 5. Answer the following questions:**

1. What is a contract?

2. Give definitions of a “promise”, “promisor”, a “promisee” and “commitment”.

3. What may a promise to pay be inferred from?

4. What is the usual goal of contracting parties?

5. What requirements must a contract for an exchange of values meet?
6. Why is Contract Law so important?

**Task 6. Translate the text:**

**Що таке договір?**

Договір – це домовленість двох або більше сторін, спрямована на визначення, зміну або припинення прав і обов’язків між сторонами. Наприклад, коли Ви замовляєте товар у постачальника, купуєте будинок у ріелтора, оформляєте кредит у банку, підписуєтеся на тариф телефонного зв’язку, наймаєте забудовника для виконання робіт, Ви, як сторона договору, і постачальник, ріелтор, банк, телефонний оператор, забудовник, як інша сторона окремо, укладаєте між собою договір, тобто домовляєтеся про ваші подальші взаємодії.

Договір має бути оформлений в порядку і формі, передбачені законом. Але сторони мають право укласти такий вид договору, що непередбачений законодавством. Основне правило при укладенні договору полягає в тому, щоб його умови не суперечили закону.

**Хто має право укладати договір?**

Підготувати і підписати договір може будь-яка дієздатна фізична особа з 18 років або юридична особа, зареєстрована у встановленому законом порядку. Особи з 14 до 18 років мають право укладати угоди з письмової згоди своїх законних представників – батьків, усиновлювачів або опікунів.

Щоб грамотно і правильно сформулювати усі пункти договору і максимально врахувати свої інтереси, зверніться до юриста. Тільки юрист може забезпечити Вас повноцінною консультацією і визначити правові основи і наслідки Вашої домовленості.

### **Яку функцію несе договір?**

Головною функцією договору є точна фіксація досягнутої раніше сторонами угоди про порядок взаємовідносин, тобто умов договору. У договорі необхідно вказати предмет угоди, перерахувати усі права і обов'язки сторін, уточнити порядок розрахунків (якщо така угода передбачена сторонами), терміни виконання умов і інші необхідні елементи угоди. Щоб максимально захистити свої інтереси, зверніться до юриста за допомогою в розробці проекту договору і перевірки договору на відповідність законодавству.

### **Як юрист може мені допомогти?**

Юрист може:

- Проінструктувати Вас з підготовки договору.
- Перевірити договір на відповідність законодавству.
- Рекомендувати внесення в договір пунктів, що захищають Ваші інтереси.
- Пояснити умови договору і роз'яснити Ваші права і обов'язки за цим договором.
- Роз'яснити Вам усі наслідки укладення договору.
- Обговорити договір з іншою стороною або з адвокатом іншої сторони для того, щоб умови, на які Ви, можливо, не погодилися, могли бути змінені або видалені.
- Проконсультувати і допомогти Вам, якщо інша сторона порушує договір.
- Проконсультувати і допомогти Вам, якщо Вас звинувачують в порушенні договору.

*<https://justicon.ua/ua/blog/posts/cto-takoe-dogovor.html>*

## 4.2. CONTRACT

### *Key words and phrases*

To conclude a contract	укладати контракт
Buyer (purchaser, consumer)	покупець, споживач
Seller	продавець
Goods	товари
Delivery	постачання
Payment	оплата
Insurance	страхування
Packing and Marking	пакування і маркування
Arbitration	арбітраж
Disputes	обговорення
Consent	згода
Legal address	юридична адреса

### *Task. Read the text*

#### **CONTRACT № 012.008**

Chicago 2024, July 24

The company Kline Corporation, Chicago, USA, represented by Mrs. J.P. Kline, General Manager, hereinafter referred to as the “Seller” and the company Smith Ltd. Marketing, Reno, USA, represented by Mr. L.C. Parker, Commerce Director, hereinafter referred to as the “Buyer”, have concluded the present Contract to the effect that:

#### **1. Subject of Contract**

The Seller sells and the Buyer buys the goods indicated in the Specification (Enclosure № 1), which is an integral part of this Contract. The goods should be delivered in accordance with Terms of Delivery.

#### **2. Prices and Total Sum of Contract**

The price for the goods are in the US dollars as indicated in the Specification amount to \$5 000 (five thousand) for each set.

The total sum is 130497 (one hundred thirty thousand four hundred ninety-seven).

The prices as per this Contract have been fixed firmly and are not subject to alteration

### **3. Terms of Delivery**

3.1. Delivery of the goods shall be made CIF San-Francisco, International Airport. The goods are delivered according to the terms printed in the Specification (see Enclosure № 1) but not later than 20 days from the date signing of the Contract.

The representatives of the Buyer make the inspection of the delivered goods before accepting them in respect of quality and quantity.

3.2. Partial deliveries are authorized.

### **4. Terms of Payment**

The buyer is obliged to make payment in US dollars. 100 per cent value of Contract is to be paid in advance to the Seller's bank in 10 days from the date of the Contract's signing (as indicated in Enclosure № 1).

### **5. Insurance**

The Seller shall insure goods to be delivered on CIF terms against usual transport risks in accordance with the Insurance Agreement.

### **6. Guarantees**

The Seller guarantees the quality of the delivered goods for 36 months from the date of putting the equipment into operation.

If during the guarantee period the equipment proves to be defective, the Seller at his cost eliminates defects within the shortest possible time or replaces the defective equipment.

### **7. Packing and Marking**

Each set of the goods shall be packed and marked according to the Buyer's inquiry. Marking Information is the following:

1. Name of the consignee;

2. Name of the consignor;
3. Contract № (Code);
4. Air way Bill № ;
5. Gross Weight;
6. Net Weight;
7. Box № .

**8. Arbitration**

All disputes and disagreements, which may arise due to this Contract or in connection with it, shall be settled through friendly negotiations between the parties. Disputes and disagreements that cannot be settled by parties through negotiations are subject to settlement excluding the court in the federal Arbitration of California State in accordance with the law in force.

The awards shall be final and binding upon both parties.

**9. Other conditions**

All amendments and alterations to this Contract are valid only in written form and should be signed by both parties.

Upon signing this Contract, all preceding talks and correspondence on it lose their force.

Neither party is entitled to transfer rights and obligations to any third party without a written consent of the other contracting party.

The present Contract has been drawn up in 2 (two) copies; both copies having equal rights.

9.5. Enclosure № 1 Specifications on 2 (two) pages.

**10. Legal addresses of the Parties**

<p>The Buyer:                  Company: Smith Ltd.                  Marketing,                  1867, Albert Road, Reno, CA,                  31137, USA                  Phone №                  Fax № Account №</p>	<p>The Seller:                  Company: Kline Corporation,                  2811, Pine Line                  Chicago, NY, 57348, USA                  Phone №                  Fax № Account №</p>
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**Task 1. Answer the following questions.**

1. Who is referred to as the “Seller” in this contract?
2. Who is the “Buyer”? What post does he hold?
3. What is the subject of the contract?
4. What is the price for each set of equipment? Can it be changed?
5. When should the goods be delivered?
6. When should the goods be insured and who is to do it?
7. What should be done if the equipment proves to be defective?
8. Who is to eliminate the defects?
9. How should disagreements be settled?

**Task 2. Give the Ukrainian versions for:**

to conclude, delivery, price, signing of the Contract, dispute, award, amendment, insurance, packing and marking, consignee, consignor, to transfer rights and obligations, equal rights, enclosure, account.

**Task 3. Give the English versions for:**

продавець; покупець; посилається на; кількість і якість; загальна сума; доставка товарів; підписувати контракт; укладати контракт; представник фірми; платити наперед; додаток; страхування товару; звичайний ризик; продавець усуває дефекти; замінити; найкоротший термін; пакування і маркування; розбіжності; шляхом переговорів; письмова згода.

**Make your own sentences using the words and word combinations above.**

**Task 4. Write a synonym or a short explanation for each of the following words (use the dictionary if you need):**

contract –	goods –
legal agreements –	delivery –
to sign a contract –	insurance –
buyer –	arbitration –
seller –	dispute –

**Task 5. Make these sentences complete** (*Don't use the contract given above*).

1. The price were ...
2. The goods should be delivered not later ...
3. Before accepting the goods the representatives of the Buyer ...
4. The goods should be insured against ...
5. Disputes that cannot be settled by parties ...

**Task 6. Complete the text with the words and phrases from the box, using them in the appropriate form.**

There are many exciting and challenging sectors in the world of business, such as marketing, accounting, and computers, but possibly none is quite so intriguing as the part that involves business law. Much of business law with business transactions and the contracts that accompany them.

A contract is a binding agreement between two or more parties. The word “parties” to the people or organizations involved in the contract. Most consumers thousands of contracts in their lifetime. You will probably be involved in at least one today. For example, did you ride on the bus or subway to school this morning? Or did you purchase something in the cafeteria today? If you did, then you in a contract.

You may have noticed from the examples that not all contracts are written on paper. Actually, there are three different types of legal agreements: **implied contracts**, which develop from certain actions that a person takes, such as getting on a bus; **oral contracts**, which are spoken agreements; and **written contracts**, which contain the details of the transaction and the signatures of the parties.

For a contract to be valid or enforceable in court, certain conditions must present. There must be mutual agreement between the parties. There must be consideration involved in the transaction (each side gives up something of monetary value). All parties must be mentally competent and be able to understand the implications of the contract, and none must be a minor. The contract must not involve anything illegal. Certain contracts such as real estate deals and agreements lasting longer than one year must be in writing.

When one party \_\_\_\_\_ to fulfill any part of the contract, a breach of contract has occurred. When this, the other party is freed from all or part of the obligations under the contract.

People considering the purchase of a house or property should \_\_\_\_\_ legal advice from a lawyer. A lawyer's research may prevent the buyer from being involved in hidden costs, such as unpaid taxes, mortgages, or unpaid repair bills.

Most consumer transactions in retail stores are covered by the Sale of Goods Act. Those set of laws requires that three conditions exist before such transactions can to court. There must be written evidence of the sale; part of the transaction must have already occurred; and value of the item must be above a certain amount, depending on the province.

Most major department stores, however, offer to handle product returns of any amount as long as the customer can produce the bill of sale and any manufacturer's warranty that might have come with the product. This customer policy because the store management wants good public relations rather than because the law the stores to accept the returns.

Most labour agreements \_\_\_ as master and servant relationships, in which the employer, the master, defines and directs the work that the employee, the servant, is expected to do. Civil court cases, over the years, have established basic guidelines that outline the duties of both parties. Government statutes and collective agreements often further define the relationship, depending on the group involved.

to be concerned, to be defined, to refer, to make, to exist,  
to enforce, to seek, to be brought, to be involved, to be, to fail,  
to happen

***Task 7. List each of the following transactions and, beside each, state whether it represents an implied, oral, or written contract.***

- \* Taking a bus
- \* Purchasing clothing on credit. Alterations are required.
- \* Buying a house.
- \* Bidding at an auction.
- \* Buying a magazine at a variety store.
- \* Purchasing life insurance.
- \* Getting a bank loan.
- \* Purchasing a bicycle from a neighbour.

***Task 8. Agree or disagree with the following statements.***

1. Contract is a legally binding agreement between two or more parties.
2. It is essential that the parties to a contract have legal capacity (power) and freedom of contract.
3. Legal contract is one that is for a purpose which is an offence against the law, or against the national interest.
4. Oral contracts are spoken agreements.
5. Written contracts contain the details of the transaction and the signatures of the parties.
6. Insurance is the practice of sharing among many persons' risks to life or property, but contract mustn't be insured as a rule.
7. Disputes are strong disagreements which are tried in court.
8. It's not necessary for all the parties to be mentally competent and be able to understand the implications of the contract.
9. A buyer is a person who purchases something.
10. A seller is a vendor.

**Task 9. Tell what you have learned about:**

1. implied contracts, oral and written contracts;
2. the composition of a written contract;
3. ways of solving problems concerning different disagreements in contracts.

**Task 10. Give a free translation of the following text.**

Контракт – юридично обов’язкова угода між двома або кількома особами, в якій визначаються певні економічні дії (постачання і придбання товарів, виконання робіт та ін.) з боку учасників і відповідальність за їх виконання. Контрактом вважається також особлива форма трудового договору, за яким наймають працівників державні, орендні, кооперативні підприємства та в інші організації й установи. Основними елементами контракту є його предмет, базисні умови постачання товарів або виконання робіт чи надання послуг, кількість та якість товарів тощо, упаковка та маркування товарів, ціни й умови контракту, умови оплати, страхування. Існують такі види контрактів:

- 1) гарантійні (надається гарантія на надання послуг упродовж періоду його дії);
- 2) зв’язані (угода продажу товарів забороняє укладати аналогічні угоди з іншими партнерами);
- 3) на термін (постачання товарів у певній кількості в обумовлений термін у майбутньому тощо).

**Task 11. Write an essay on one of the following topics.**

1. Compare the process of solving problems with a contract through friendly negotiations and in the Arbitration Court. What would you prefer to do to settle the disputes and disagreements between the parties of a contract?
2. Pros and cons of written and oral contracts.
3. The main principles of successful agreements while signing the contract.

**Task 12. Read the following text and discuss it.**

The currencies of the world's major economies have names and backgrounds that are as diverse as the countries themselves. The dollar, used in many countries including the USA, Canada, Australia, gets its name from a silver coin minted during the Middle Ages in a small valley, or "Thai", in Bohemia called Joachimsthal.

Just as a sausage from Frankfurt came to be called a frankfurter, the coins from Joachimsthal were called "Joachimsthaler" or simply "Thaler", and came to be called "dollar" in English.

The *pound*, used in Britain, Egypt, and Lebanon among others, refers to the weight used in determining the value of coins, based on precious metals such as gold or sterling. The *penny* has the same origin as the word *pawn*, found in terms such as *pawn shop*, and originally meant "to pledge". A penny, like any currency, is a "pledge" of value. In Italy and Turkey, the currency is called *lira*. The word is based on the Latin *libra*, meaning "pound", and once again refers to the weight of the original coins.

In Spanish, the word meaning "weight", *peso*, is used to describe the coins that were based on a certain weight of gold or silver. Originally, there were gold coins called *peso de oro* and silver ones called *peso de plata*. In Spain, the currency is called *peseta*, meaning "small peso". The word *peso* is used to describe the currency in many Spanish-speaking countries in Latin America.

In Denmark, Norway, and Sweden, the word for crown – *kroner* in Denmark and Norway, *krona* in Sweden – is used to describe the currency that was originally minted by the king and queen, with royal crowns stamped on the earlier coins. Today, the crown has been replaced by other symbols, but the name remains.

The *franc*, used in France, Switzerland, Belgium, and other countries and territories, is based on the early coins used in France that bore the Latin inscription *franconium rex*, meaning "king of the Franks". The coin, as well as the country, took its name from one of the original tribes that settled in the area, the Franks.

The German mark and Finnish *markka* derive their names from the small marks that were cut into coins to indicate their precious metal content. The German mark, *deutsche mark* in German, is often called by its shortened name, D-mark.

The *riyal*, in Saudi Arabia and Qatar, and the *rial* in Iran, are based on the Spanish word *real* – which, in turn, was derived from the Latin *regal(is)* – referring to earlier “royal” coins. The *dinar*, used in Iraq and Kuwait among others, derives its name from “denarius”, a Roman coin that was worth “ten bronze asses”, an item of considerable value in days of old. In India, Pakistan, and other countries of the subcontinent, the currency is called *rupee* (in Indonesia, *rupiah*), based on the Sanskrit word *rupya*, meaning “coined silver”.

The ancient Chinese word *yiam* meant “round”, or “small round thing”. The name of the Japanese currency, the *yen*, and the name of the Chinese currency, the *yuan*, both derived from the old Chinese word, refer to the round shape of the original coins.

## 4.3. EMPLOYMENT

### Структура листа до потенційного роботодавця

**Крок 1:** У першій частині листа зазначається мета його написання, що охоплює прохання про співбесіду, супровідні листи, надання рекомендацій тощо.

**Крок 2:** У другій частині листа подаються деталі або фонова інформація задля уточнення першої частини. Якщо ви робите запит на певну інформацію, ви вказуєте, чому вона вам необхідна. Якщо ви пишете супровідного листа або листа-заяву для прийому на роботу, то ви пояснюєте, чому саме вас варто прийняти на цю посаду або принаймні запросити на співбесіду.

**Крок 3:** Остання частина листа слугує для підсумовування усього вказаного вище та за необхідності вказує дії, які очікуються від адресата.

Оскільки компанії отримують надзвичайно велику кількість листів з проханнями про працевлаштування як за відкритими вакансіями, так і з пропозиціями своїх послуг без відкриття конкурсу на заповнення вакантної посади, разом із резюме доцільно надсилати супровідні листи, де у лаконічній та місткій формі кандидат переконує потенційного роботодавця, чому він йому варто запропонувати посаду, про яку йдеться, або щонайменше поспілкуватися особисто, щоб у вас була можливість довести, наскільки корисними ви можете бути корисними для компанії.

### COVER LETTER

<p>7260 Vista Drive Denver, CO 80030 March 3, 20XX Thomas Randolph, Senior Geologist Gigantic Resources One Mountain Plaza Phoenix, Arizona 99065</p> <p>Dear Tom:</p> <p>I enjoyed our telephone conversation this morning and was interested to hear about the opening for an exploration geologist at Gigantic Resources. As you requested, I am faxing you a copy of my resumé. I will also be mailing you a copy for your permanent files.</p> <p>As I mentioned during our conversation, I am a petroleum geologist with seven years of experience in the Rocky Mountain region. Currently, I am working for Weaver Oil and Gas as their manager of geology. My duties include both prospect generation and sales. I have strong technical abilities and sound written and</p>	<p><i>Goodwill</i></p> <p><i>Request Answer</i></p> <p><i>Background (General)</i></p>
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#### 4.3. EMPLOYMENT

<p>oral communication skills. Due to family considerations, I am very interested in relocating to the Phoenix area.</p> <p>I look forward to meeting with you on April 1. If you wish to contact me before our interview, you may reach me at 303-555-5792.</p> <p>Thank you again for the information you offered me on the telephone this morning.</p> <p>Sincerely,</p> <p>Signature</p> <p>Karl Davis</p>	<p><i>Contact Information</i></p> <p><i>Thank You</i></p>
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Для досвідченого працівника може виявитися складним звести усю свою попередню діяльність у відносно коротке, містке та легке для сприйняття резюме.

### **EXPERIENCE-BASED RESUME**

**JOHN WILSON**

5555 Parkside Avenue New York, NY 02166

Telephone: (212) 555-5555

<b>OBJECTIVE</b>	Regional Director or Vice President, Group Sales –Insurance Industry
<b>AREAS OF</b>	Group Life Insurance Sales
<b>KNOWLEDGE</b>	Individual Life Insurance Sales Management Accident and Health Insurance Sales Training Medical Care Insurance Administration
<b>EDUCATION</b>	DePaul University, Chicago, Illinois – B. S. Degree: Business Administration Minor: Marketing

EXPERIENCE

- 1966 to Present NO-FAULT INSURANCE COMPANY, one of the very largest in the United States, offering complete coverage with all forms of life, health, hospital, and medical care insurance.
- 1977 to Present Position: Group Account Executive (Regional Office) after promotion from Group Sales Supervisor. Report to Vice President.  
Responsibilities:  
–To personally manage and serve the extremely large group accounts annual premium range from \$250,000 to many millions.  
–To maintain and build Company relations with Brokers and Insurance Consultants.  
–To represent the Company at the highest levels.  
Achievements:  
–Successfully handled complicated claim negotiations to the satisfaction of major policyholders and the Company.  
–Assisted in the underwriting and administration areas, involving the most important clients.  
–In 1977, qualified as 4th leading Account Executive, although in the position only a few months.
- 1968–1977 Position: Group Sales Supervisor (Chicago, Cleveland Offices) after promotion from Sales Supervisor/Sales Trainee.  
Responsibilities:  
–Initially, to develop Group Life Sales to new accounts, substantially opening the Illinois and Ohio areas.  
–Since promotion to Chicago (1972), responsible for maintenance of large and vital Group accounts.  
–To train and assist Company agents in building Group Sales through prospect development.

Achievements:

–In 1974, was 18th leading Company Sales Representative in the United States.

–Sold over \$221 million of new life insurance in 1975, climbing to No. 2 in the country.

–Ranked first in the United States in 1976; \$102 million of life insurance and \$863 thousand of disability premium produced.

–Built a reputation for achievement in personal sales along

– with an excellent conservation record and underwriting performance.

1967–1968

Position: Service Supervisor/Sales Trainee (Chicago Office), after promotion from Insurance Agent.

1966–1967

Position: Insurance Agent (Jasper, Indiana Office).

TRAVEL

Agreeable to any amount required to handle the position effectively.

LOCATE

Readily willing to relocate anywhere.

AVAILABILITY

30 days after final hiring commitment.

EMPLOYER

Present employer is not aware of decision to change. Do not

CONTACT

contact before hiring commitment.

REFERENCES

Business and personal references immediately available upon request.

Якщо ви нещодавно завершили навчання або повністю змінюєте сферу діяльності, а отже не маєте значного досвіду, то перед вами постане завдання, як представити ті знання та навички, якими ви володієте у найбільш вигідному для себе світлі, як у супровідному листі, так і в резюме.

## COVER LETTER OF A NOVICE

Mr. King L. Smythe  
Boonton Life Insurance  
Trust 34 Old Boonton Road  
Boonton, NJ 07005

Dear Mr. Smythe:

Several weeks ago, I was invited to stop into your department to fill out an application for a position with Boonton Life Insurance Trust. On my way out, I had the opportunity to speak with you for a few minutes on the elevator. You mentioned at the time that there were no openings available to match my interests, but that you would keep me in mind for any openings in the future. As I told you when we spoke, I am a recent graduate of the New Jersey State University with a Bachelor of Science degree in finance and I am interested in an entry-level position in life insurance sales.

Throughout my four years in college, I maintained consistently high grades in my business courses as well as in my elective courses. I feel that the courses I have taken have strengthened my analytical skills and provided me with a sound background in the financial system.

In addition to my academic work, I have also held various jobs in the past six years to help finance my education. Through my work experience and my involvement in extracurricular activities at school, I have developed a sense of responsibility and a deeper understanding of dealing with people. I feel that these qualities, along with my sincere interest in insurance as a career, will make me an asset to Boonton Life Insurance Trust.

At your convenience, I would like to get together with you to learn more about career opportunities at Boonton Life Insurance Trust and also to discuss my career interests in greater detail. Will you please get in touch with me so that we can arrange an interview? I can be reached during the day at 201-689-4623 or by email at ned\_lared1@gmail.com.

Thank you for your consideration. Sincerely,  
Ned Lared

## STRENGTHS

### RESUME OF A NOVICE JUDE LAWLER

6372 Breaker Street, Cleveland, Ohio 12345 (216) 555-5555

- **Finance:** Finance emphasis in both graduate and undergraduate studies. Broad base of knowledge and skills in a wide variety of finance applications. Strong desire to apply education to real-world situations.

- **Analytical Skills:** Analytical by nature. Solid problem-solving abilities. Research and investigation skills, including sourcing and fact-checking.

- **Personal Attributes:** Strong leadership skills. Decisive and goal-oriented. Effective in both individual and team competitive situations.

- **Communications:** Articulate, persuasive and quick thinking. Trilingual English/Mandarin/Indonesian. Computers: IBM PC. Experienced with DOS, Lotus 1-2-3, dBase, WordPerfect.

## EDUCATION

Norfolk State University, Norfolk, Virginia 1989-1992  
M.S.B.A., Finance Emphasis (GPA: 3.9/4.0) **Coursework included:**

- **Finance:** Financial Management; Financial Reporting and Analysis; Financial Markets and Institutions; International Corporate Finance

- **Banking:** Bank and Thrift Management; International Banking

- **Investments:** Portfolio Management; Investments

- **Management:** Business Development; Managerial Analysis and Communication; Business Policy and Strategy

Accomplishments/Affiliations

- **Treasurer, Minority Student Association.** Managed revenues and funds. Developed and implemented programs to promote cooperation and friendship between MSA members, the university, and the community.

- **Member,** Asian Business Association.

- **Member**, Finance Student Association.
  - **Member**, Phi Alpha Delta.
  - **Member**, American Management Association. Oregon State University, Corvallis, Oregon 1986–1989
- B.A., Finance Emphasis in Banking and Investment, Minor in Chinese. (GPA: 3.8/4.0)

**Coursework included:**

- **Finance:** International Financial Management, Management of Financial Institutions.
- **Banking:** Monetary and Banking Theory
- **Investments:** Security Analysis & Portfolio Management; Real Estate Investments.
- **Management:** Business & Its Environment; Business Policy; Management Information Systems.

**Accomplishments/Affiliations**

- Vice President, Permias (Indonesian Student Association).
- Member of team to unite Indonesian students.
  - Helped create/implement programs to introduce Permias to the University Community.

**REFERENCES**

Provided upon request.

***Task. Translte Cover letters into Ukrainian***

**Cover letters**

Dear Mr. Fitzpatrick:

For the past five years I have been successfully handling construction management in a very large general contracting business. I am now changing positions, and I feel that your organization might need my services.

I know both construction management and construction engineering. Among my accomplishments are these:

With Atlas Construction Co. during the past five years, I've had personal charge at the job site for building construction worth \$50 million.

I know the techniques of maintaining construction on schedule. I have years of contract administration success.

I understand the value of cost control and the necessity for profit in building construction.

If you will let me talk with you for about 20 minutes, I believe I can assure you of my value. I am available upon normal notice. My résumé is enclosed.

For your current or future need, may I come in?

Very truly yours,  
Carl Messer  
Monterrey

June 14, 2000  
Mr. Carl Robinson,  
Managing Director,  
Pierson Group of Companies, Monterrey, UK

Dear Mr. Robinson,

Let me introduce to you, Paul Johnson. I have graduated in Law from Monterrey School of Law and am currently in practice with Mr. Mel Gibson, Senior Attorney at Law for the last four years. I specialize in contract and overdue related issues.

I have heard from close associates that you are looking for attorneys to handle your civil cases. In this regard I have written to you this cover letter to apply for the said post. With this letter I send an enclosure of my CV and a recommendation letter from Mr. Gibson. I hope you will consider my request and will see me for a personal interview, in which I propose to brief you on the

cases I have handled in the past. I will call on your office this Wednesday for an appointment.

Thanks and regards,  
Paul Johnson Enclosed

**LETTER REQUESTING JOB INTERVIEW BASED  
ON ADVERTISEMENT**

Mr. Jacob L. Rudman  
Parris Sheet Metal  
Company 312 West Main  
Street Boonton, NJ 07005

Dear Mr. Rudman:

Enclosed is my resume, which I am sending in response to your advertisement on *The Boonton Chronicle's* website for a production engineer.

I am currently employed at Heavy Sheet Metal Company as one of three production engineers. I have complete responsibility for the sheet metal fabrication process from beginning to end. As you can see from my resume, I have been a production engineer for the past five years.

Please feel free to call me at my office during the day or at my home in the evening. Both numbers are listed on my resume. I will call you on Tuesday, January 17, to arrange a convenient time for us to meet if I have not heard from you before then.

I look forward to speaking with you.

Sincerely,  
Marie L. Dow enc.

**LETTER REQUESTING JOB INTERVIEW BASED ON  
REFERRAL**

Ms. Kimberly  
Duachim Pulverize Products,  
Inc. 23  
Reply Place Biloxi,  
MO 63025

Dear Ms. Duachim:

I am sending my resume to you on the recommendation of Lawrence Kernel of Splendid Paper Corporation. Lawrence told me that you were accepting

applications for a product manager. From Lawrence's report, your company sounds very attractive to me.

I would be interested in talking with you to learn more about your company and the position. For the past four years, I have been at Quile Investment Products, Inc. Before that, I was at Laramy Products, Inc. The work I've done at these companies

has given me a wide range of experience and an opportunity to develop skills that are essential to a product manager.

I would welcome the opportunity to talk with you or to answer any questions about my background and career that you might have. You can reach me during the day at 999-555-5555.

Thank you for your consideration.  
Sincerely,

Gladys T. Namelock

## LETTER OF APPLICATION

I am writing to apply for a position in the English Department at Vermilion High School. I received an M.A. in teaching from Emory University, a master's in theological studies from Harvard University, and a B.A. in English from Bethany College. I am currently certified in the state of Georgia to teach English in grades 7–12, and I hold an In-Field certificate in Gifted Education and endorsements in Advanced Placement Literature and Composition, Advanced Placement Language and Composition, and the International Baccalaureate Program.

For the last five years, I have been employed as a teacher in Georgia. This year has been a particularly strong one for me, as my colleagues recognized my dedication and commitment to excellence by nominating me Norcross High School's Teacher of the Year and my students nominated me for Who's Who Among American Teachers, 2015.

I have taught Honors tenth grade, College Preparatory eleventh grade, and Gifted eleventh-grade English. Additionally, I taught Advanced Placement Literature and Composition to seniors last year; in my first year teaching this course, my students passed with a three or higher at a rate 5% above the national average. At the end of last year I was asked to implement an eleventh-grade Advanced Placement Language and Composition course for the 2017–2018 school year.

I would be very interested in speaking with you at greater length about a position teaching English at Vermilion High and the ways I might contribute to your community.

I am enclosing a hard copy of my resume and a copy of my Georgia certificate and endorsements. Copies of my undergraduate and graduate transcripts are being sent under separate cover, as are my references.

I look forward to hearing from your office soon, and I hope that we can arrange an interview sometime this month.

Sincerely yours,  
Leigh Weeks encl.

## **Tasks**

1. List all the facts you can think of about your personality, background and experiences. Then arrange the list in a logical order and decide on categories under which to group the facts. Prepare your resume.

2. Imagine the ideal job for which you would like to apply. With this job in mind, write a letter of application to a prospective employer and ask for an interview.

### **1. Translate into English**

2. Шановний пане Франклін,

Пишу Вам у відповідь на Ваше оголошення про вакансію старшого бухгалтера у «Чікаго Трібьюн».

У мене двадцять п'ять років досвіду роботи на цій посаді, двадцять із них я працював у тій самій корпорації, де брав участь у реалізації всіх етапів бухгалтерського обліку. До моїх обов'язків входило вести журнали бухгалтерського обліку, готувати звіти про доходи та витрати, вносити записи у журнали та стежити за їх внесенням іншими співробітниками, щомісячно, проводити щомісячні розрахунки витрат на матеріали, персонал, продаж, керівництво, складати детальні звіти про відхилення від бюджету.

Окрім того, я проводив розрахунки середньомісячного прибутку, перевіряв банківські виписки, збирав дані з оподаткування наприкінці року, займався розрахунками з кредитором, готував молодших бухгалтерів, відповідав за інвентаризацію, затверджував рахунки-фактури від постачальників із правом підписання чеків на суму до 10000 доларів США.

Перед тим, як зайняти посаду бухгалтера, я два роки займався питаннями інвентаризації та замовленнями, а також три роки працював не тільки у бухгалтерському відділі, але й у відділі закупівель.

Я буду вдячний за можливість пройти співбесіду у будь-який зручний для Вас час, щоб обговорити, як я можу бути корисний Вашій компанії.

З повагою, ...

3. Шановний пане Фінкенштейн,

Звертаюся до Вас у відповідь на оголошення у газеті «Морнінг», де Ви оголосили про вакансію стажиста у галузі аналізу ринку. Моя освіта повністю відповідає поставленим вимогам. У червні я закінчив Університет Вашингтону, спеціалізуючись на маркетингу. Курси, що я прослухав, охоплюють роздрібну та оптову торгівлю, виробничий маркетинг, а також інші аспекти ведення комерційної діяльності.

Куратор, пан Хемпстед, обрав мене, серед чотирьох інших студентів, для вивчення проблем, пов'язаних з маркетингом, у компаніях, які звернулися на факультет бізнесу по допомогу. Ми працювали з керівниками та співробітниками компаній, щоб дізнатися про проблеми, з якими вони стикаються, та запропонувати рішення у письмових звітах.

Такий практичний досвід, як і отримана освіта, допоможуть мені якнайкраще

«Грейс Моторс».

Я готовий розпочати роботу та буду вдячний за можливість відвідати співбесіду, щоб обговорити мою кваліфікацію та вимоги, які Ви ставите, у будь-який зручний час.

## CONTRACT OF EMPLOYMENT

<p>CONTRACT OF EMPLOYMENT FOR FIXED-TERM CONTRACT EMPLOYEES BETWEEN:</p> <p>_____</p> <p style="text-align: center;">(hereafter referred to as the Employer) and</p> <p>_____</p> <p>(hereafter referred to as the Employee)</p> <p>WHEREBY IT IS AGREED AS FOLLOWS:</p>	<p>ТРУДОВИЙ ДОГОВІР ДЛЯ СПІВРОБІТНИКІВ, ЩО ПРАЦЮЮТЬ ЗА ДОГОВОРОМ НА ФІКСОВАНИЙ ТЕРМІН МІЖ:</p> <p>_____</p> <p style="text-align: center;">(надалі – «Роботодавець») та</p> <p>_____</p> <p style="text-align: center;">(далі – «Працівник»)</p> <p>УКЛАДЕНО ПРО НАСТУПНЕ:</p>
<p>1. Application</p> <p>1.1 This contract is subject to the Basic Conditions of Employment Act, No 75 , as amended, as well as any terms and conditions contained in this contract.</p>	<p>1. Правове регулювання</p> <p>1.1. Цей Договір підлягає дії Базових умов Закону про працевлаштування № 75 від у діючій редакції з урахуванням усіх змін та поправок, а також регулюється умовами, викладеними у Договорі.</p>
<p>2. Fixed term</p> <p>2.1 The Employer undertakes to hire the Employee as a for a fixed period as follows:</p> <p>Reason for employment:</p> <p>_____</p>	<p>2. Фіксований термін</p> <p>2.1. Роботодавець наймає Працівника на роботу у якості на фіксований термін:</p> <p>Обґрунтування працевлаштування:</p> <p>_____</p>

<p>Period of the contract: From to with remuneration and on the conditions stipulated hereunder.</p>	<p>Термін дії Договору: з по з винагородою у сумі, що зазначена нижче, та на умовах, передбачених цим Договором.</p>
<p>2.2 The first month of the Employee's contract of employment shall be a probation period in which the Employer may terminate the contract of employment with immediate effect or extend such probation period should the employee not perform satisfactorily during the probation period.</p>	<p>2.2. Протягом першого місяця роботи Працівник виконує обов'язки на випробувальному терміні, при цьому Роботодавець може прийняти рішення припинити дію трудового договору, що відразу набирає чинності, або подовжити випробувальний термін, якщо Працівник не виконував свої обов'язки на задовільному рівні протягом попереднього періоду.</p>
<p>If the Employee's services are terminated by the Employer within the probation period, or the probation period extended by the Employer, this shall be done with due cognisance of the principles of substantive and procedural fairness. In the event of the Employee not performing up to standard during his probation period such an employee will not have any right to an extension of his probation period.</p>	<p>Якщо Роботодавець відмовляється від послуг Працівника протягом випробувального терміну або подовжує його, це відбувається із належним урахуванням принципів чесного ведення справи. Якщо Працівник не виконує свої обов'язки достатньо якісно протягом випробувального терміну, він не має права на його подовження.</p>

#### 4.3. EMPLOYMENT

<p>3. Duties 3.1 The Employee is appointed as a</p> <hr/> <p>The Employee acknowledges that he shall be obliged to perform additional tasks over and above the primary tasks for which he is employed. The Employer, however, undertakes that these additional tasks shall be within the training, experience or occupational capabilities of the employee concerned and that no employee shall suffer any loss of remuneration or status for work done on additional tasks.</p>	<p>3. Обов'язки Працівник призначається на посаду.</p> <hr/> <p>Працівник визнає, що бере на себе обов'язки виконувати додаткові завдання поза первинними завданнями, задля яких його було найнято. Однак, Роботодавець забезпечує, щоб такі додаткові завдання залишалися в межах компетенції, досвіду та професійних навичок Працівника. У результаті роботи, пов'язаної над такими додатковими завданнями Працівник не має втрачати свій статус, це також не може призводити до зниження зарплатні</p>
<p>3.3 The Employee shall not be entitled to do any private work whatsoever or be a party thereto without the written approval of the Employer if it interferes with his employment with the Employer or the proper and diligent execution of his duties</p>	<p>3.3. Працівник не має права виконувати будь-які роботи приватно або виступати стороною угоди про їх проведення без письмової згоди Роботодавця, якщо це не дозволяє працювати на Роботодавця або заважає належному та сумлінному виконанню обов'язків Працівником.</p>
<p>4. Work rules The Employee shall be subject to the work rules laid down by the Employer as well as all security and/or safety regulations the Employer may lay down from time to time.</p>	<p>4. Правила внутрішнього розпорядку Працівник керується правилами внутрішнього розпорядку, встановленими Роботодавцем, а також положеннями з безпеки та/або охорони, що може періодично висувати Роботодавець.</p>

<p>5. Remuneration</p> <p>5.1 The Employer shall remunerate the Employee at the rate of _____ a month/week.</p> <p>5.2 Salaries shall be paid direct into the account of the Employee at any local financial institution: upon the completion of a pay cycle not exceeding one month, as determined by the Employer. Proof of such an account with such a financial institution must be submitted to the Employer on the first day of commencement of the contract.</p> <p>5.3 The following deductions shall be made from the Employee's salary:</p> <p>5.3.1 All statutory deductions</p> <p>5.3.2 Any other deductions as allowed by the Employer</p>	<p>5. Винагорода</p> <p>5.1. Роботодавець сплачує працівнику винагороду у сумі _____ на місяць/тиждень.</p> <p>5.2. Зарплатня перераховується безпосередньо на рахунок Працівника у місцевій фінансовій установі після завершення платіжного циклу, який не перевищує одного місяця та встановлюється Роботодавцем. Підтвердження відкритого рахунку у відповідній фінансовій установі Працівник подає Роботодавцю у перший день роботи за Договором.</p> <p>5.3. Із зарплатні Працівника здійснюються наступні вирахування:</p> <p>5.3.1. Усі вирахування, що передбачені законодавством</p> <p>5.3.2. Вирахування, що визначені Роботодавцем.</p>
<p>6. Hours and place of work</p> <p>The Employee shall observe either a five-day or six-day working week (depending on the particular job requirements at any time) but his normal weekly working hours shall not exceed 45 hours.</p>	<p>6. Графік та місце роботи</p> <p>Працівник зобов'язується працювати за графіком із п'ятиденним або шестиденним робочим тижнем (залежно від вимог посади у відповідний час), проте загальна кількість робочих годин на тиждень не може перевищувати 45.</p>
<p>6.2 The Employee hereby consents to perform his duties at such places and times as may be instructed by the Employer from time to time.</p>	<p>6.2. Працівник погоджується виконувати свої обов'язки у місцях та у час, що періодично визначається Роботодавцем.</p>

#### 4.3. EMPLOYMENT

<p>7. Lunch intervals Lunch intervals shall be taken as per general practice within the Employee's place of work.</p>	<p>7. Обідня перерва 7.1. Обідні перерви відповідають загально прийнятому графіку на місці роботи Працівника.</p>
<p>8. Time-keeping Employees compelled by the Basic Conditions of Employment Act shall sign in when coming on duty and sign out when going off duty. No employee may sign the attendance register on behalf of another employee.</p>	<p>8. Облік робочого часу 8.1. Згідно з Базовими умовами Закону про працевлаштування Працівники зобов'язані реєструватися, коли розпочинають та завершують зміну. Співробітники не мають права ставити підпис для реєстрації іншого працівника.</p>
<p>9. Overtime 9.1 The Employee undertakes by the acceptance of this work offer to work overtime as determined by the Employer and if such overtime results in his maximum weekly working hours being exceeded, he shall be entitled to overtime remuneration at the prescribed rates in respect of such additional hours of work.</p>	<p>9. Понаднормова робота 9.1. Працівник, приймаючи посаду, зобов'язується виконувати понаднормову роботу за рішенням Роботодавця, якщо така понаднормова робота призводить до перевищення максимальної кількості робочих годин на тиждень, він має право на оплату понаднормової праці за тарифом, визначеним для таких додаткових годин роботи.</p>
<p>10. Vacation leave 10.1 Dependent on whether the Employee works a five-day or six-day working week, he is entitled to 15 or 18 working days' vacation leave respectively in a leave cycle of 12 months.</p>	<p>10. Відпустка 10.1. Залежно від того, чи у Працівника п'ятиденний або шестиденний робочий тиждень, він має право на відпустку протягом 15 або 18 робочих днів на 12 місяців.</p>

<p>10.2 Vacation leave must be taken by the Employee in accordance with an agreement between the Employer and Employee; or if there is no agreement at a time determined by the Employer.</p> <p>10.3 The Employee shall not be entitled to accumulate vacation leave and no payment shall be made in respect of any leave except on termination of employment and in accordance with Section 40 (b) and (c) of the Basic Conditions of Employment Act.</p>	<p>10.2. Працівник бере відпустку згідно з угодою із Роботодавцем; якщо такої угоди не укладено, час відпустки визначає Роботодавець.</p> <p>10.3. Працівник не має права накопичувати час відпустки, жодні виплати за відпустку не здійснюватимуться до моменту припинення трудових відносин із Роботодавцем відповідно до Розділу 40 (b) та (c) Базових умов Закону про працевлаштування.</p>
<p>11. Sick leave</p> <p>11.1 Sick leave shall be granted in terms of section 22 of the Basic Conditions of Employment Act.</p> <p>11.2 A medical certificate issued by a registered medical practitioner or any other person who is certified to diagnose and treat patients and who is registered with a professional council established by an Act of Parliament, shall be produced for all absences longer than two days. An Employee shall be required to obtain such medical certificate within the stipulated two days.</p> <p>11.3 The Employee has a duty to notify his Employer of his absence within a reasonable period.</p>	<p>11. Лікарняний лист</p> <p>11.1. Лікарняний видається відповідно до Розділу 22 Базових умов Закону про працевлаштування.</p> <p>11.2. Лікарняний лист, що видає кваліфікований терапевт або інша особа, що уповноважена ставити діагнози та лікувати пацієнтів та зареєстрована професійною радою, заснованою за актом парламенту, надається за весь час відсутності на робочому місці не пізніше, ніж через два дні після виходу на роботу. Працівник зобов'язаний отримати такий лікарняний лист протягом зазначеного дводенного періоду.</p> <p>11.3. Працівник зобов'язаний повідомляти Роботодавця про свою відсутність на робочому місці за розумний період часу.</p>

#### 4.3. EMPLOYMENT

<p>12. Public holidays 12.1 The Employer may require the Employee to work on public holidays as prescribed in terms of the Public Holidays Act, depending on the operational requirements of the Employer.</p>	<p>12. Державні свята 12.1. Роботодавець може вимагати від Працівника працювати у державні свята відповідно до умов Закону про працю у державні свята залежно від робочих умов Роботодавця.</p>
<p>13. Unauthorised absence from work  13.1 If the Employee is absent from work without leave, i.e. for any reason other than authorized leave and sick leave, he shall not be entitled to any pay for the days of absence or part of a day and could be subject to disciplinary action.  13.2. The Employee has a duty to notify his Employer of his absence within a reasonable period.</p>	<p>13. Несанкціонована відсутність на робочому місці  13.1. Якщо Працівник відсутній на роботі без дозволу, тобто з будь-якої причини, окрім чергової відпустки та лікарняного, він не має права на оплату за дні або частину дня своєї відсутності, за це його можуть притягнути до дисциплінарної відповідальності.  13.2. Працівник зобов'язаний повідомляти Роботодавця про свою відсутність на робочому місці за розумний період часу.</p>
<p>14. Secrecy The Employee may not disclose any information relating to his work or any other confidential information of the Employer to any third party, either during his employment, or at any time thereafter.</p>	<p>14. Конфіденційність Працівник не має права розкривати інформацію, що стосується його роботи або іншу конфіденційну</p>

<p>15. Termination of contract</p> <p>15.1 This contract shall automatically terminate upon the expiry of the term of service stipulated in clause 2.1 above without either party's having to notify the other party.</p> <p>15.2 Notwithstanding the provisions above, the contract may be terminated during the first month of employment set out in paragraph 2.2 hereof.</p>	<p>15. Припинення дії</p> <p>15.1. Дія цього Договору автоматично припиняється після закінчення терміну надання послуг, вказаного у пункті 2.1, при цьому жодна сторона не зобов'язана повідомляти про це іншу.</p> <p>15.2. Незважаючи на викладене вище, цей Договір може бути припинено протягом першого місяця роботи відповідно до пункту 2.2.</p>
<p>15.3 The Employer reserves the right to summarily terminate this contract in accordance with the code of good practice as contained in the Labour Relations Act, 66 of 1995, as amended, on account of any sufficient reason, misconduct, incompetence, refusal or failure by the Employee to perform his duties, negligence or any other valid reason.</p>	<p>15.3 Роботодавець залишає за собою право за спрощеною процедурою розірвати Договір відповідно до норм кращих практик. Викладених у Законі про трудові відносини, 66 від 1995р. з поправками з будь-якої достатньої причини, через неправомірні дії, некомпетентність, відмову або нездатність Працівника виконувати свої зобов'язання, недбалість або з інших вагомих причин.</p>
<p>15.4 The Employee hereby confirms and accepts that no expectation whatsoever was created by the Employer, or guarantee given, for the continued renewal or extension of this contract or permanent placement in with the Employer. This clause shall apply even where the contract was renewed.</p>	<p>15.4. Працівник цим Договором підтверджує і приймає, що від Роботодавця не очікується, і він не гарантує поновлення або подовження цього Договору або взяття Працівника на постійне місце роботи. Цей пункт продовжує діяти, навіть якщо Договір було подовжено.</p>

4.3. EMPLOYMENT

<p>15.5 No severance pay shall be payable upon the termination of this Contract for whatever reason.</p>	<p>15.5. Після припинення дії цього Договору з будь-якої причини не сплачується компенсація за дострокове розірвання Договору.</p>
<p>16. Agreement 16.1 The aforesaid constitutes the entire contract between the parties. Any variance thereof shall only be binding once it has been recorded in writing, and signed by both parties.</p>	<p>16. Угода 16.1. Викладене вище становить повний текст Договору між сторонами. Будь-які зміни набувають юридичної сили, лише якщо вони зафіксовані письмово та підписані обома сторонами.</p>
<p>17. Resolutive condition 17.1 Should any information supplied by the Employee in his application for employment with the Employer be incorrect or false, this contract may be terminated in accordance with the disciplinary procedure.</p> <p>I, _____, (employee name)</p> <p>hereby accepts the Employer's conditions of employment.</p> <p>_____ 20__ Signature: Employee</p> <p>Signed on behalf of the Employer</p> <p>_____ 20__</p> <p>Signature: Employer</p>	<p>17. Умови скасування угоди 17.1. Якщо будь-яка інформація, надана Роботодавцю Працівником у заявці на роботу, виявиться неправдивою або помилковою, цей Договір може бути розірвано відповідно до процедури настання дисциплінарної відповідальності.</p> <p>Я, _____ (ПІБ працівника)</p> <p>приймаю умови працевлаштування у Роботодавця.</p> <p>_____ 20__ Підпис: Працівник</p> <p>Від імені Роботодавця підписав(-ла): _____ _____ 20__</p> <p>Підпис: Роботодавець</p>

**1. *Translate into Ukrainian***

Remuneration, sick leave, renewal of the contract, hours and place of work, go off duty, at the prescribed rates, misconduct, probation period, vacation leave, deductions, disciplinary action, security and/or safety regulations, work overtime, negligence, come on duty, expiry of the term, termination of employment, disclose information, fixed-term contract, paid direct into the account, public holidays, extend a period, proper and diligent execution, medical certificate, unauthorised absence.

**2. *Translate into English***

За встановленим тарифом, випробувальний термін, належне та сумлінне виконання, відпустка, поновлення дії договору, винагорода, державні свята, подовжити термін, договір на фіксований термін, положення з безпеки та/або охорони, працювати понаднормово, дисциплінарна відповідальність, розкривати інформацію, закінчення терміну, вступати на зміну, сплачувати безпосередньо на рахунок, медичне свідоцтво, лікарняний, посадові порушення.

**3. *Translate the contract into English***

**ТРУДОВИЙ ДОГОВІР № \_\_\_\_\_**

Місто «\_\_\_\_\_»  
\_\_\_\_\_ 20.p.

Товариство з обмеженою відповідальністю \_\_\_\_\_  
\_\_\_\_\_ (далі – Роботодавець),  
в особі директора підприємства \_\_\_\_\_  
\_\_\_\_\_  
що діє на підставі Статуту, з однієї сторони,

та \_\_\_\_\_ (далі – Працівник), з іншої сторони, далі разом – Сторони, уклали цей Договір про наступне:

## **1. ПРЕДМЕТ ДОГОВОРУ, СТРОК ДІЇ ТА ЗАГАЛЬНІ ВИМОГИ**

1.1. Працівник зобов'язаний самостійно виконувати доручену йому роботу у відповідності з умовами цього Договору, дотримуватися Правил внутрішнього трудового розпорядку, а Роботодавець зобов'язується виплачувати заробітну плату і забезпечувати умови праці, необхідні для виконання Працівником трудових обов'язків.

1.2. Цей Договір є строковим трудовим договором. На підставі цього Договору виникають трудові правовідносини між Працівником та Роботодавцем.

1.3. Працівник приймається на посаду \_\_\_\_\_

\_\_\_\_\_.

(зазначається назва посади відповідно до штатного розпису та Класифікатору професій)

1.4. Працівник підпорядковується начальнику відділу та директору підприємства в межах, визначених чинним законодавством України, локальними нормативними актами роботодавця та цим Договором.

1.5. Цей Договір укладається на термін з « » 20\_року і діє до « » 20 року включно. Якщо після закінчення терміну трудового договору трудові відносини фактично тривають і жодна зі сторін не вимагає їх припинення, дія цього договору вважається продовженою на невизначений строк.

1.6. Цей Договір є підставою для видання Наказу про прийом на роботу Працівника.

## **2. ПРАВА ТА ОБОВ'ЯЗКИ СТОРІН**

2.1. Роботодавець зобов'язаний:

2.1.1. створити Працівнику всі необхідні умови для належного виконання ним своїх обов'язків; 2.1.2.

забезпечувати виконання гарантій, передбачених чинним законодавством України для працівників під час виконання ними своїх трудових обов'язків;

2.1.3. провести інструктажі Працівника з техніки безпеки, виробничої санітарії, гігієни праці, охорони праці, протипожежної охорони;

2.1.4. ознайомити працівника з колективним договором підприємства, Правилами внутрішнього трудового розпорядку, посадовою інструкцією та іншими локальними актами підприємства що стосуються його роботи;

2.1.5. своєчасно та в повному обсязі виплачувати заробітну плату, премії та винагороди Працівнику у відповідності з цим Договором, Колективним договором, Положенням про оплату праці та Положенням про преміювання що діють на підприємстві.

2.2. Роботодавець має право:

2.2.1. вимагати усунення недоліків, допущених Працівником в процесі виконання ним своїх посадових обов'язків.

2.2.2. притягувати Працівника до дисциплінарної та/або матеріальної відповідальності в разі порушення ним цього Договору та положень інших локальних актів.

2.3. Працівник зобов'язаний:

2.3.1. пройти інструктажі з техніки безпеки, виробничої санітарії, гігієни праці, охорони праці, протипожежної охорони;

2.3.2. ознайомитися з колективним договором підприємства, Правилами внутрішнього трудового розпорядку, посадовою інструкцією та дотримуватись в роботі їхніх положень;

2.3.3. особисто виконувати обов'язки передбачені Договором та Посадовою інструкцією;

2.3.4. точно і своєчасно виконувати всі доручення та розпорядження директора підприємства в межах займаної працівником посади;

2.3.5. при виконанні своїх трудових обов'язків дотримуватись вимог стандартів, правил, умов, що

регламентують особливості виконання певних видів робіт;

2.3.6. відповідально ставитись до виконання своїх обов'язків, оволодівати та, після узгодження з директором підприємства, використовувати у процесі праці нові досягнення науки і техніки, передові технології;

2.3.7. повідомляти директору підприємства будь-яку інформацію, що стосується діяльності Роботодавця та може позитивно або негативно вплинути на цю діяльність (зокрема, про простій в своїй роботі);

2.3.8. дотримуватись конфіденційності умов цього Договору, не розголошувати комерційну таємницю та конфіденційну інформацію Роботодавця;

2.3.9. за направленням виїжджати у відрядження;

2.3.10. отримувати під звіт майно та інші матеріальні цінності, як від сторонніх організацій, так і безпосередньо від Роботодавця, відповідно до довіреностей або інших разових документів.

2.4. Працівник має право:

2.4.1. самостійно приймати рішення в межах своєї компетенції відповідно покладених на нього посадових обов'язків;

2.4.2. вносити пропозиції щодо удосконалення як виконуваної ним роботи, так і роботи Підприємства в цілому, не порушуючи принципи доброзичливості та умови конфіденційності.

### **3. РОБОЧИЙ ЧАС ТА ЧАС ВІДПОЧИНКУ**

3.1. Працівник під час здійснення своїх трудових функцій зобов'язаний дотримуватись Правил внутрішнього трудового розпорядку, з урахуванням особливості режиму робочого часу працівників окремих підрозділів Роботодавця та положень цього Договору.

3.2. Працівник виконує роботу на умовах повного робочого часу. Тривалість робочого тижня становить годин.

3.3. Робочі дні: \_\_\_\_\_

Час початку та закінчення роботи: \_\_\_\_\_

Перерва для відпочинку та харчування: \_\_\_\_\_

3.4. У виключних випадках Роботодавець може залучити Працівника до: — надурочних робіт у порядку та з компенсаціями, передбаченими законодавством; — виконання роботи у вихідні та святкові дні (тільки у встановлених законодавством випадках) з оплатою відповідно до чинного законодавства.

3.5. Працівнику надається щорічна оплачувана відпустка тривалістю ( ) календарних дні(–в) на рік. Відпустка Працівнику надається відповідно до Графіка відпусток та на умовах, передбачених чинним законодавством України. Надання інших видів відпусток здійснюється на умовах та у порядку, встановлених чинним законодавством.

#### 4. ОПЛАТА ПРАЦІ

4.1. За виконання обов'язків, передбачених цим Договором, Працівнику щомісячно Роботодавцем виплачується заробітна плата із розрахунку посадового окладу, який становить \_\_\_\_\_ ( \_\_\_\_\_ ) грн на місяць.

4.2. Розмір посадового окладу може бути збільшений на підставі додатково укладених Сторонами письмових угод до цього Договору.

4.3. Роботодавець нараховує Працівнику надбавки, доплати, премії та інші виплати відповідно до норм законодавства, колективного договору підприємства, Положення про оплату праці та Положення про преміювання що діють на підприємстві.

4.4. Порядок виплати заробітної плати визначається нормами чинного трудового законодавства та Положення про оплату праці, яке діє на підприємства.

4.5. Оплата відпустки Працівника проводиться виходячи з його середнього заробітку, обчисленого в порядку,

визначеному Кабінетом Міністрів України.

## **5. СОЦІАЛЬНЕ ЗАБЕЗПЕЧЕННЯ**

5.1. Працівник має право на соціальне забезпечення, яке здійснюється Роботодавцем у порядку, встановленому колективним договором підприємства.

## **6. ПІДСТАВИ ДЛЯ ПРИПИНЕННЯ ТА РОЗІРВАННЯ ДОГОВОРУ**

6.1. Договір може бути припинений: 6.1.1. за угодою сторін відповідно до пункту 1 статті 36 Кодексу законів про працю України (далі – КЗпП);

6.1.2. зв'язку із закінченням терміну дії Договору відповідно до пункту 2 статті 36 КЗпП;

6.1.3. у інших випадках передбачених законодавством з ініціативи Працівника або Роботодавця. 6.2. У разі бажання працівника достроково розірвати договір він зобов'язаний попередити про це Роботодавця письмово за два тижні. Працівник має право достроково розірвати Договір у разі невиконання Роботодавцем своїх зобов'язань та норм законодавства про працю.

## **7. ІНШІ УМОВИ ДОГОВОРУ**

7.1. Цей Договір складений українською мовою в двох примірниках, які зберігаються у кожної із сторін і мають однакову юридичну силу. Договір може бути доповнений або змінений у порядку, визначеному чинним законодавством України за взаємною згодою сторін шляхом підписання додаткової угоди.

7.2. Відносини Сторін, не передбачені цим Договором, регламентуються чинним законодавством України.

7.3. Працівник зобов'язується не розголошувати комерційну таємницю підприємства, не використовувати її в інтересах третіх осіб. Під комерційною таємницею підприємства

розуміються відомості технічного, організаційного, комерційного, виробничого та іншого характеру, за винятком тих, які відповідно до закону не можуть бути віднесені до комерційної таємниці.

7.4. Працівник згоден на обробку його персональних даних Роботодавцем у порядку встановленому Законом України «Про захист персональних даних».

7.5. Роботодавець зобов'язується не передавати персональні дані Працівника, які йому стали відомі під час виконання цього Договору, третім особам, крім випадків, коли така передача здійснюється при поданні Роботодавцем різних видів звітності в державні органи, що передбачено законодавством України.

7.6. Спори, які можуть виникнути щодо Договору вирішуються сторонами самостійно, або у судовому порядку.

## 8. РЕКВІЗИТИ СТОРІН ТА ПІДПИСИ

Роботодавець: Повна назва: Товариство з обмеженою відповідальністю _____ _____	Працівник: ПІБ: _____
Код ЄДРПОУ _____	Адреса: _____
Адреса: _____	Тел. моб. _____
Розрахунковий рахунок № _____	Тел.дом. _____
в МФО _____	Паспорт: серія № _____
Тел. 380( ) _____	Виданий _____
	«__» _____ 20__ р.
	Реєстраційний номер плат- ника податків _____
Директор підприємства _____/_____/	_____ (підпис)
(підпис) _____ (ПІБ)	

## 4.4. TESTS FOR SELF-REVISION

*Choose the correct answer:*

1. Contract law can be defined as a body of \_\_\_\_ governing the formation, performance, and enforcement of contracts.  
a) promises b) actions c) rules d) explanations
2. The law of contracts has been adapted to serve special \_\_\_\_\_.  
a) additions b) needs c) actions d) signs
3. A breach of contract occurs when one party \_\_\_\_\_ to fulfill its obligations as specified in the contract without a lawful excuse.  
a) fails b) license c) protect d) suspect
4. The party who makes \_\_\_\_\_ is called the promisor.  
a) regulation b) identification c) a promise d) comply
5. If one of the parties doesn't go through with a contract (nonperformance), it is called a(n):  
a) assignment b) consideration c) breach d) operation of law
6. A contract can be classified as:  
a) express or implied b) unilateral or bilateral  
c) executory or executed d) all of the answers are correct
7. There is no contract  
a) without the exchange of money  
b) without both offer and acceptance on mutually agreed terms  
c) both a and b  
d) none of these
8. Which of the following is not one of the major requirements for a contract?  
a) time b) genuine assent c) capacity d) consideration
9. What is discharged contract?  
a) one that was always impossible to perform  
b) one that will be breached due to lack of agreement  
c) one that was valid and has now ended  
d) one that never came into being at all
10. Certain promises that are not considered contracts may, in limited circumstances, be enforced if one party has relied to his \_\_\_\_\_ on the assurances of the other party.  
a) deference b) detraction c) detriment d) distress

**Answers: 1 - c, 2 - b, 3 - a, 4 - c, 5 - c, 6 - d, 7 - b, 8 - a, 9 - a, 10 - c**

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# CHAPTER V.

## GRAMMAR APPENDIX

### Articles

#### ***A/An (Indefinite article)***

The indefinite article is used to describe someone or something that is unfamiliar to you or about which you are speaking in general. There are two forms: ***a*** and ***an***. ***A*** is used before a word beginning with a consonant. ***An*** is used before a word beginning with a vowel. ***A/An*** is used with singular countable noun to talk about indefinite things. e. g. *Sometimes the officer uses a taser. All officers receive a(n) firearm.*

The Indefinite article is normally used:

1. with countable nouns in the singular: *Have you got a car?*
2. with a countable nouns mentioned for the first time: *He was a witness at that trial.*
3. to talk about someone's job: *He works as a solicitor.*
4. with a noun in general case (has the meaning of every, any).  
*A policeman catches criminals.*
5. in the meaning of one: *Wait a minute!*
6. after the construction: there is.../ was; it is... This is...  
*This is a very important document.*
7. after the words: *such, rather, quite: What a dangerous case!*
8. with a noun modified by the adjective in the positive degree:  
*Are you a good barrister?*
9. with *a dozen, a hundred, a thousand, a million, a pound, a week, an hour, a mile* – in the meaning “one”: *We have trials twice a week.*
10. in some expressions: *a lot of, as a result, as a matter of fact, as a rule, it's a pity, it's a pleasure, in a hurry, to go for a walk, to have a good time/rest, to take a shower, to have a smoke, to give a call, for a while, to tell a lie, what a shame, in a week, a knife and fork, to catch (a) cold.*

**Some** can be used in the affirmative statements with plural countable nouns or uncountable nouns and **any** in questions and negations. e.g. *There were some explosions outside. Is there any money left in the bank account? Are there any records from the crime scene?*

We do NOT use an article: 1. Before plural countable nouns and uncountable nouns when we mean ‘in general’: *I like dogs. Lawyers are professionals who work a lot.* 2. Before abstract nouns: *What is law?*

### **The (Definite article)**

The English definite article is **the**. It is used to identify a particular person or thing. If you are speaking about someone or something you are already familiar with, you use **the** with the noun. **The** is used with singular and plural nouns, countable and uncountable ones, to talk about something specific or when the noun is mentioned for a second time. e.g. *The green building is my school. There’s a car parked in the middle of the road. The car is Paul’s.*

**A/An** or **the** is used before singular countable nouns to refer to a group of people, animals or things. e.g. *A/The canary is the most popular singing-bird. A/An* or **the** is never used before a noun in the plural when it represents a group. e.g. *Canaries are the most popular singing birds.*

Some nouns such as *bed, church, college, court, home, hospital, prison, school, university, sea, work* are used without articles except the cases determined by the context.

### **The is used before:**

1. a noun when it is clear in the situation which thing or person is meant, or with the noun mentioned before: *The policeman stopped at a village. The village was old but nice.*

2. also the police, the army, the fire brigade, the bank, the post office, the doctor, the dentist: *The police are looking for the thief.*

3. the noun denoting a unique thing (the sun, the earth, the moon): *The earth goes round the sun.*

4. with the adjectives: following, next, last, same, very: *Where is the next witness?*

5. the nouns: the sky, the sea, the ground, the world, the government, the radio (but television): *I've heard this news on the radio.*

6. the + adjective: the rich = rich people in general. These expressions are always plural! *The unemployed, the young, the blind.*

7. the + nationality words: *the French = the French people, the English, the Irish.*

8. with the names of the oceans, seas, rivers, canals, mountains, deserts: *The Atlantic Ocean, The British Isles, The Ontario.*

9. with the names of the countries which include words like republic, union, state, kingdom: *the United Kingdom, the United States.*

10. also: *the Crimea, the Caucasus, the Congo; The Hague, the High Street.*

11. before the names of the hotels, theatres, museums, cinemas, newspaper, ships, also before the names with of: *The Hilton (Hotel), the British Museum, the Washington Post, ships: Queen Elizabeth, the Houses of Parliament.*

12. with the names denoting the whole family: *the Simons, the Smiths.*

13. with the date (in speech): *on the fifth of May, On May the fifth.*

14. with the organizations, official titles, documents: *the United Nations, the President, the Constitution.*

**Note:** “most” used as a determiner followed by a noun, does not take “the”. e.g. *Most students failed the exams*, but: *The most interesting lecture was the one on endangered species;*

- the words: beach, cinema, city, coast, country(side), earth, ground, jungle, radio, pub, sea(side), sky, station, shop, theatre, village, weather, world, etc. but not before “man” (= people) e.g. *I went to the shop to buy bread.* Note: “the” is optional with seasons;

- morning, afternoon, evening, night. e.g. *I'll come round in the morning*. (but: at night, at noon, at midnight, by day/night, at 5 o'clock etc);
- historical reference/events *the French Revolution, the Second World War* (but: *World War II*)
- only, last, first (used as adjectives). *Alex is the first to come and the last to leave*.

**The is omitted before:**

- proper nouns *Richard, Kropyvnytsky*;
- names of sports, games, activities, days, months, holidays, colours, drinks, meals and languages (*not followed by the word language*) e.g. *I love polo. Can you speak Spanish?*  
but: *The Chinese language is fascinating*.
- names of countries (*France*), but: *the Netherlands, (the) Sudan, the Hague, the Vatican*, cities (*Manchester*), streets (*Bond Street*), but: *the High Street, the Strand, the Mall, the A11, the M4 motorway*, squares (*George Square*), bridges (*Tower Bridge*) but: *the Bridge of Sighs, the Forth Bridge, the Severn Bridge, the Golden Gate Bridge*, parks (*Central Park*), stations (*King's Cross Station*), individual mountains (*Mount Everest*), islands (Malta), lakes (*Lake Ontario*), continents (*Asia*);
- possessive adjectives *That is my car*.
- two-word names whose first word is the name of a person or a place *Glasgow Airport, Edinburgh Castle* but: *The White House* (because the that word "White" is not the name of a person or a place);
- pubs, restaurants, shops, banks and hotels which have the name of their founder and end in -s or -s's *Tom's Cafe, Harrods, Baring's Bank*, but: *the White Horse* (pub) (because "White Horse" is not the name at the founder);
- bed, church, college, court, hospital, prison, school, university when we refer to the purpose for which they exist *He goes to church every Sunday*, but: *We have to be*

*at the church at 2.00 for Julie's wedding.* Work (= place of work) never takes "the". e.g. *I have to go to work now.*

- the words home, father/mother when we talk about our own home/parents e.g. *Mum is home now.*
- means of transport: by bus/by car/by train/by plane, etc. but: in the car, on the bus/train, etc. e.g. *She came by bus, but: She was on the bus when the accident happened.*

### Using of articles in some set-expressions:

*Indefinite 'a/an'*: – have a look/wash/swim etc., – have a good time, – have a toothache/headache etc., – it's a pity/shame, – as a matter of fact, – be in a hurry, – be at a loss, – go for a walk, – in a low/loud voice, – all of a sudden, – tell a lie, – for a short/long time, – at a time, – at a speed of, – a lot of, – a little, – a few.

*Definite 'the'*: – in the affirmative/negative, – in the direction of, – in the east/west/north/south, – on the one/other hand, – on the right/left, – in the positive/negative, – in the country, – in the street, – in the sun, – go to the cinema/theatre, – in the morning/afternoon/evening, – the other days, – on the whole, – on the way, – on the advice of, – all over the world, – play the piano/guitar, – tell the truth, – pass the time, – the more... the better...

*Zero article*: – be in love, – be in need, – at night/day/sunrise, – at home/work/school, – at breakfast/lunch/dinner, – at peace/war, – by car/ bike/train/air etc., – by heart, – by chance, – by mistake, – in time, – on time, – in demand, – in town, – in fact, – from... to..., – be in bed/ hospital/church/prison, – in any case, – in full, – in pencil, – in return.

### \*Prepositions of time

**In** (with months, years, parts of the day, seasons: in the morning, in the afternoon, the evening, in March, in the summer, in 2024), **on** (with dates, days: on Monday (morning), on the 12th of July, on my birthday, on 1<sup>st</sup> June), **at** (with times: at three o'clock, at midday / midnight, at lunchtime, at night, at the weekend, at Easter; in expressions: at night, at present, at the moment), **during** (with time periods: during the week, during the summer; with events:

during the show, during the lesson), **for** (to measure duration: for + period of time: for three years; for a long time.).

### \*Prepositions of place

**In** (the suspect is in jail), **on** (on crime scene), **under** (under military conditions), **next to** (next to the crosswalk), **behind** (behind the clouds), **in front of** (of traffic section building), **between** (two chairs).

### There is/are

We use this construction if we want to introduce something new about an object or a person. The word *there* is often used with the verb *be* to acknowledge the existence of someone or something. The form of the *be* verb is based on the subject that follows it. Singular subject: *There is a concert in the park tonight.* Plural subject: *There are four rooms in the house.*

#### **Singular**

Affirmative (*There is a report about the riot at the last football match*)

Interrogative (questions) (*Is there an intersection near here? – Yes, there is*)

Negative (*There is no (isn't any) intersection near here*)

#### **Plural**

Affirmative (*There are some tips for proper police report writing*)

Interrogative (*Are there any vehicles in the garage? – Yes, there are some*)

Negative (*There are no (aren't) any vehicles in the garage*)

### Nouns

Nouns can be either proper or common. Proper nouns are those that refer to a particular person, place, thing, or idea. Such nouns are capitalized: *America, Taras Shevchenko, Mr. Klymko, March.* Nouns that do not refer to a particular person, place, thing, or idea are common nouns. They are not capitalized: *captain, cadets, money, test.*

Nouns can be used as the subject of a sentence. The subject is the word that is performing the action in the sentence. The subject can be a proper noun or a common noun, and it can be singular or plural: *Cornelia is a friend of mine. The boys like to play soccer. Where is the school?* Nouns can also be used as direct objects. The direct object in a sentence is the noun that receives the action of the verb. To find the direct object in a sentence, do three things:

1. Find the subject of the sentence.
2. Find the verb in the sentence.
3. Ask whom or what the action is directed.

Nouns are sometimes indirect objects. They stand before the direct object in the sentence. It is the person to whom or for whom something is provided. To find the indirect object in a sentence, do three things:

1. Find the subject of the sentence.
2. Find the verb in the sentence.
3. Ask to whom or for whom the action is directed.

The predicate is the main member of the sentence which can be a single verb or a verb phrase:

Verb as the predicate: *Maria helps us.*

Verb phrase as the predicate: *Maria usually helps with the gardening.*

Predicate nouns most often follow the verbs *to be* and *to become*: *My mother wants to be a doctor. Celine became an actress. Are you the manager of this building?*

### ***Number***

Nouns in English can be countable and uncountable. Countable nouns have a singular and plural forms; uncountable nouns have only one form, normally singular one. *Law* is a countable noun; *legislation* is an uncountable noun. Other examples of uncountable nouns: *knowledge, information, news.*

- *Countable Nouns (house, glass, box, dish, size, tomato): few, a few, a couple of, a (large, good, great) number of.*

- *Uncountable Nouns (juice, milk, coffee, tea, wine, oil, butter, stone, glass): little, a little, a great/good deal of, a large/small amount of.*

*Irregular plural (man, woman, child, foot, tooth, goose, mouse).*

Uncountable nouns take a **singular verb** and are **not** used with **a/an**. Many uncountable nouns can be made countable: *a game of soccer, a piece of advice, a pair of trousers*. *The police* always take a **plural verb**. Some plural nouns have no singular form: *goods, belongings, arms, cattle, remains, surroundings, earnings*. Nouns, referring to instruments or articles of clothing that consist of two parts that are joined together, always take a **plural verb** (*scissors, pajamas, scissors, shorts*).

NOTE:

- The noun *scarf, hoof, wharf* take either -s or -ves in the plural.
- Some words borrowed from Latin or Greek keep their original plural forms: *datum- data, phenomenon-phenomena, basis-bases, formula-formulae-formulas, crisis-crises, memorandum-memoranda-memorandums, thesis-theses, criterion-criteria*.
- There are seven nouns which form the plural by changing the root vowel and two nouns in the plural end in -en: *man-men, goose-geese, ox-oxen, woman-women, mouse-mice, child-children, foot-feet, louse-lice, tooth-teeth*.
- In some nouns the plural form does not differ from the singular: *deer – deer, fruit – fruit (fruits = kinds of fruit), sheep – sheep, fish – fish (fishes – kinds of fish), swine – swine, salmon – salmon, aircraft – aircraft, cod – cod*.

The following nouns ending in -s are usually treated as singular: the words *news; politics, tactics, optics*; the subjects: *economics, mathematics / maths, physics, statistics*; the games: *billiards, dominoes, darts, bowls*; the activities: *gymnastics, athletics*; the illness: *measles, mumps, rickets, shingles*.

The following collective nouns are usually used in singular: *family, crowd, congress, team, jury, government, public, committee, staff, army, media.*

Some nouns are used only in plural: *sights, contents, spectacles, goods, customs, congratulations, sweets, savings, surroundings, outskirts, clothes, poultry, trousers, riches, wages, jeans, people, stairs, cattle, shorts, police, scissors, tights.*

As a rule a compound noun forms the plural by adding -s to the headword. If there is no noun-stem in the compound, -s is added to the last element: *brother-in-law – brothers-in-law, forget-me-not – forget-me-nots, merry-go-round – merry-go-rounds.*

But: *man (woman)-driver – men (women)-drivers.*

## Case

### The Possessive Case

Nouns denoting living beings, people and animals (and some nouns denoting lifeless things) have two cases: the *common case* (pen, student, etc.) and the *possessive case* ... 's: *Jane's mother didn't answer. I heard the girl's steps on the stairs. I heard the girls' steps on the stairs.*

**BUT:** *It would cost at least three policemen's salaries per year. They met outside Helen and Tim's apartment. He went to his mother-in-law's house.*

### \*The Usage

1. Human beings: *his wife's hobby*
2. Geographical and institutional names: *the government's policy, the country's population, London's parks, the river's banks, nature's resources.*
3. Distance and Temporal nouns: *an hour's sleep, a twenty minutes' walk, at ten miles' distance.*
4. Planets: *the Earth's rotation.*

Possessive isn't used after the definite article or demonstrative pronoun (this, that, these, those): *that friend of Ann's (hers).*

Besides nouns denoting living beings we can use 's when a first noun is:

1) an organization (=a group of people): *the government's decision, the ship's captain, the company's success, we met at Bill's.*

2) the place (town, city, country, river, ocean, world, names of the countries): *the city's new center, the world's population, Britain's government.*

3) time and distance: *an hour's rest, month's holiday, two hours' drive, night's sleep, five minutes' walk, in two years' time.*

4) time words: *tomorrow's meeting, yesterday's talks, today's newspaper, sunday's dinner.*

### **Gender**

In Modern English there is no grammatical category of gender. But according to their lexical meaning all nouns denoting living beings are of either the male or female sex: *man – woman, poet – poetess*, etc.

According to the morphological composition we distinguish simple (*cadet, house*), derivative nouns (which have prefixes or suffixes: *misunderstanding, inexperienced*) and compound nouns (built from one or more stems or words: noun + noun: *sunglasses, time-table, bus-stop*; adjective + noun: *fastfood, first aid*; verb + preposition: *checkout, breakup*; three words: *ready-made meal, air traffic control*; gerund + noun: *swimming pool, driving license*; noun + gerund: *coal mining, weight lifting*).

The main syntactical functions of the noun in the sentence are those of the subject and the object: they may be also used in the functions of a predicative, an attribute and a adverbial modifier.

### **Pronouns**

**Personal Pronouns** (*I, you, he, she, it, we, you, they*) are words that take the place of nouns. Just as nouns have gender, pronouns also do. *I, we, and you* can be used by males or females. *He* is always masculine, *she* is always feminine, and *it* is always neuter.

The plural of the third-person pronouns is always *they*, whether masculine, feminine, or neuter. And just like nouns, pronouns can be used as: 1. the subject of a sentence 2. a direct object 3. an indirect object. The personal pronouns *have a subjective form, an objective form, and a possessive form*. The subjective form is used in place of a noun subject of a sentence. The objective form is used in place of a noun serving as either a direct object, an indirect object, or the object of a preposition. The possessive form replaces a possessive noun formed with an apostrophe plus s (for example, *cadet's*) or in a prepositional phrase introduced by *of* (for example, *of a cadet*).

Many people use the pronoun *one* in a more traditional or formal style, it can be replaced by *you* in casual speech. *One* or *you* is used when someone does not want to use a pronoun that identifies a specific person; they are used to speak in general. If you substitute the pronoun *someone* for *one*, you will have the approximate meaning of *one*.

**Possessive pronouns** limit the nouns they modify in terms of the ownership implied: *my, your, his, her, its, our, and their*. Possessive pronouns (my-mine, your-yours, his-his, her-hers, its-its, our-ours, their-theirs).

The possessive *whose, which* inquires into ownership, is also an interrogative adjective but belongs in this group, as well.

**The demonstrative pronouns** – *this, that, these, and those* – limit the modified noun to the one identified by the speaker: *this one, that one*. They show closeness (*this, these*) or distance (*that, those*) in the same way as the demonstrative pronouns. The demonstrative pronoun points out the noun that is being spoken or written about.

**Indefinite pronouns** provide general information about the nouns they modify. Among the most common indefinite adjectives are *all, any, each, every, few, many, and some*. The indefinite pronouns have a unique function. They act in a sentence like other pronouns – that is, they are substitutions for

nouns; however, the indefinite pronouns are not a replacement for a specific noun. Instead, they refer to *anyone*, *everyone*, or *no one* in particular.

**Interrogative pronouns** *what*, *which*, and *whose* modify nouns in the same way as other limiting adjectives. *What* and *which* inquire into a choice between two persons or things and from among a group of persons or things. *Whose* asks about ownership.

**Relative pronouns** – *who*, *whom*, *whose*, *which*, *that* – are used to combine two sentences that contain identical nouns or pronouns. The sentence in which the noun is replaced by a relative pronoun becomes a subordinating clause. As such, that clause cannot stand alone; it functions as part of the main clause.

**Reflexive pronouns** – *myself*, *yourself*, *himself/herself/itself*, *ourselves*, *yourselves*, *themselves* – are used only as objects and never as subjects of a sentence. They can be direct objects, indirect objects, or the objects of prepositions.

There are only two **reciprocal pronouns**: *one another* and *each other*. Either one is correct, and each can replace the other in a sentence. They are used to combine two sentences that say that two persons or things are carrying out the same action. **Each other** is used when there are **two persons** involved, **one another** is used when **there are more than two** persons **Each** refers to an individual object or person, while the term **every** refers to a group of objects or people taken together as one: e.g. **Every** artist is sensitive. **Each** artist sees things differently. In addition, the word **each** is used when there are only two objects in question: e.g. *Jessica wore anklets on each ankle.*

• **Both ... and** + adjective is used to add more information to a point: *Mary is both clever and good-looking.* **Neither ... nor** is used to join two negative ideas: *Neither Sally nor Sarah came to the party. He neither drinks nor smokes.* **Either or** connects two choices: *I've saved some money to buy either a DVD player or an MP3 player.* **Either** is used before a singular noun and has two meanings: 'each of the two', 'one or the other'. E.g. *There are*

roses on **either** side of the door. Do you want an appointment at 9 or at 10? **Either** time is difficult. **Neither** time is convenient.

- **None of** can be used:

- Instead of **not any of**: *She's done **none of** the work I told her to do.*
- Before a determiner (**the, my, this**) and before a pronoun. ***None of** the keys would open the door. **None of it** is worth keeping.*

- **Neither** before a singular noun means 'not one and not the other (of the two)': *Can you come on Monday or on Tuesday? – I'm afraid **neither** day is possible.*

- **Such** is used before a noun, with or without an adjective. **Such** comes before **a/an**; *I've never met **such** an interesting person.* **So** is used before an adjective alone, without a noun, or an adverb: *He is **so** patient with her. Why do you talk **so** slowly?*

- Few, a few, little, a little

(a) **Little** is used with singular (usually uncountable) words; (a) **few** with plurals. There is a difference between **little** and **a little**, and between **few** and **a few**. Without articles, **little** and **few** usually have negative meanings. They may suggest 'not as much/many as one would like', 'not as much/many as expected', and similar ideas. **A little** and **a few** are more positive: their meaning is usually closer to **some**.

### Adjective. Comparison of adjectives

An adjective in English is a part of speech that describes or points to the distinguishing feature of a noun (person, place, or thing) and usually precedes the described word: *cracked windshield, circular shape, unknown location*, etc. Just like nouns, adjectives can follow the predicate. They most often come after forms of the verbs to be and to become: *My sister was very sad. The horse suddenly became thirsty. My grandfather is old.* Adjectives describe or modify a noun or pronoun. They provide more information about a noun or pronoun, and they can provide

additional meaning for a noun phrase. *Joseph is a famous guitar player*. An English adjective has only one form, whether the noun or pronoun it modifies is masculine, feminine, or neuter, or singular or plural.

There are three types of adjectives: *descriptive* (describes someone or something), *predicative* (follows a linking verb and modifies a noun or pronoun “from a distance”—that is, separated from the noun itself by the verb: *My vision seems blurred. That really smells good! It suddenly got cold*) and *attributive* (stands before a noun. It is common to use more than one adjective to modify nouns in this position: *The young officer came up to me*).

There are nine types of limiting adjectives (can modify the noun): definite and indefinite articles, possessive adjectives, demonstrative adjectives, indefinite adjectives, interrogative adjectives, cardinal adjectives, ordinal adjectives, proper adjectives, and nouns used as adjectives. The obvious function of any limiting adjective is to limit or to specify some aspect of the noun it modifies.

In English, there are *three forms* of adjectives, including two forms of comparative adjectives: *positive* (This offers no comparison. It just tells us about the existence of a quality: *slow, high, dangerous, serious*), *comparative* (This compares two things to show which has the lesser or greater degree of the quality: *slower, higher, more dangerous, more serious*) and *superlative* (This compares more than two things to show which has the least or greatest degree of the quality: *the slowest, the highest, the most dangerous, the most serious*). The comparative form of adjectives is used when two or more things are compared. The conjunction *than* is used when comparison is made.

We usually add *-er* to one syllable adjectives and adverbs to make their comparative forms and *-est* to make their superlative form: *hard-harder-the hardest*. For adjectives with three or more syllables we usually add *more /less* and *most /least*.

• Irregular forms of adjectives: *good – better – the best, bad – worse – the worst, little – less (lesser) – least, many/much – more – the most, far – further – the furthest.*

• Special Points of Comparison: • as ...(positive degree) ... as (*She's as clever as her sister*), • not so /as ... (positive degree) ... as (*She is not as patient as Beth*), • twice /three times etc. /half as ...(positive degree) ...as (*She's got twice as much money as I have*), • the + comparative ..., the + comparative (*The sooner, the better*), • very + adj /adv of positive degree (*He is very practical*), • (very) much, a lot, a little, rather, even, far, a bit + adj /adv of comparative degree (*It is even /much /far /a bit hotter than it was on Monday*), • most + adj /adv of positive degree = very (*She is most helpful with the customers*), • any + adj /adv of comparative degree (used in negations and questions) (*Is he working any harder?*), • comparative + and + comparative (*Computers are becoming more and more important in our lives*).

## Verbs

• **Present tenses** 1) make assertions or generalizations about ongoing conditions or states, 2) describe existing habits or customs, 3) comment on present-time actions.

**Present Simple tense** expresses:

1) general statements and truths without time reference. E.g. The sun rises in the East. Money doesn't buy happiness. The Black Sea washes Ukraine in the South. It rains in autumn.

2) permanently ongoing present situations without time reference. E.g. Mounted police have the advantage of height and speed. She works as a secretary with a firm.

3) habitual, repeated actions with frequency adverbs usually, generally, often, seldom, sometimes, never, every day, annually, etc. E.g. I always go to bed late. He never misses classes. They usually stay in on Mondays. I take my vitamin pill every day.

4) future reference with adverbs denoting time. E.g. He arrives in two weeks. We play tennis tomorrow. They begin their work next Sunday.

5) mental or emotional states with verbs which refer to it (believe, care, consider, enjoy, expect, fear, hate, like, love, hope, imagine, mean, mind, prefer, regret, remember, suggest, think, want, wish, understand). E.g. I hate such things. I don't care for him anymore. He believes in God. He doesn't remember my telephone number.

6) perception, reflection, appearance. E.g. He doesn't see well. She stoops. I feel unwell.

7) the idea of belonging or having something (belong, contain, consist, deserve, cost, differ, matter, measure, weigh, resemble, exist, concern). E.g. He belongs to his family. You deserve punishment. He weighs 60 kilos. This matter doesn't concern you.

8) a succession of actions taking place at the moment of speaking. E.g. He takes the letter, reads it carefully, lights the candle and burns the letter.

9) continuous actions going on at the moment of speaking, with verbs of senses (see, hear, smell, taste). E.g. I see the picture very well. Do you hear the noise? The roses smell so nice. The coffee tastes quite different now.

10) opinions, emotions and wishes (agree, believe, consider, think, need, want, know). E.g. I don't agree with you. I hate weak coffee. He needs a bike. They think a lot about it.

11) future reference in adverbial subordinate clauses of time and condition after the conjunctions when, as soon as, till, until, unless, while, before, after, if, in case, provided. E.g. They will come here when they become medical specialists. As soon as I see this book on sale I'll buy it. Stay here until your mum comes. If it doesn't rain tomorrow we'll go to the wood, but if it rains we'll stay in.

• ***Interrogative forms*** of present simple are built with the help of the auxiliary verb to do for all the persons except the 3rd person

singular. It is placed before the subject and the infinitive stem of the notional verb. In the 3rd person singular the auxiliary verb *does* is used. Interrogative forms are represented by the following types of questions.

1. *General*: e.g. Do you smoke? Does your brother smoke?

2. *Alternative*: e.g. Do you teach or study here? Does she teach or study here?

3. *Disjunctive*: e.g. You know German, don't you? She teaches English, doesn't she?

4. *Special*: e.g. Who teaches English in your class? What language does she teach? Why do you get up so early? When do you go on a holiday?

***Present Continuous tense*** (narrates or depicts an action or event that takes place or "progresses") has two main meanings: (1) action in progress and (2) future, and usually expresses:

1) actions in progress at the moment of speaking: E.g. He's working at the moment. She is speaking over the phone now. It's raining now.

2) temporary situations / actions, not necessarily in progress at the moment of speaking: E.g. Police are increasing their presence because of the uncontrolled behavior of people. I'm taking special courses in English.

3) a changing situation (verbs describing change and development). E.g. Things are getting worse.

4) planned actions that we have already arranged to do in the near future, especially when the time and place have been decided: E.g. We're spending next winter in Austria. Our neighbours are moving to a new flat at in a week. My mother is arriving on Saturday.

5) repeated actions with adverbs like *always, forever, constantly* etc., usually to express annoyance, irritation or anger: E.g. She's always helping people (action which happens very often). You're constantly finding faults with me (expressing annoyance / irritation)

\*Some verbs rarely take the present progressive form, they are often called *stative* verbs. The most common stative verbs are:

a) *to be*. It rarely occurs in the present progressive form except with adjectives of behaviour: E.g. You are being silly, which suggests a temporary, and deliberate act, or for mime and pretence: E.g. I'm being an airplane.

b) *to have*. In British English to verb to have in present progressive may have two meanings: 1. where „have“ implies present enjoyment or experience: E.g. I'm having a bath. 2. where „have“ indicates possession. This is stative and in the present progressive always carries a future meaning: E.g. I'm having a new coat.

***Present Perfect tense*** is used for past-time actions or events whose actions or consequences continue until they are terminated at the present moment of time (when we talk about past-time events that directly affect the present), and stands for:

1) an action completed by the moment of speaking and we see the result of the action: e.g. He is crying. I have broken the cup. I'm happy that you have come.

2) a completed action connected with the present (today, this week, lately, recently, for the last two weeks, etc.): e.g. I have been very busy this week. The weather has been nasty lately.

3) an action which has taken place but the time of the action is not definite, and the speakers are not interested in it: e.g. English has become an international language of communication. They haven't read the book.

4) an action which began in the past, has been going on and is still going on. Only stative verbs are used here. In this case either the starting point of the action is specified (by means of the adverb *since*, a prepositional phrase with *since*, or an adverbial clause with the conjunction *since*): e.g. We have had this car since 2022. We have known him for two years by now (or now).

•***Difference between the Present Perfect tense and the Past Simple tense.***

*1a.* The Present Perfect is used to talk about things that started in the past, continue up to the present, and may continue into the future. E.g. They have lived apart for the past three years. *1b.* The Past Simple tense is used to talk about things that happened in the past and have no connection to the present. E.g. They lived apart for three years. (They lived apart until 2000. They no longer live apart.)

*2a.* The Present Perfect is used to talk about things that happened at an unspecified time in the past. E.g. They have decided to travel by car. (We don't know exactly when they decided, or the time is not important). *2b.* The Past Simple tense is used to talk about things that happened at a specific past time. The time is often stated. E.g. They lived apart in 2004. (We know when they lived apart and can state the exact time.)

*3a.* The Present Perfect is used to talk about things that have happened in a period of time that is not finished, such as today, this month, this year. E.g. I've had three cups of coffee this morning.

*3b.* The Past Simple tense is used to talk about things that happened in a period of time that is finished, such as yesterday, last month, last year, and this morning when it is after 12 p.m. E.g. I had three cups of coffee yesterday. I had three cups of coffee this morning (It's now 2 p.m. This morning is finished).

● ***Future tenses*** refer to future events if those events are fixed or scheduled, and to future events in adverb clauses when the main clause uses *will*.

***Future Simple tense*** expresses:

1) simple facts in the future: e.g. He will go camping in summer. They will start next week.

2) decisions taken at the moment of speaking (on-the-spot decisions): E.g. It's getting late. I'll turn on the light. It's urgent. I'll call him.

3) hopes, fears, promises, threats etc. with the verbs expect, hope, believe, doubt, be sure, be afraid, etc.: e.g. I hope he'll come to the party. I am afraid I'll be late.

4) actions or predictions which may happen or may not happen in the future: e.g. All officers will have gas masks to protect themselves from poisonous gases.

5) actions which will inevitably happen: e.g. Mary will be twenty next Sunday. I shall be 16 soon.

6) a succession of actions in the future: e.g. We'll drop in at the cafe, we'll have a lunch there and then we'll go sightseeing. I'll come home, have a shower and then I'll call her.

Future Simple is often used with adverbs pointing to the future: *tomorrow, the day after tomorrow, next week, soon, in two weeks, in the near future.*

The modal phrase ***to be going*** is used to express:

1) actions which are intended to be performed in the near future. E.g. She's going to visit her sister tomorrow. The boys are going to take their exam next week.

2) planned actions or intentions. The idea of intention is emphasized. E.g. We're going to build a new garage. He's going to stay there for a week.

3) future actions predicted on the basis of present evidence. E.g. She's going to have a baby in June. Look at the sky. It's going to rain.

4) predictions about events that are outside people's control. E.g. He's going to get better. I'm going to faint

***The Future Continuous tense*** marks an action in progress at some moment or period in the future. The basic meaning of the future progressive tense is to talk about something that is expected to take place (i.e., "progresses") over some span of future time. It stands for:

1) actions that will be in progress in the near or distant future, especially when we imagine ourselves doing something: e.g. At this time tomorrow, I'll be lying on the beach. Don't disappoint me, I'll be expecting you. The progressive sounds more polite:

e.g. When will you finish these letters? When will you be seeing Mr. White?

The future moment at which the action will be in its progress may be fixed: a) by an adverb or adverbial expression of definite time such as then, at 7 o'clock, at this time tomorrow, in the morning, etc.: e.g. What will you be doing at 7 o'clock? – I'll be preparing my lessons. b) by another action (which is expressed by the verb in the Present Simple Tense): e.g. I'll be sleeping if you come so late. Will you be cleaning the room when your friends called on you?

2) an action filling up a whole period of time, but only when the action is considered in its progress: e.g. I'll be packing all day tomorrow. He'll be working in the garden from 9 till 12.

3) planned actions: e.g. We'll be spending the winter in England is the same as: We're spending the winter in England. He'll be coming home soon. Finish your breakfast and we'll be starting.

***The Future Perfect tense*** must be terminated by an even more distant moment of time or defining event. In the case of the future perfect tense, this more distant moment is defined by an adverb prepositional phrase (usually beginning with the preposition by) or by an adverb clause of time. It is used for future-time actions or events that will be terminated by a more distant moment of time or defining event, and expresses:

1) an action completed by some specific moment in the future: e.g. By five o'clock I'll have finished my report. They will have built the house by the end of the year. He'll have already saved \$1,000 by May.

2) an action already accomplished at the given future moment and connected with that future moment: e.g. When you have finished this book, you will have learnt many new words and expressions. The future moment from which the completed action is viewed may be indicated: a) by means of an adverbial expressions: e.g. By the end of the term we'll have learnt a lot

of new words. b) by means of another action: e.g. If you come at two, I'll have done my work.

3) an action begun before a given future moment and still going on at that future moment. e.g. By the first of July we'll have been at the seaside for a fortnight.

We use the Future Perfect or the Future Perfect Progressive with the simple present tense to show the order of events: *prior* action: future perfect (progressive), *further* action: simple present tense. E.g. By the time you arrive, I'll have finished dinner.

● **Past tenses** stress on ideas or information from the past that affects us in the present and comment on or paraphrase the works of others. The past tense is quite broad in the sense that it can refer to variety of past-time uses: a single point of past time, a span of time, habitual or repeated events, states or conditions that existed at some past time.

**The Past Simple tense** expresses:

1) an action completed in a past period: e.g. Did you see how police directed the crowd? She bought a new watch last week. All students passed their exam yesterday.

2) events, facts in the past: e.g. It happened long ago. The house overlooked the wood then. She was very rich at that time.

3) a succession of past actions: e.g. He came up to the shelf, took a book from it and left.

4) simultaneous actions or events happened at the same time: e.g. As I opened the door, I saw a strange man. As I opened my eyes I heard a strange voice. Just as I opened my mouth I thought of it.

Reference to the past is shown by different *adverbials of time*: yesterday, the day before yesterday, last week (month, year, century), a day ago, long ago, in my childhood, in 1986, on the 9th of May.

***The Past Continuous tense*** treats the past-time action as an ongoing process that continues through some span of past time. It describes an action that was in process during the time frame of the sentence. The past progressive sentence is not about what happened as a completed event; the sentence is about what was going on at or during some particular moment or period of past time. It is used to express:

1) temporary actions in progress in the past: e.g. I was living abroad in 2010. They were building their house here at that time. I was reading for my exams then. We often use all to emphasize continuity (all day, all summer): e.g. I made some notes when was listening to the judge. They were working in the police department all day yesterday.

2) actions which were in progress when something else happened: e.g. Just as / When I was leaving, the phone rang. When the telephone rang he was exercising in the basement. These are often introduced by conjunctions like when, as, just as and while, but the shorter action can be introduced by when: e.g. We were having supper when the phone rang.

3) actions in progress at the same time: e.g. While I was exercising in the basement, Eve was making a call.

4) repeated actions with always, constantly, etc. for the sake of emphasis: e.g. When I worked here, I was always making mistakes. When I was a child, they were constantly finding faults with me.

5) polite inquiries: e.g. I was wondering if you could give me a lift.

***The Past Perfect tense*** is used for some more distant past time, or past actions or events that were terminated at some more recent moment of past time, or by some more recent past-time event, and expresses:

1) an action completed by a certain moment in the past. The moment may be indicated by another past action expressed by a verb in the Past Simple or by an adverbial phrase: e.g. I'd finished my work when my friends came. I'd written the composition by 5 o'clock.

–We use the Past Perfect tense for the earlier event, the Past Simple tense is used for the later event. E.g. I saw The Matrix last night. I had never seen it before.

–When the time relationship between two past events is clear, you can use the Past Simple tense for both events. E.g. After Keanu Reeves had appeared in The Matrix, he got a part in another sequel.

2) the completion of the action: e.g. I didn't call him until he had sent me an invitation.

3) an action which began before a definite moment in the past, continued up to that moment and was still going on at that moment. To indicate the starting point the preposition *since* is used, to indicate the whole period of duration *for* is used.

4) an action coming very close up to a given past moment but no longer going on at that past moment.e.g. Yesterday I met my former classmate. He had changed so much. He had become so solid.

### ● *Perfect Continuous tenses*

*The Present Perfect Continuous tense* which indicates the duration of an activity that began in the past and continues to the present cannot be used with stative verbs. The present perfect progressive sentence describes a work which is still in progress, and places a strong emphasis on a process being carried out over time. It emphasizes that the action of the verb continues over a span of time up to the present moment:

1. to express an activity which continues to the present. *We have been waiting for a police officer since 11 o'clock.*

2. to refer to an activity with a result in the present. *He looks so tired. He has been patrolling the district all the night.*

3. to express an incomplete activity. *He has been searching for the facts of the crime but he still hasn't found.*

We usually use this tense with time words, such as *for, since, all morning, all day, all week*. E.g. *The police officers have been*

*investigating this crime for a year. They have been implementing a new legal course this semester.*

**The Past Perfect Continuous tense** is an action / a state / or an event / hypothetical action or event that originated prior to another time in the past but is still ongoing or incomplete, and is used when talking about the duration of an activity that was in progress before another event happened E.g. *The dealer had been selling drugs for some years before he was caught by the police. I had been working as a solicitor in Singapore since 10 years before I came to New York:*

1. denotes an action which began before a definite moment in the past, continued up to that moment and was still going on at that moment. Either the starting point of the action is indicated or the whole period of duration. The preposition *for* is used to denote the whole period of duration. *Since* is used to indicate the starting point of the action: *He said he had been working as a lawyer for two years. He said he had been working as a lawyer since 1998.*

2. used with certain non-terminative verbs both the Past Perfect and the Past Perfect Continuous: *He said he had worked for twenty years* (The fact is emphasized). *He said he had been working for a long time without achieving final results.* (The process is emphasized).

3. denotes an action which was no longer going on at a definite moment in the past, but which had been in progress not long before: *I sobbed a little, but that was because I had been crying.*

The Past Perfect Continuous should not be confused with the Past Continuous. The Past Continuous is used to denote an action going on at a definite moment in the past, no previous duration is expressed. The Past Perfect Continuous is used when the previous duration of the action is expressed: *The car was waiting at the house. It had been waiting for two hours.*

***The Future Perfect Continuous tense*** refers to an ongoing action, state, or event or to a habitual action that will continue until or through a specific time, and marks:

the duration of an activity that will be in progress before the main events in the future E.g. *My cousin will have been serving in the local Police Department for twenty years by the end of the month. I will have been working as a solicitor for 25 years before I retire*

1. expresses an action which will begin before the moment of speaking and continue in future up to it: *By the end of June we'll have been working in Police for 2 years.*

### Modal verbs

Modal verbs express the speaker's mind-set or mood (*can, could, may, might, shall, should, will, would, must and ought*) and are used for a number of purposes to:

- indicate ability: *She can speak a foreign language*
- give advice: *You should see a doctor*
- express certainty: *We will graduate from the academy soon*
- indicate possibility: *It may rain soon*
- indicate obligation: *You must attend the last class*
- give permission: *You may use your notes at the exam*
- indicate habitual action: *When I was little I would play with my granny for hours.*

• *Would* and *could* specify a desired or hypothetical situation. These two auxiliaries are often used in a main clause when *if* + a subjunctive form is used in the other clause. *He would really like to have one more piece. I wish I could go horse riding. Would* is also used to indicate a habitual action. *I would often go to the movies with my mom.*

• *Can* indicates the ability to do something. Note that its past form is *could*. *Walking down that road can be dangerous. Man can travel far into outer space. She could not see where the road ended.*

- *May* indicates that something is acceptable, whereas *can* indicates the ability to do something: *Anne may borrow my car if she needs to. May is usually used to make polite requests: May I have one of those forms, please?*

- *Must* indicates necessity or requirement; it can also express certainty. *We must obtain a license before we can sell weapons. I must insist that you finish the job by night.*

In informal speech *must* usually carries a stronger connotation than *have to* and often indicates a sense of urgency. *Have to* and *must*, when in the negative, express lack of necessity or prohibition. *Do not have to* indicates that something is unnecessary, while *must not* indicates that something is not allowed. *Tomorrow is Christmas, and we do not have to go to work.*

- *May* and *might* can both indicate uncertainty or possibility. *I may have to go to New York this weekend. We might have another storm tonight.*

- *Had better* and *ought to* suggest that something needs to be done and imply advisability. *You had better be on time for your own party. She really ought to find new friends. Had better* is similar in meaning to *ought to* and *should* but it is usually stronger. The auxiliary *had better* often expresses a warning.

- *Have to* and *have got to* express necessity. Like *must*, they suggest that there is no other choice. *All candidates have to take the grammar test. I simply have got to get there on time.*

- *Used to* expresses a habitual action in the past, one that is no longer performed or repeated. *Used to* can be used interchangeably with *would* in this sense. *I used to run five miles every morning.*

Generally, modal verbs have two main kinds of meaning:

1. *Certainty*: we can use modal verbs to say that a situation is certain, probable, possible or impossible. *You must be tired. Emma should be home by now.*

2. *Obligation*: we can use modal verbs to tell or advise people (not) to do things, and to talk about freedom or ability to do things. With these meanings they are important in the expression

of instructions, requests, suggestions and invitations. *Students must register today. Can I go now? Would you like to join us for a drink?* Modal verbs are not generally used to report situations and events, but simply to talk about their probability, possibility etc.

Unlike other verbs, modal verbs have only *one* form. In other words, *no – s is added* to modal verbs to indicate third-person singular.

Modal verbs always precede the verb in the sentence. They do not change form for number, and some make no tense changes. When used in the present tense, most modal auxiliaries are followed by the base form of the verb. *She might cook delicious dinner tonight. They must do it in time.*

Modals unlike their equivalents lack the tense forms; their interrogative and negative forms are built up without the auxiliary; different meanings may be associated with different forms of the infinitive – simple and perfect (both in the active and passive forms), continuous and perfect continuous; modals unlike their equivalents and except *ought* are followed by the infinitive without the particle *to*.

*Semi-modal* verbs are used for many of the same purposes as modal auxiliary verbs. – indicate ability: *He is able to speak three different languages.*

- give advice: *You ought to finish the report.*
- express certainty: *We are going to complete the project tonight.*
- indicate obligation: *You have to attend the meeting.*
- indicate past habitual action: *We used to play basketball together.*

### **Passive Voice**

In many situations there are two participants: one that does something, or has an effect (the ‘agent’) and another that something happens to, or that is affected (the ‘patient’). English, like many languages, has different sets of verb forms for these situations.

• If we want to focus on the agent, we make the agent the subject and use active verbs: *Harry invited everybody*.

• If we want to focus on the patient, we make the patient the subject and use passive verbs. The agent is backgrounded or not mentioned: *Everybody was invited (by Harry)*.

Passive verbs have the same tenses (simple present, present progressive, present perfect etc.) as active verbs.

To form the passive we use the verb *to be* in the appropriate tense and the past participle of the main verb:

• Present simple – am /is/are + past participle – *The cadet is trained every day*.

• Present continuous – am/is/are + being + past participle – *Look, the cadets are being drilled on the training/drill ground (на плацу)*.

• Present perfect – has/have + been + past participle – *The training ground has already been cleaned*.

• Past simple – was/were + past participle – *The training ground was cleaned yesterday*.

• Past continuous – was/were + being + past participle – *The training ground was being cleaned at 6:00 this morning/when we arrived*.

• Past perfect – had + been + past participle – *The training ground had been cleaned before we arrived*.

• Future simple – will + be + past participle – *The training ground will be cleaned tomorrow*.

• Future perfect – will + have + been + past participle – *The training ground will have been cleaned by the end of the day*.

• The passive is often used in the following situations:

1. When the doer(s) of the action (the agent/s) is/are:

- unknown (to avoid using a general subject, e.g. they, people, someone),
- obvious from the context, – unimportant (*The car was damaged yesterday at approximately 3 p.m; A suspect was*

*arrested yesterday for trespassing; The suspect will be interrogated).*

2. To emphasize/highlight new information (placed usually at the end of the sentence): *The suspect was interviewed by detective Kovalenko.*

3. When the action itself is more important than the doer of the action (in headlines, newspaper articles, formal notices, advertisements): *Several cars were destroyed in the accident.*

4. To be impersonal and avoid saying who is responsible for an action, to use a formal style: *The car was stolen. All policemen are required to regularly do physical exercises.*

• Some verbs are not normally used in the passive. They include:

1) intransitive verbs, such as appear, arrive, die, grow, happen, laugh, sleep, walk, work, stand up, speak, etc.

2) stative verbs, such as consist, deserve, look, mind, realize, suit, have, exist, seem, fit, suit, resemble, let, lack, etc.

Verbs that don't take an object (intransitive verbs) cannot go into the passive e.g.: *die, arrive, come, sit down, snow, ring, etc.*

• To express opinions we can use special forms of the passive. They can be used with the verbs *believe, say, feel, hope, etc.* in such personal and impersonal passive constructions:

– Subject + passive + to-infinitive / perfect infinitive (personal construction) (with verbs: *agree, assume, believe, claim, consider, estimate, expect, feel, find, guarantee, know, mean, presume, regard, report, say, suppose, think, understand*): *Terrorism is expected to become a major problem on the following decade.*

– There + passive + to-infinitive/perfect infinitive (impersonal construction) (with the verbs above): *There are reported to have been a record number of accidents on the roads this year.*

– It + passive + that clause (impersonal construction): *It is believed that the new department will provide order in the area.*

### Sequence of Tenses

In the English language there is a dependence of the verb-predicate of the subordinate clause on the tense of the predicate of the main clause, namely: if the verb of the main clause is in the past tense, the predicate in the subordinate clause must also be in one of the past tenses. Such dependence of the verb-predicate tense of the subordinate clause on the tense of the predicate of the main clause is called *sequence of tenses*. This rule is applicable only if the predicate in the main clause is in the past tense. In a sentence having two clauses, deciding the tense of the subordinate clause is dependent on the tense of the main verb.

The rules governing verb tenses are defined by logic: an action in the future obviously cannot happen before an action in the past. The past must come before the present, and the present before the future, etc. When an independent clause is in the past tense, any dependent clauses must also be written in the past tense, not the present tense or the future tense.

However, there is an exception. In cases where a universal truth is conveyed, the present tense may be used after the past tense: *Everybody knows/knew water boils at 100 degrees* (it is a universal truth that doesn't change with time, so it can be expressed in the present tense).

We use reported speech when we want to say what someone else said, e.g. *Jason said he was going to buy a new pair of trainers*. If the reporting verb is in the past (e.g. said), we usually have to change the tense of what the person actually said.

#### Patterns of tense changes:

- Present simple to past simple *'I need some help.'* – *She said (that) she needed some help.*
- Present continuous to past continuous *'We are having our lunch.'* – *She said that they were having their lunch.*
- Present perfect simple to past perfect simple *'I have lost my keys.'* – *He said (that) he had lost his keys.*
- Past simple to past perfect *'I wrote two letters to her.'* – *He said (that) he had written two letters to her.*

• Past continuous to past perfect continuous *'I was hoping to find a new top,' said Tim. – Tim said he'd been hoping to find a new top`.*

• Past perfect simple to past perfect simple *'I'd looked everywhere for my credit card before I found it,' said Tim. – Tim said he'd looked everywhere for his credit card before he found it.*

• Past perfect continuous to past perfect continuous *'I'd been looking for that book for weeks before I found it,' said Tim. – Tim said he'd been looking for that book for weeks before he found it`.*

• *am/is/are going to – to – was/were going to* *'I'm going to go shopping,' said Tim. – Tim said he was going to go shopping`.*

• *will – to – would, can – to – could, must/have to – to – had to, may – to – might.*

### Conditionals

Conditional sentences describe the result of something that might happen (in the present or future) or might have happened but didn't (in the past). Structurally, they have two parts or clauses that give a condition in the dependent clause and a result in the independent clause. The condition clause usually contains an *if/whether* statement. There are several different forms of conditional sentences that allow the speaker/writer to express various meanings. The condition is a situation, and the result goes about what will happen if the situation occurs/happens. For example, in the sentence "If it rains, we will stay indoors," the phrase "If it rains" is the condition, and "we will stay indoors" is the result. Conditionals help to express and understand hypothetical situations.

The zero conditional is the simplest type of conditional sentences which uses the present tense in both clauses and is used to talk about something that is always or generally true. The present tense signifies that these actions are both possible and typical.

It's used to express facts and general truths. The structure is: If + [present simple], ... [present simple]: *If you heat ice, it melts.*

This is a general truth. It's always the case that if you heat ice, it melts. The zero conditional is all about facts and general truths. It's not about specific situations or possibilities. It's about what's always true.

The *first conditional* is used to talk about real and possible situations in the future. This form is used to talk about something that is a probable future result of a condition. The structure is: If + [present simple], ... will + [infinitive]: *If it rains, I will stay at home.* This is a real possibility: It might rain, and if it does, I will stay at home. The first conditional is all about real possibilities in the future. It's not about general truths or hypothetical situations. It's about what might happen.

The *second conditional* is used to talk about unreal or improbable situations in the present or future. It uses the past tense in the if clause and a modal and base verb in the result clause. This form is used to talk about a hypothetical situation that cannot happen or is unlikely to happen. The structure is: If + [past simple], ... would + [infinitive]: *If I won the lottery, I would buy a house.* This is an unreal situation. I probably won't win the lottery, but if I did, I would buy a house. The second conditional is all about unreal or improbable situations. It's not about what will happen but what could happen in an alternate reality. The condition and the result are not taking place in the past, but the past tense is used to indicate the unreal nature of the situation.

Past hypothetical is the *third conditional* which is a bit complex. It's used to talk about unreal situations in the past. The third conditional uses the past perfect in the *if* clause and a modal and present perfect in the result clause. This form is used to talk about a hypothetical situation in the past that did not happen – typically with an outcome that did not happen and is perhaps the opposite of what did happen. The structure is: If + [past perfect], ... would have + [past participle]: *If I had studied harder, I would have passed the exam.* This is an unreal situation – I didn't study hard, and I didn't pass the exam. But if I had studied harder

(in the past), I would have passed the exam (in the past). The third conditional is all about unreal situations in the past. It's not about what did happen but what could have happened in a different past.

*Mixed conditionals* are a mixture of second and third types. They're used when the time referenced in the *if* clause is different from the time referenced in the main clause: *If I had worked harder* [past], *I would be in a better job now* [present]. Mixed conditionals combine the second and third conditionals to present both an unreal condition either in the past or the present and an unreal result either in the past or the present.

Conditionals are considered as real and unreal. You can think of this as possible or impossible. Zero and first conditionals are possible as they deal with things that are generally true or that could be true in the future. Second, third, and mixed conditionals are impossible because they are either hypothetical or concerned with events in the past that we cannot change.

### Clauses

Complex sentences in English are joined by subordination which is a way of linking grammatical elements that makes one of them depend upon the other. The basic element is called the main or the *principal clause*, the dependent clause is called the *subordinate clause*. All clauses no matter principal or subordinate have a subject-predicate unit. Clauses that are parts of compound sentences are called coordinates as they are joined by *coordination*. Complex sentences are joined by *subordination* which is a non-symmetrical relation where the main or principal clause is the basic element whereas the subordinate clause (clauses) is (are) its part. Below is the division of clauses:

1. *Subject clauses* perform the function of subject to the predicate of the principal clause: *What I want to do now* (subject clause) *is to have* (predicate) *a cup of coffee*. Subject clauses are connected with the principal clauses in four ways: a) with the help of conjunctions *that, if, whether, because, the way* etc.; b)

with the help of connectives *who which when where how why what whoever whatever wherever whenever*; c) with the help of correlatives *either...or; neither...nor; whether...or etc.*; d) asyndetically (no conjunction).

2. *Predicative clauses* perform the function of the predicative (principal clause + link verb + predicative clause): *The good news is that tomorrow will be sunny*. Predicative clauses have a fixed position in the sentence, they always follow a link verb (*to be, to look (like), to feel (like), to seem (as if), to appear, to remain, to sound (as if) etc.*), with which they form a compound nominal predicate: *The fact remains that terrorism is still a great problem*. A predicative clause may be introduced by the following connectors *that, whether, as, as if, as though, lest, the way; either ...or; whether ... or; who, whoever, what, whatever, which, where, wherever, when, whenever, how, why, before, etc.* Predicative clauses are not separated from principal clauses by a comma unless the connection is asyndetical.

3. *Object clauses* perform the function of an object to the predicate of the principal clause: *I don't know (what?) why I love you so much*. Object clauses usually answer the question 'what?', 'about/of what?', 'what for?' and may be introduced by the following conjunctions and connectives: *that, if, whether, lest, either ... or; whether ... or; who, whoever, what, whatever, which, where, wherever, when, whenever, why, how etc.* Object clause may occupy different positions in the sentence. They may: – follow the main clause *I don't know what you are talking about*; – precede the main clause *What she thinks, it would be impossible to say*, – asyndetically/syndetically (*after, about, before, beyond, for, near, of, as, to, except, to, on, upon*). Object clause may be preceded by the introductory subject *it*: *I like it when people tell the truth*. As a rule object clauses are not separated by a comma from the principal clause.

4. *Attributive clauses* qualify the thing/person/object/phenomenon denoted by its head-word through some actions, state

or situation in which the thing is involved *I saw a friend who/whom/that I hadn't seen for years*. Attributive clauses serve as an attribute to a noun or a pronoun in the principal clause which is called an antecedent. Attributive clauses may be *appositive* (disclose the antecedent with a very general meaning) and *relative* (qualify the meaning of the antecedent with a rather concrete meaning).

- Attributive appositive clauses may be introduced by conjunctions *that, if, whether, as if, as though, what, how* etc. Antecedents are usually expressed by nouns with a very general meaning: *thing, comment, remark, point, moral probability, fact, idea, feature, question, desire, feeling, look, consequence, reason*, etc. Attributive appositive clauses are not separated by commas and cannot be joined asyndetically, unless they refer to the whole clause they precede.

- Attributive relative clauses usually refer to concrete nouns and may be introduced by connectives: *who, whose, whom, what, which, that, as, when, where, whence, wherein, why*. The following prepositional phrases are used in formal English to introduce a subordinate relative clause. They are always separated from the principal clause by a comma: *according to which, instead of which, in spite of which, on which, to whom, since when, which fact, each of which, during which time, many examples of which, the largest part of which, by which time*, etc. Relative connectives can sometimes be omitted.

5. There are the following types of *relative clauses*: defining (restrictive: *who which that whose where when why the same as*) and non-defining (non-restrictive: *who whom which whose where when*). In formal English non-defining clauses may also be introduced by the following prepositional phrases: *since when, instead of which, in spite of which, to whom, according to which, each of which, many examples of which, during which time*, etc.

6. *Adverbial clauses* perform the function of an adverbial modifier. It can modify a verb, an adjective, or an adverb in the principal clause. According to their semantic distinctions there

are nine adverbial clauses – of place, – of time, – of manner, – of comparison, – of condition, – of concession, – of purpose, – of cause /reason, – of result /consequence.

6.1. adverbial clauses of *place* are introduced by conjunctions *where, wherever, everywhere*: *Wherever he went, people smiled at him in a friendly way.*

6.2. adverbial clauses of *time* show the time of the action expressed in the principal clause. They are introduced by the following conjunctions *when, while, whenever, now, that, till / until, as, before, after, immediately, since, once, hardly..., when, as long as, scarcely..., when, no sooner..., than, as soon after, whenever, as soon as, by the time, until the time, etc.*

6.3. adverbial clauses of *manner* usually characterize in a general way the action expressed in the main clause and are introduced by conjunctions *as* and *the way*. Additional idea of comparison may also be implied.

6.4. adverbial clauses of *comparison* denote an action with which the action of the principal clause is compared. Additional idea of manner may also be implied. Adverbial clauses of comparison are introduced by the following conjunctions: *than, as, as...as, so...as, as if, as though, like.*

6.5. adverbial clauses of *condition* state the condition which is necessary for the realization of the action expressed in the principal clause. They are introduced by the following conjunctions: *if, on condition that, in case, presuming (that), assuming (that), provided (that), suppose (that), unless etc.*

6.6. an adverbial clause of *concession* denotes the presence of some obstacle which nevertheless does not hinder the action expressed in the principal clause. These clauses are introduced by the following conjunctions, conjunctive phrases and connectives: *though, although, if, while/whilst, whether ... or, even if, even though, even when, though ... yet etc.*

6.7. adverbial clauses of *purpose* state the purpose of the action expressed in the principal clause. They are used to explain why

somebody does something, and are introduced by the following conjunctions: *so as; in case, so that; in order that*.

6.8. adverbial clauses of *reason/cause* show the reason/cause or motivation of the action expressed in the principal clause. They answer the question ‘why?’ These adverbial clauses are introduced by the following connectors: *because, as, since, so, that, lest, for fear that, seeing that, considering that, (just) in case, for (very formal)* etc. Usually (but not always) adverbial clauses of reason/cause are separated by commas, especially if they precede the main clause.

6.9. an adverbial clause of *result/consequence* shows the result of the action expressed in the principal clause. Pure adverbial clauses of result are seldom used and are usually introduced by the conjunction *so that* and are separated from the main clause by a comma. Very often adverbial clauses of result/ consequence have an additional meaning of degree. In this case they are introduced by the conjunctions *so ... that, such ...that, in such a way that, in such a way as to*.

### Verbals

Verbals are non-finite forms of the verb (verbals) which name an action but do not show person, number and mood. In modern English there are three verbals: the Infinitive, the Gerund and the Participle. English verbals have some common characteristics: – all English verbals have a double nature i.e. they combine their verbal characteristics with those of the noun, adjective, or adverb; – english verbals have tense and voice distinctions but they differ greatly from those of the finite forms.

*Finite* forms of the verb directly show whether the action refers to the present, past or future: *He attends the academy every day*. *Non-finite* forms of the verb can express tenses and voices only through their relation to the finite verb, i.e. they can only show whether the action is simultaneous with or prior to the action of the finite form: *He seems to attend the academy every day*.

The *Infinitive* names an action without pointing out its person, number, and mood. The infinitive has active and passive forms (voice) and tens forms: Indefinite, Continuous, Perfect and Perfect Continuous. It combines its verbal characteristics with nominal peculiarities. These are the following forms of the Infinitive:

- The Indefinite infinitive denotes an action simultaneous with the action expressed by the finite verb: *I am always glad to meet new cadets every year.*

- The Continuous infinitive shows an action in progress simultaneous with the action of the finite verb: *I am glad to be meeting with new cadets.*

- The Perfect infinitive shows an action prior to the action of the finite verb: *I am glad to have met new cadets.*

- The Perfect Continuous infinitive shows an action which has some previous duration: *I am very glad to have been meeting with new cadets for these hours.*

The *Gerund* is a non-finite form of the verb which names an action without pointing out its person, number and mood, and has a double nature combining nominal and verbal characteristics. It is formed by adding the ending -ing to the stem of the notional verb: *Smoking is a bad habit.* The gerund is used after the verbs: *stop, finish, delay, postpone, fancy, imagine, consider, avoid, admit, deny, miss, risk, involve, practice, give up, put off, carry on, keep, keep on, enjoy, mind, remember, regret* and others.

The nominal characteristics of gerund are: 1. It can be a subject, an object and a predicative. 2. It can be preceded by a preposition. 3. It can be preceded by a possessive pronoun, or a noun in the possessive case. The verbal characteristics are: 1. It can have a direct object. 2. It can be modified by an adverb.

The forms Indefinite Gerund (active and passive) can denote:

- an action which refers to no particular time in sayings and general statements

- an action which is simultaneous with the action of the finite verb

- an action prior to the action of the finite verb after the verbs *to excuse, to forget, to forgive, to remember, to thank*
- an action prior to the action of the finite verb after prepositions *on/upon, after, without*.

The Perfect Gerund (active and passive) denotes an action prior to the action expressed by the finite verb. We should remember, that if we speak about past actions it is safer to use the gerund, if we speak about future actions, we use the infinitive.

We should remember, that if we speak about past actions it is safer to use the gerund, if we speak about future actions, we use the infinitive.

The *Participle* is a non-finite form of the English verb which names an action without pointing out person, number and mood. Like all the verbals, the participle has a double nature. It combines a verbal character with adjectival and adverbial characteristics. The adjectival character of the participle can be seen from the function of an attribute which is often expressed by the participle: *The girl playing in the yard is my neighbour*. The adverbial character of the participle is demonstrated by its syntactic function of an adverbial modifier of different types: *She sat at the table reading a letter*. The verbal character of the participle is expressed in the same way as the verbal character of the infinitive and the gerund, namely Participle I of transitive verbs can take a direct object (*Reading a new book he usually writes out unknown words*) and the participle can be modified by an adverb (*Looking at me he slowly approached the window*).

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# **ENGLISH PRACTICAL COURSE**

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