

## Содержание:

Image not found or type unknown



## Introduction

**Administrative controls** are training, procedure, policy, or shift designs that lessen the threat of a hazard to an individual. Administrative controls typically change the behavior of people (e.g., factory workers) rather than removing the actual hazard or providing personal protective equipment (PPE).

Administrative controls are fourth in larger hierarchy of hazard controls, which ranks the effectiveness and efficiency of hazard controls. Administrative controls are more effective than PPE because they involve some manner of prior planning and avoidance, whereas PPE only serves only as a final barrier between the hazard and worker. Administrative controls are second lowest because they require workers or employers to actively think or comply with regulations and do not offer permanent solutions to problems. Generally, administrative controls are cheaper to begin, but they may become more expensive over time as higher failure rates and the need for constant training or re-certification eclipse the initial investments of the three more desirable hazard controls in the hierarchy. The U.S. National Institute for Occupational Safety and Health recommends administrative controls when hazards cannot be removed or changed, and engineering controls are not practical.

Some common examples of administrative controls include work practice controls such as prohibiting mouth pipetting and recapping of needles, as well as rotating worker shifts in coal mines to prevent hearing loss. Other examples include hours of service regulations for commercial vehicle operators, <sup>1</sup>Safety signage for hazards, and regular maintenance of equipment.

## **CHAPTER 1. PUBLIC CONTROL OVER THE OBSERVANCE OF THE RULE OF LAW IN THE ADMINISTRATIVE ACTIVITIES OF THE POLICE**

## Public control as a form of interaction between internal affairs bodies and civil society institutions: concept and essence

In a democratic State governed by the rule of law, society has many opportunities to influence the state, including in the forms provided for by law, to effectively control the government. The existence of an effective mechanism of public control is an essential feature of a democratic State governed by the rule of law. The need to form a system of public control in our country is recognized at the highest level. "Modern Russia needs a broad public discussion, and with practical results, when public initiatives become part of state policy and society controls their implementation," the head of the Russian state stressed in his Address to the Federal Assembly of the Russian Federation in 2013. Public control is a special form of interaction between the state and society, which is possible only when the latter reaches a certain level of development, called civil society.

Therefore, the study of the interaction of the police and public institutions initially requires the study of the very category of "civil society". The essence of this social phenomenon from the point of view of law was quite succinctly expressed by I. L. Bachilo: "the state of a society that is able to organize its life intelligently and on the basis of acquired knowledge and experience so that there are as few conflicts and contradictions as possible, and as many ways to ensure the well - being, justice and dignity of everyone as possible." Despite the apparent obviousness and simplicity of the category under consideration, serious differences arise in its scientific interpretation. This is due, among other things, to the multidisciplinary nature of knowledge about civil society-it is studied within the framework of philosophical, sociological, political science, economic and legal sciences. In order to put all the dots on the "I", it is necessary to turn to the history of the formation of ideas about civil society. Emerging in the wake of the Renaissance and Reformation, this phenomenon attracted the attention of many famous thinkers. Thus, Thomas Hobbes defined civil society as a society of hostility between people with each other, which is transformed into a state to stop it. In turn, John Locke placed a special emphasis on public interests within civil society, defining it as a "political society".

The great German philosopher G. V. F. Hegel developed the idea of civil society deeply and comprehensively. His fundamental work "Philosophy of Law" contains a special section "Civil Society", which, by the way, also covers the issues of police activity. Moreover, the thinker among the three points that civil society contains includes the police. Hegel proceeds from the fact that in the sphere of civil society there is a real functioning of the right of property, the strength of which must be confirmed in the protection of the police, in particular. Thus, according to Hegel, there can be no civil society without the police. The American school of philosophy shows significant

differences in views with Europeans. Thomas Paine put it this way: "Civil society is a good thing, and the state is an unavoidable evil. The more advanced a civil society is, the less it needs to be regulated by the state." The differences in the definition of the phenomenon of civil society are due to the historical variability of the relationship between its institutions and the state as "interrelated, interdependent and, most often, competing, and often conflicting values". Assessing the relationship between the state and society, Yu. A. Tikhomirov notes that historically "there is either an eternal conflict between them, or the relationship of subordination of the first to the second on the basis of a treaty or a constitution". The author further notes that according to the theoretical model, "civil society, based on the equality of citizens' rights and their public priority, is a producer of material and spiritual goods and is called upon to control state institutions».

## **CHAPTER 2. OBJECTS AND SUBJECTS OF PUBLIC CONTROL**

### **2.1. Objects and subjects of public control of police activity**

Federal Law No. 212-FZ of July 21, 2014 "On the Principles of Public Control in the Russian Federation" does not explicitly define the object of control activities, although Article 1 lists the bodies and organizations whose activities are subject to public control: state authorities, local self-government bodies, state and municipal organizations, and other bodies and organizations that exercise certain public powers in accordance with federal laws. This circumstance has been subjected to reasonable criticism by a number of scientists, since it is extremely difficult to build a coherent control system without understanding what it will be aimed at. It is noteworthy that A.V. Martynov, conducting a retrospective analysis of the content of the draft federal law under consideration, noted that before its consideration in the Administration of the President of the Russian Federation, commercial and non-profit organizations, individual entrepreneurs were recognized as objects of public control, including in the part in which their activities are carried out in the field of trade, public catering, housing and communal services, consumer services, healthcare, provision of other social services to the population, use of objects of animal or plant life, as well as the use of funds from the federal budget, the budgets of the subjects of the Russian Federation, and the budgets of municipalities.

After adjustment, the object of public control was defined as the activities of persons of state bodies, local self-government bodies, state and municipal organizations, enterprises and institutions subordinate to the relevant state bodies or local self-government bodies, their officials, state and municipal employees in the exercise of their public powers. The question of whether the activities of government bodies "other bodies and organizations exercising certain public powers in accordance with federal laws" can be classified as objects of public control remains open. The interpretation of the category of "public authority" causes considerable difficulties for legal scholars. For example, can legal entities that have been outsourced public powers previously exercised by the police be classified as objects of public control? So, according to part 1 of Article 5 of the Federal Law of July 1, 2011. No. 170-FZ "On Technical Inspection of Vehicles and on Amendments to Certain Legislative Acts of the Russian Federation" technical inspection is carried out by technical inspection operators accredited by the professional association of insurers established in accordance with Federal Law No. 40-FZ of April 25, 2002 "On Compulsory Civil Liability Insurance of Vehicle Owners". Recall that this activity was carried out before the administrative reform of 2003-2011. It belonged to the competence of the police and still continues to have a significant impact on the state of road safety.

## **Conclusion**

Administrative control procedures are an organizationally separate part of the administrative process. Specialized State and municipal bodies with a wide range of powers are involved in the implementation of control and supervision measures.

The importance of control procedures in the activities of the system of state bodies, enterprises, and public associations is extremely high. Control allows you to organize the activities of all systems of the state, to increase its effectiveness, to develop legal institutions. At the same time, the exercise of control functions requires clear legislative and organizational regulation, so that the exercise of control powers does not lead to restrictions on human and civil rights and freedoms.

## **References**

1. Zubarev S. M. "Control as a type of administrative process" Bulletin of the O. E. Kutafin University, No. 8, 2015, pp. 53-61.
2. [https://кпу.мвд.рф/upload/site119/document\\_file/Disertaciya\\_M.S.\\_Krickoy.pdf](https://кпу.мвд.рф/upload/site119/document_file/Disertaciya_M.S._Krickoy.pdf)

3. Zhuravlev R. A. Public control of the activities of internal affairs bodies in the field of combating crime and ensuring law and order / R. A. Zhuravlev // State and public control in the Russian Federation: state and prospects of development. Kudryavtsevskaya third reading (may 12, 2010): collection of scientific papers/ scientific. N. Yu Kameneva, S. V. Maksimov. - M.: Institute of state and law of RAS, 2010. - S. 76 - 86.
4. Administrative law: textbook / under the editorship of J. M. Kozlov and L. L. Popova. - M.: Jurist, 2000. - 728 p.
5. Bahrakh D. N. Administrative law: textbook for universities / D. N. Bahrakh, B. V. Rossinsky, Yu. N. Starilov. - M.: Norma, 2005. - 800 p.