CONCEPT AND STRUCTURE OF PUBLIC AUTHORITIES COMPETENCES

Problem setting. The article deals with theoretical principles and essence of the concept of competence of public authorities. It was established that the competence stands as one of the basic properties of public and executive authorities, local government and their officials.

Recent research and publications analysis. Analysis of scientific papers on the subject makes it possible to affirm that competence may be considered both in a narrow sense, taking into account only the authority or an official, and in the broad sense – a complex phenomenon in the public administration. Competence is a legal category, which determines a certain amount of rights and duties (powers) of an authority.

Paper objective. The article aims at the research of theoretical provisions of the concept and essence of public authorities’ competence and the definition of its structural and elemental composition.

Paper main body. We can include the following basic elements to the narrow concept of competence: a set of rights and responsibilities, which stand in front of public authorities and local government or their officials (authorities) and their range of activities, objects of influence (subject of cognition). Tasks of the authority and its objectives are the organizational elements of competence, as are the basis for planning, executive and reporting activities of public and local authorities and their officials to implement public functions.

It is established that functions of the public authority stipulate its competence and are detected through a set of all elements of competence. The main activities of public authorities are derived from the main functions of the State, or, in other words, the functions of the State are allocated between all bodies, depending on which place each of them takes in the public mechanism. Competence is more dynamic phenomenon than function, because it often changes, is indentified and
complemented due to its optimization, improvement of the state apparatus, which is the result of public and social development.

Problematic issues of the competence of local state administrations and local authorities are outlined, namely: the competence is not properly demarcated, which creates conditions for the possibility of some intervention into the affairs of others and conflict situations; most of the powers of local executive authorities and local government make up an adjacent competence, which means that authorities are competent in one area of social life, but have different subjects of cognition; local executive authorities assume the main scope of authorities in managing territories; the extent of delegated powers within the competence of local authorities and their very nature is unreasonably high.

A structural and elemental composition of the competence of public authorities is suggested. The structure of competence consists of basic and organizational elements, which in their interconnection give a chance to implement public authorities’ functions. The main elements of competence include rights and duties, powers and cognitions of authorities. Organizational elements include: purpose of authority, its tasks and objectives, responsibility, professional competence of public officials.

Conclusions of the research. On the basis of the research there are highlighted features are that are inherent in the competence of public authorities, there is suggested its structural and elemental composition and given the following definition of "competence of public authorities" – a universal category that has an official definition in the norms of law, is carried out by public officials according to their duties and powers, is a mean of structural building of the system of public authorities and the criterion of the quality of their activity.