**Regional Union of Consumer Societies "Kraypotrebsoyuz"**

**Private professional educational institution**

**"Krasnoyarsk Cooperative College of Economics, Commerce and Law"**

**Course paper**

**Topic**: "The procedure for considering cases of administrative offenses in the court of first instance"

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**Introduction**

Administrative law occupies a special place in the system of legal regulation, since it is a necessary and important tool for managing social processes in society. It is characterized by the appropriate boundaries of legal regulation of the activities of state executive authorities of all ranks, public relations of a managerial nature that develop in this area, the internal organizational activities of other state bodies related to the management function, as well as externally organizational relations of non-governmental organizations, institutions and enterprises.

Administrative law covers a wide range of public relations that arise in connection with the implementation of its management functions in the course of the activities of executive authorities.

Proceedings in cases of administrative offenses are defined as a legal institution and as a type of administrative procedural activity. In the first case, it is a set of administrative procedural rules that determine the procedure for the actions of participants in the administrative and jurisdictional process regarding the resolution of specific cases arising in connection with the commission of administrative offenses; in the second case, the procedure for the actions of participants in administrative and jurisdictional legal relations regulated by administrative procedural norms in connection with the implementation of the tasks of proceedings in cases of administrative offenses.

The procedure for considering cases of administrative offenses, being an integral part of the administrative and jurisdictional process, has its own structure formed by a set of stages characterized by a specific functional orientation, relative independence and logical completeness.

The relevance of the chosen topic lies in the fact that administrative offenses are a phenomenon affecting almost everyone, a phenomenon of everyday life.

**To achieve this goal, tasks are solved in the work:**

1. Give a theoretical description of the judicial proceedings in cases of administrative offenses in the court of first instance

2. To study the procedure for the consideration of cases of administrative offenses

3. To disclose the process of consideration of cases of administrative offenses in the court of first instance

The object of the study is the social relations that arise in the process of considering an administrative offense case

The subject of the study: the procedure for considering cases of administrative offenses in the court of first instance

The regulatory framework of the study is the Constitution of the Russian Federation, the Civil Code of the Russian Federation, the Administrative Code of the Russian Federation, and federal laws.

The structure of the course work is determined by the purpose and objectives. This work includes chapters consisting of paragraphs on the problem-chronological principle, has an introduction and conclusion, a list of references and an appendix.

**The main part**

**1. The procedure for considering cases of an administrative offense based on Article 29.7 of the Administrative Code of the Russian Federation**

When considering an administrative offense case:

 1) it is announced who is considering the case, which case is to be considered, who and on the basis of which law is being brought to administrative responsibility;

2) the fact of the appearance of an individual, or a legal representative of an individual, or a legal representative of a legal entity, in respect of whom proceedings are being conducted on an administrative offense, except for the cases provided for in part 3 of Article 28.6 of this Code, as well as other persons participating in the consideration of the case, is established;

3) the powers of the legal representatives of an individual or legal entity, a defender and a representative are checked;

4) it is found out whether the participants in the proceedings have been notified in accordance with the established procedure, the reasons for the non-appearance of the participants in the proceedings are clarified and a decision is made to consider the case in the absence of these persons or to postpone the consideration of the case;

5) explain to the persons participating in the consideration of the case their rights and obligations;

6) the stated challenges and petitions are being considered;

7) a decision is made to postpone the consideration of the case in the case of:

a) receipt of an application for recusal or recusal of a judge, a member of a collegial body, an official considering the case, if their recusal prevents the consideration of the case on the merits;

b) the recusal of a specialist, expert or translator, if the said recusal prevents the consideration of the case on the merits;

**Conclusion**

The sharply increased number of cases of administrative offenses considered by arbitration courts, problematic,

Related to the application of administrative liability measures by arbitration courts to individual entrepreneurs and legal entities, explains such close attention to the problems of improving the administrative procedural status of arbitration courts in proceedings on administrative offenses, testifies to the important role of the court in ensuring legality in administrative relations, resolving economic disputes in the public sphere, including those related to the involvement of to the administrative responsibility of legal entities and citizens of entrepreneurs.

In conclusion, we note that the procedural procedure established by law should ensure the most effective implementation of the purpose of legal proceedings, which consists in protecting the rights and legitimate interests of persons

and organizations engaged in entrepreneurial activity. In this regard, work on improving procedural legislation should undoubtedly continue.

**LIST OF LITERATURE USED:**

1) M.A. Rusakova "Peculiarities of consideration of administrative offenses in the courts of first instance"

2) "Code of the Russian Federation on Administrative Offenses" dated 12/30/2001 No. 195-FZ (as amended on 04/14/2023)

3) Legal Department of the Faculty of Medical Law

4) Consideration of an administrative offense case

5) The Code of the Russian Federation on Administrative Offenses of December 30, 2001 No. 195-FZ (as amended on 03/01/2012)

6) Smolensky M.B. Administrative law. Textbook for universities. M.: Higher education, 2006. - 458 p.

7) Judicial practice/ judicial and regulatory acts of the Russian Federation/ Sharypinsky City Court (Krasnoyarsk Territory)/ Administrative offense in an accident (causing minor or moderate harm to the health of the victim)

8) Judicial practice on the application of the norms of the law "On Consumer Protection"

9) Tikhomirova L.A. The procedure for bringing to administrative responsibility: a practical guide.

10) Administrative procedure law

11) "Code of the Russian Federation on Administrative Offenses" dated 12/30/2001 No. 195-FZ

12) Federal Law No. 196-FZ dated 10.12.1995 (as amended on 11/28/2015) "On Road Safety"