МІНІСТЕРСТВО ОСВІТИ І НАУКИ УКРАЇНИ
ЛУЦЬКИЙ НАЦІОНАЛЬНИЙ ТЕХНІЧНИЙ УНІВЕРСИТЕТ

English in Law

Методичні вказівки до практичних занять та самостійної роботи з англійської мови для здобувачів другого (магістерського) рівня вищої освіти галузі знань D "Бізнес, адміністрування та право" спеціальності D8 "Право" денної та заочної форм навчання

Луцьк 2025

УДК 42:796 (07)
І-67

До друку
Голова навчально-методичної ради факультету цифрових, освітніх та соціальних технологій_____ Герасимчук Г.А.

Затверджено навчально-методичною радою факультету цифрових, освітніх та соціальних технологій ЛНТУ, протокол № ___ від « » 2025 року

Електронна копія друкованого видання передана для внесення в репозитарій ЛНТУ

Директор бібліотеки _____Н.П.Поліщук

Рекомендовано до видання на засіданні кафедри іноземної та української філології ЛНТУ, протокол № 2 від 17 вересня 2025 року.

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І-67 English in Law [Текст]: Методичні вказівки до практичних занять та самостійної роботи з англійської мови для здобувачів другого (магістерського) рівня вищої освіти галузі знань D "Бізнес, адміністрування та право" спеціальності D8 "Право" денної та заочної форм навчання / уклад. С. І. Лобанова
Луцьк: ЛНТУ, 2025. 40 с.
Методичні вказівки призначені для здобувачів вищої освіти денної та заочної форми навчання, що навчаються за другим (магістерським) рівнем за спеціальністю D8 "Право"
Методичні вказівки складаються із семи тем. Матеріал охоплює різні аспекти вивчення мови, але основна увага приділяється вивченню юридичної лексики.
Завдання рекомендовано використовувати як під час аудиторних занять, так і для самостійної роботи.

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Constitutional Law

Task 1. Translate the following international words without dictionaries.

Motive, definition, legal, system, to mark, private, political, practice, constitution, combination, monarchy, aristocracy, democracy, separation, declaration.

Task 2. State the part of speech for the following words and use them in the word combinations of your own.

Constitute, constitution, constitutional, unconstitutional, constitutionally, constitutionality.

Task 3. Decide on the right answer choosing among the following words and putting them in the appropriate form: *to constitute, constitution, constitutional, unconstitutional, constitutionally, constitutionality*

1. The federation was … in 1949. 2. The UK is a … monarchy. 3. The right to speak freely is written in the … of the USA. 4. A decision on the proposal's … still has to be made. 5. … oppressions were the reason for the international conflict. 6. He was … incapable of dealing with this matter.

Task 4. Read and memorize the active vocabulary to the texts.

outline	короткий опис; коротко викладати
exposition	роз'яснення
convention	з'їзд, збори
conventional	традиційний, загальноприйнятий
constitutional convention	конституційний конвент / звичай
distinction	відмінність
empower	уповноважувати
complication	ускладнення, трудність
refer to	відноситися до, стосуватися
carry out (duties)	виконувати (обов'язки)
according to	відповідно до, згідно з
for sake of	заради
framework	основа, кістяк
authority	повноваження

enforcement	контроль за виконанням, введенням в дію (законів тощо)
implementation	виконання, введення в дію
interpretation	тлумачення
range	діапазон, сфера
application	застосування
maintain	стверджувати
vague	нечіткий, неточний
provisions	положення (документу)
construe	тлумачити (законодавчі акти тощо)
consider	брати до уваги, розглядати
conventions	загальноприйняті норми
adopt	приймати (закон тощо)
ratify	затверджувати, санкціонувати
amend / amendment	вносити зміни, доповнення /
поправка constitutionality	конституційність
strike down	відмінити дію (закону, положення)
enact	вводити, приймати (закони)
conform	відповідати, слідувати (правилам)
vest	належати (про права, владу)

Task 5. Read and translate the text.

Constitutional Law: History and Development

We may begin by asking the question: “What is constitutional law and what part does it play in our constitution?”. One motive for seeking a definition of constitutional law is simply to settle conventional questions of usage within the legal system for purposes of exposition: to mark, for example, the boundaries of constitutional law and administrative law, or public law and private law. Another point of asking this question is to establish the existence of clear distinction between rules of strict law and rules established by political practice or constitutional convention.

So, constitutional law is the law which establishes, empowers and regulates institutions of government. Simple as it may seem, there is a complication because constitution has three meanings. First, it means all the laws regulating government. From this first meaning comes a second meaning where constitution refers to a system of government. Finally, constitution is used in a narrow sense to mean a document or statute, called “Constitution” containing basic constitutional rules.

The concept of constitution was first outlined in Aristotle’s classification of governments identified with constitution. He believed

that the best form of constitution is the combination of monarchy, aristocracy and democracy so that citizens could realize their rights and carry out the duties for the benefit of the whole society.

The modern ideological roots of the idea of constitutional law are connected with the names of Thomas Hobbes, John Locke and other scholars who claimed the concept of concentration of powers and separation of powers and developed the notion of social contract. According to the above-mentioned notion, people in society willingly give up absolute freedom for sake of security and prevention of rule of "the law of the jungle" (the principle that only the strongest will survive). The works of these philosophers influenced upon the authors of the US Constitution and the French Declaration of the Rights of Man and the Citizen.

As the constitution is the framework for government then constitutional law is the study of foundational laws of nation states. Constitutions may limit or define the authority and procedure of political bodies to provide for enforcement of new laws and regulations.

Constitutional law is the body of law governing the implementation and interpretation of the constitution. It defines the range and application of the terms of the Constitution and covers fundamental aspects of the application of government authority in the nation states. It is a field of law that is both complex and broad. Some constitutional lawyers maintain that the Constitution purposely remains vague and subject to interpretation so that it may be adopted to the circumstances of a changing society. Other constitutional scholars however, maintain that the provisions of the Constitution should be strictly construed and their provisions applied in a very literal manner.

Constitution is usually understood as the main formal document of the state but, of course, dealing with constitutional law the constitutional lawyer must not only consider constitutional history and political practice but also conventions of various kinds that are closely linked with the constitution itself.

Task 6. Answer the questions to the text.

1. What are the motives for seeking the definition of constitutional law?
2. What form of government was the best possible, according to Aristotle?
3. Whose works should we keep in mind speaking about development of constitutional law?
4. Why is this field of law broad and complex?

text? 5.What two points of view of the constitution are mentioned in the

6. Why does a constitutional lawyer have to take into consideration the existing conventions and extralegal rules?

Task 7. Translate into Ukrainian using the text.

The boundaries of constitutional law, distinction between rules, political practice, classification of forms of governments, the notion of social contract, «the law of the jungle», foundational laws of nation states, enforcement of new laws and regulations, application of the terms, subject to interpretation, the main formal document of the state.

Task 8. Choose the word on the right that is associated with the word on the left.

Definition – term, exposition, custom
Constitution – work, document, tradition
Democracy – convention, custom, government
Provision – article, subject, influence
Enforcement – authority, court, regulation
Scholar – school, scientist, circumstances

Administrative Law

Task 1. Translate the following international words without dictionaries.

Administrative, agency, process, effect, designed, final, commission, national, international, immigration, transport, social, economic, political sphere, jurisdiction, method.

Task 2. State the part of speech for the following words and use them in the word combinations of your own.

Administrate, administrating, administration, administrator, administrative, administratively.

Task 3. Read and memorize the active vocabulary to the texts.

administrative law	адміністративне право
body of law	кодекс
govern	керувати, управляти
administrative agency	адміністративний орган
government agency	урядовий заклад, орган влади
rulemaking	нормотворче провадження
adjudication	судове рішення, судовий вирок
enforcement	виконання, здійснення (закону)
disposition	розпорядження, постанова
regulatory	нормативний, нормативно-правовий
regulate	регламентувати, упорядковувати
formulate	розробити, створити
agenda	порядок денний, програма
repeal	скасовувати (рішення, вирок)
rule	1) правило, норма; 2) постанова по конкретній справі, припис, наказ
statement	акт; довідка; офіційний звіт
applicability	придатність, застосовність (закону, правової норми)
implement	виконувати, вводити в дію
prescribe	встановлювати, приписувати
licensing	ліцензування
decision-making	прийняття рішення
public law	публічне право

tribunal	суд, трибунал
board	правління, рада, колегія, департамент
police law	поліцейське право, закони, що регулюють діяльність поліції
international trade	міжнародна торгівля
taxation	оподаткування
broadcasting	радіомовлення, телебачення
jurisdiction	юрисдикція, судочинство
review	здійснювати нагляд, перевіряти
court	суд
appeal	апеляція
due process	відповідна правова процедура, здійснення правосуддя
judicial review	судовий нагляд, оскарження
sit in review of a decision	проводити засідання з метою перевірки рішення
aggregate	сукупність, загальна сума
legal norms	правові норми
homogeneous	однорідний, гомогенний
public relations	зв'язки з громадськістю
provision	забезпечення
legitimate	узаконювати, легітимізувати
legal liability	відповідальність за законом; судова відповідальність
unification	уніфікація, об'єднання
consolidation	консолідація, зміцнення, об'єднання
enhance	поліпшувати, посилювати (відповідальність)

Task 4. Read and translate the text.

Administrative Law

Administrative law is the body of law that governs the activities of administrative agencies of government. Government agency action can include rulemaking, adjudication, or the enforcement of a specific regulatory agenda.

Rulemaking is an agency process for formulating, amending, or repealing a rule. A rule in turn is the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy.

Adjudication is an agency process for the formulation of an order. An order in turn is the whole or part of a final disposition of an agency in a matter other than rulemaking but including licensing.

Administrative law is considered a branch of public law. As a body of law, administrative law deals with the decision-making of administrative units of government (e.g., tribunals, boards or commissions) that are part of a national regulatory scheme in such areas as police law, international trade, manufacturing, the environment, taxation, broadcasting, immigration and transport.

Administrative law expanded greatly during the twentieth century, as legislative bodies world-wide created more government agencies to regulate the increasingly complex social, economic and political spheres of human interaction.

While administrative decision-making bodies are often controlled by larger governmental units, their decisions could be reviewed by a court of general jurisdiction under some principle of judicial review based upon due process (United States) or fundamental justice (Canada). Judicial review of administrative decision is different from an appeal. When sitting in review of a decision, the Court will only look at the method in which the decision was arrived at, whereas in appeal the correctness of the decision itself will be under question. This difference is vital in appreciating administrative law in common law countries.

Task 5. Answer the following questions using the information from the text.

1. What can government agency action include?
2. What does administrative law deal with?
3. When did administrative law expand greatly? Why?
4. Why could the decisions of administrative decision-making bodies be reviewed by a court of general jurisdiction?
5. How does judicial review of administrative decision differ from an appeal?

Task 6. Complete the following sentences according to the information from the text.

1) A rule is the whole or a part of an agency statement of general or particular applicability and … .

2) The decision-making of administrative units of government (e.g., tribunals, boards or commissions) are part of … .

3) While administrative decision-making bodies are oft en controlled by larger governmental units, … .

4) When sitting in review of a decision, the Court will only look at the method in which the decision was arrived at, whereas … .

Task 7. Read and translate additional text 1.

Administrative law in Ukraine

Administrative law is the aggregate of legal norms governing homogeneous public relations in the provision of administrative services for the conduct of basic administrative activities that are carried out by the subjects of public administration.

Modern Administrative law is based on the human centrist ideology, according to which the state must ensure rights, freedoms and legitimate interests through the activities of the public administration.

Basic tasks of the administrative law are:

- to improve the institution of legal liability;
- to optimize public control of the institution of civil society on the activities of executive bodies;
- unification and consolidation at the legislative level of the procedures for administrative activities of the public administration,
- enhancing the efficiency of the public institution of the state,
- ensuring the rights, freedoms and legitimate interests of a person.

Task 8. Complete the sentences with the active vocabulary from the list: *judicial review; rulemaking; administrative agencies; administrative law; decision-making bodies.*

Most countries that follow the principles of common law have developed procedures for _____ that limit the reviewability (можливість бути перевіреним) of decisions made by administrative law bodies.

Administrative law may also apply to review of decisions of so-called quasi-public (напівдержавний) bodies, such as non-profit corporations (некомерційні корпорації), disciplinary boards (дисциплінарні ради), and other _____ that affect the legal rights of members of a particular group or entity (самостійна правова одиниця). Because the United States Constitution sets no limits on the tripartite (трьохсторонній) authority of _____, Congress enacted the Administrative Procedure Act to establish fair administrative law procedures to comply with (виконувати) the requirements of Constitutional due process (здійснення правосуддя).

Generally speaking, most countries that follow the principles of common law have developed procedures for judicial review that limit the reviewability of decisions made by _____ bodies.

Often these procedures are coupled with (з'єднувати, зв'язувати) legislation or other common law doctrines that establish standards for proper _____.

Task 9. Choose the right preposition in brackets according to the contents of the sentences (*up, with, of, for, to, of*).

Administrative law is the body ___ law regulating government decision-making. Review of administrative decisions can take place internally and externally. The federal system of administrative law is made__of four elements:

– Tribunals – independent bodies which provide "merits review", that is, examining and "remaking" government decisions;

– Courts – providing "judicial review" ____ the lawfulness of government decision-making

– The Commonwealth Ombudsman – a permanent office holder ___the power to investigate maladministration;

– Freedom of Information – laws which create a general right of access _ official information, subject to exclusions.

– The benefits of having a system _____ review of administrative decisions that is well established and independent include encouraging higher-quality decision making and building public confidence in government administration.

Criminal Law

Task 1. Translate the following international words without dictionaries.

Criminal, legal, public, physical, sexual, civil, private, person, act, classify, individual, organization, jurisdiction.

Task 2. State the part of speech for the following words and use them in the word combinations of your own.

Crime, criminal, criminalism, criminalist, criminalistic, criminalistical, criminalistics, crimeful, crimeless, crimer.

Task 3. Read and memorize the active vocabulary to the texts.

criminal law / penal law	пенітенціарне право, кримінальне право
punishment	покарання
tort	делікт, громадське правопорушення
criminal offense / offender	кримінальне правопорушення / правопорушник
harm	шкода (матеріальна, моральна)
inflict punishment	призначити покарання
threaten / threat	погрожувати / погроза
prevent	запобігати
be tempted to	бути схильним до чогось
death	смерть
felony	тяжкий кримінальний злочин
misdemeanor	злочин середньої тяжкості
bodily injury	тілесні ушкодження / нанесення шкоди здоров'ю
damage to property	спричинення шкоди майну, матеріальна шкода
loss of property	втрата майна
sexual immorality	статева аморальність
disturbance of the public peace and order	порушення громадського спокою і порядку
forbid	забороняти
conduct	поведінка
execution	страта, смертна кара

government supervision	державний нагляд
parole / probation	умовно-дострокове звільнення від відбуття покарання
fine	штраф
murder / murderer	вбивство / вбивця
manslaughter	вбивство з необережності
criminal code	кримінальний кодекс
violation	порушення
enforce	примусово здійснювати в судовому порядку
consequence	наслідок
prosecution	притягнення до кримінальної відповідальності
legal disputes	спори юридичного характеру
initiate the suit	порушувати судову тяжбу
convict somebody of a crime	визнавати винним когось у злочині
incarcerate	посадити до в'язниці
liable / guilty	винний
compilation	збірка
retail theft	крадіжка в магазині
conspiracy to defraud	змова з метою шахрайства
summary offences	дріб'язкові злочини / злочини сумарної юрисдикції
indictable offences	злочини, що переслідуються по звинувачувальному акту
treason	зрада
pro se	самостійно (представляти інтереси в суді)
actus reus	об'єктивна сторона злочину / факт вчинення злочину
mens rea	суб'єктивна сторона злочину / злочинний умисел
jaywalking	перетин проїжджої частини в недозволеному місці

Task 4. Read and translate the text.

Criminal Law

Criminal law (also known as penal law) is the body of law that deals with crime and the legal punishment of criminal offenses.

Criminal law seeks to protect the public from harm by inflicting punishment upon those who have already done harm and by threatening

with punishment those who are tempted to do harm. The harm that criminal law aims to prevent varies. It may be:

- physical harm, death, or bodily injury to human beings;
- the loss of or damage to property;
- sexual immorality;
- danger to the government;
- disturbance of the public peace and order;
- injury to the public health.

Criminal law also often tries to avoid harm by forbidding conduct that may lead to harmful results.

Criminal punishment, depending on the offense and jurisdiction, may include execution, loss of liberty, government supervision (parole or probation), or fines. There are some typical crimes, like murder, but the illegal acts are not wholly the same between different criminal codes, and even within a particular code lines may be blurred, as civil law violations sometimes give rise also to criminal consequences. Criminal law typically is enforced by the government, unlike the civil law, which may be enforced by private parties.

Criminal law involves prosecution by the government of a person for an act that has been classified as a crime. Civil cases, on the other hand, involve individuals and organizations seeking to resolve legal disputes. In a criminal case, the state, through a prosecutor, initiates the suit, while in a civil case the victim brings the suit. Persons convicted of a crime may be incarcerated, fined, or both. However, persons found liable in a civil case may only have to give up property or pay money, but are not incarcerated.

Task 5. Answer the questions using the information from the text.

1. What does the term “criminal law” denote?
2. What way does criminal law seek to protect the public from harm?
3. What can criminal punishment include?
4. Are illegal acts the same in different criminal codes?
5. What is criminal law / civil law usually enforced by?
6. Who initiates the suit in a civil case / criminal case?

Task 6. Match the two parts of the sentences.

1) Criminal law often tries to … a) by the government.
2) Criminal law typically is enforced … b) the victim brings the suit.

3) Civil law may be enforced …	c) prosecution by the government of a person for an act that has been classified as a crime.
4) Criminal law involves …	d) may only have to give up property or pay money, but are not incarcerated.
5) Civil cases involve …	e) may be incarcerated, fined, or both.
6) In a criminal case …	f) avoid harm by forbidding conduct that may lead to harmful results.
7) In a civil case …	g) individuals and organizations seeking to resolve legal disputes.
8) Persons convicted of a crime …	h) the state initiates the suit.
9) Persons found liable in a civil case …	i) by private parties.

Task 7. In the text "Criminal Law" find the synonyms for the following words and word combinations.

Penal law, criminal offense, civil offence, damage, penalty, prohibited, human being, disagreement, to be imprisoned, responsible, criminal code, control, be found guilty.

Task 8. Match the following English words and expressions with their Ukrainian equivalents.

1) to be tempted to	a) типовий злочин
2) to threaten with punishment	b) забороняти
3) conduct	c) на відміну від
4) typical crimes	d) намагатись розв'язати правові спори
5) disturbance of the public peace and order	e) призвести до шкідливих наслідків
6) to forbid	f) бути схильним до чогось
7) lead to harmful results	g) бути ув'язненим
8) unlike	h) загрожувати покаранням
9) to seek to resolve legal disputes	i) поведінка
10) to be incarcerated	j) порушення громадського спокою і порядку

Task 9. Choose the word that best completes the sentence.

1) Criminal / Civil law is the branch of law that defines crimes, treats of their nature, and provides for their probation / punishment.

2) A Criminal Code / Execution is a compilation of government laws that outline a nation's laws regarding criminal offenses, and the maximum and minimum punishments that courts can suit / impose upon offenders when such crimes are committed (for example: vandalism, retail theft, theft of property etc.).

3) A tort / crime is a civil wrong committed against an individual; a tort / crime, on the other hand, is regarded as an offense committed against the public, even though only one individual may have been wronged.

4) It'll be some weeks before your offence / case comes to trial.

5) A penalty / supervision is a legal or official punishment for committing a crime or other offense, e.g. a fine or imprisonment.

Civil Law

Task 1. Translate the following international words without dictionaries.

Civil, legal, principle, system, continental, feudal, local, abstraction, formulate, general, term, synonym, codification, collection, era, mechanism, academic, catalog, jurisprudence, crystallize, form, corporation, intellectual, definition, type, business, contract, practice, franchising, rent, service, tradition, criminal, personal, accumulation, republic, financial, commercial, transaction, constitutional, administrative, address.

Task 2. State the part of speech for the following words and use them in the word combinations of your own.

Civil, civilian, civilize, civilization, uncivil, uncivilized.

Task 3. Read and memorize the active vocabulary to the texts.

be codified	бути закріпленим законодавчо
primary source of law	джерело первинного права
be derived from	походити від
refer to as	означати
overlaid	обтяжений
natural law	природне право
canonical	канонічний, традиційно сталий
codification	кодифікація, зведення в кодекс
conceptually	по суті, принципово
proceed from	походити від
substantive rules	матеріально-правові норми
procedural rules	процесуальні норми
case law	прецедентне право
subordinate to	підкорятися, підпорядковуватися
statutory law	статутне право
inquisitorial system	система слідства
manner	поведінка, характер дій
in force	дійсний, що має силу
draw from	спиратися на; запозичувати
arguably	можливо
intricate	важкий для розуміння; заплутаний
law code	кодекс законів

interrelated	взаємопов’язаний
subject matter	предмет вивчення; суть
pre-specified	попередньо заданий
entitlement	надане право; права на
crystallize	формувати
common law	загальне право; англосаксонське право
canon law	канонічне право
civil code	цивільний кодекс
influential	вагомий; що має великий вплив
comprehensive	всеохоплюючий; розширений
exceed	переходити, перевищувати
rather than	на відміну від
compendium	збірник; конспект
precedent value	значення для судової практики
provision	положення (закону)
on a case-by-case basis	в залежності від конкретного
випадку customary law	норми загального права
refine	покращувати; вдосконалювати
Justinian Code	кодекс Юстініана
persuasive	переконливий
entity	самостійна правова одиниця
inheritance law	спадкове право
factoring	факторинг; факторингові операції
inherited	спадковий
civil litigation	тяжба в цивільному суді
Civil Procedural Code	Цивільний процесуальний кодекс

Task 4. Read and translate the text.

Civil Law

Civil Law is a term applied to a legal tradition originating in ancient Rome and to the contemporary legal systems based on this tradition. Modern civil law systems, which were originally developed in Western European countries, have spread throughout the world. Civil law is typically contrasted with common law, a system that evolved in medieval England and that is the basis of law in most of the United Kingdom, Canada, and the United States.

The term “civil law” also applies to all legal proceedings (whether taking place in a civil law or a common law system) that are not criminal in nature. Under this definition laws regulating marriage, contracts, and payment for personal injury are examples of civil law.

The most obvious feature of a civil law system is the presence of a written code of law. The code is a systematic and comprehensive accumulation of legal rules and principles.

The civil law tradition traces its origin to the Roman Republic. The early custom and laws of Rome were put in writing for the first time in 451 and 450 BC, when they were inscribed on 12 bronze tablets. The principles contained within these Twelve Tables constituted the basis for all Roman civil law.

In compiling the Corpus Juris Civilis, Justinian sought to rescue the Roman legal system from years of deterioration and to restore it to its former glory. The vast quantity of material written on the civil law convinced him that the code should eliminate error, resolve conflicts.

The rise of nationalism that began in the 18th century led to the adoption of distinct civil codes for each European country, of which the French Code Napoleon of 1804 is the most famous. In the early 1900s Switzerland and Germany adopted similar codes. The subject matter of all these codes is almost identical with the first three books of the Corpus Juris Civilis.

The civil law tradition makes a sharp distinction between private and public law. Private law is the law that governs relations between private citizens and private businesses. When applied to financial and commercial transactions, it is known as commercial law. All other private law is known as civil law or labour law. Civil law refers to the law of persons, family law, marital property law, property law, contract law and tort law. Labour law regulates the relations of employers and their employees.

In general, public law regulates the relations between organs of the government and between the government and private citizens. Public law consists of matters that concern the government: constitutional law, criminal law, and administrative law, it also includes taxation and business licensing. In many countries with civil law systems, two sets of courts exist – those that hear public law cases and those that address matters of private law.

Task 5. Answer the following questions using the information from the text.

1. What is civil law typically contrasted with?
2. What does the term “civil law” also denote?
3. What is the main feature of a civil law system?
4. When and where were the early custom and laws of Rome put in writing?

5. What does private law include?
6. What does public law consist of?

Task 6. Complete the following sentences according to the information from the text.

1. Civil law is usually contrasted with … .
2. The term “civil law” is used to mark all … .
3. The most evident characteristic of a civil law system is … .
4. The rise of nationalism led to the adoption of … .
5. The civil law tradition makes … .
6. Private law involves … .
7. Public law is composed of … .

Task 7. Translate into English according to the information from the text.

Цивільне право виникло в Стародавньому Римі. Цивільне право регулює шлюб, угоди, сплату завданої особистої шкоди тощо. Традиційно цивільне право порівнюють із загальним правом. Загальне право є основою правової системи більшої частини Великої Британії, Канади та США. Цивільно-правова традиція передбачає відмінності між приватним та публічним правом. Приватне право стосується регулювання цивільних торговельних правовідносин. Конституційне право, кримінальне право та адміністративне право складають приватне право.

Task 8. Read and translate the additional text.

Civil Law

Civil law, or civilian law, is a legal system originating in Europe. Its main feature is that its key principles are codified into a system which serves as the primary source of law.

Civil law is sometimes referred to as neo-Roman law, Romano-Germanic law or Continental law. The expression “civil law” is a translation of Latin “citizens ’law”.

Historically, a civil law is the group of legal ideas and systems derived from the Corpus Juris Civilis, but heavily overlaid by Napoleonic, Germanic, canonical, feudal, and local practices, as well as natural law, codification, and legal positivism.

Conceptually, civil law proceeds from abstractions, formulates general principles, and distinguishes substantive rules from procedural rules. It holds case law secondary and subordinate to statutory law. Civil

law is often paired with the inquisitorial system, but the terms are not synonymous.

The purpose of codification is to provide all citizens with manners and written collection of the laws which apply to them and which judges must follow. It is the most widespread system of law in the world, in force in various forms in about 150 countries. It draws heavily from Roman law, arguably the most intricate known legal system dating from before the modern era.

Where codes exist, the primary source of law is the law code, a systematic collection of interrelated articles, arranged by subject matter in some pre-specified order, that explain the principles of law, rights and entitlements, and how basic legal mechanisms work. Law codes are simply laws enacted by a legislature, even if they are in general much longer than other laws. Other major legal systems in the world include common law, Islamic law, Halakha, and canon law.

Civil law countries can be divided into:

- those where Roman law in some form is still living law but there has been no attempt to create a civil code: Andorra and San Marino;

- those with uncodified mixed systems in which civil law is an academic source of authority but common law is also influential: Scotland and the Roman-Dutch law countries (South Africa, Zimbabwe, Sri Lanka and Guyana)

- those with codified mixed systems in which civil law is the background law but has its public law heavily influenced by common law: Puerto Rico, Philippines, Quebec and Louisiana;

- those with comprehensive codes that exceed a single civil code, such as France, Germany, Greece, Italy, Japan, Mexico, Russia, Spain: it is this last category that is normally regarded as typical of civil law systems.

A prominent example of a civil-law is the Napoleonic Code (1804), named after French emperor Napoleon. The code comprises three components: the law of persons; property law; commercial law.

Rather than a compendium of statutes or catalog of case law, the code sets out general principles as rules of law.

Unlike common law systems, civil law jurisdictions deal with case law apart from any precedent value. Civil law courts generally decide cases using codal provisions on a case-by-case basis, without reference to other (or even superior) judicial decisions. In actual practice, an increasing degree of precedent is creeping into civil law jurisprudence, and is generally seen in many nations 'highest courts.

Civil law is primarily contrasted with common law, which is the legal system developed first in England, and later among English-speaking peoples of the world. Despite their differences, the two systems are quite similar from a historical point of view. Both evolved in much the same way, though at different paces. The Roman law underlying civil law developed mainly from customary law that was refined with case law and legislation. Canon law further refined court procedure. Similarly, English law developed from Anglo-Saxon customary law, Dane law and Norman law, further refined by case law and legislation. The differences are:

- Roman law had crystallized many of its principles and mechanisms in the form of the Justinian Code, which drew from case law, scholarly commentary, and senatorial statutes;
- Civilian case law has persuasive authority, not binding authority as under common law.

Codification, however, is a defining characteristic of a civil law system. For example, the statutes that govern the civil law systems of Sweden and other Nordic countries and the Roman-Dutch countries are not grouped into larger, expansive codes like those in French and German law.

Civil law regulates the everyday life of citizens and other legal entities, such as corporations. The main code of Ukrainian civil law is the Civil Code of Ukraine. It comprises provisions governing ownership, intellectual property rights, contracts, torts, obligations, inheritance law, and the definition of legal entities. The code introduces new types of business contracts into the legal practice, including factoring, franchising, rent service, and inherited contracts. Civil litigation is governed by the Civil Procedural Code of Ukraine.

Task 9. Translate into English the following words and word combination using the information from the additional text.

Основні принципи; основне джерело закону; інколи означати; походити від; місцева практика; кодифікація, зведення в кодекс; теоретично; матеріально-правові норми; статутне право; система слідства; записані збірки законів; найпоширеніша система закону; системна збірка взаємопов'язаних статей; встановлений законодавчим органом; створювати цивільний кодекс; впливовий; закріплені законодавчо мішані системи; охоплювати, включати в себе; на відміну від; мати справу з; в залежності від конкретного випадку; розвиватися; переконливий прецедент; самостійні правові

одиниці; Цивільний Кодекс України; Цивільний процесуальний кодекс України.

Task 10. Translate into Ukrainian the following words and word combination using the information from the additional text.

Legal system, key principles, to be derived from, natural law, general principles, inquisitorial system, written collection of the laws, the most widespread system, in force, the primary source of law, entitlements, uncodified mixed system, named after, rather than, unlike, civil law courts, from a historical point of view, different paces, to be refined with, everyday life of citizens, legal entities, intellectual property rights.

Task 11. Answer the following questions using the information from the additional text.

1. What is the main feature of civil law?
2. How can civil law be called?
3. What is civil law overlaid by?
4. Are civil law and inquisitorial system the same?
5. What is the purpose of codification?
6. What is the law code?
7. What do other major legal systems include?
8. How can civil law countries be divided into?
9. What is the outstanding example of a civil law?
10. What components does the Napoleonic Code consist of?
11. What is the difference between common law systems and civil law jurisdictions?
12. How do civil law and common law similar?
13. What are the differences between Roman law and Civilian case law?
14. What regulates the everyday life of citizens and other legal entities?
15. What is the main code of civil law in Ukraine?

Labour Law

Task 1. Translate the following international words without dictionaries.

Constitution, guarantee, act, administrative, contract, term, private, company, modification, system, regime, parliament.

Task 2. State the part of speech for the following words and use them in the word combinations of your own.

Law, lawful, lawfully, unlawful, lawyer, lawless, lawlessness.

Task 3. Read and memorize the active vocabulary to the texts.

proclaim	проголошувати
source	джерело
come into effect	вступити в дію (закон)
adjoin	приєднувати, з'єднувати
subordinate legislation	підзаконні нормативно-правові акти
employment agreement	трудовий договір / угода
employer / employee	роботодавець / працівник
employment relations	трудові відносини
shall	зобов'язаний
application	заява
order	наказ
execution	виконання
party	сторона (угоди, контракту)
distinguish	розрізняти
provide for	забезпечуватися, включати умови
ground / reason	причина
employment termination	припинення трудових відносин / звільнення
liability of the parties	відповідальність сторін
statutory requirements	вимоги, передбачені законом
chief executive	голова фірми, компанії
work condition	режим роботи
requirement	вимога
wage / salary	зарплата
overtime work	понаднормова робота
under the circumstances	за умови
prior consent	попередня згода

trade union	профспілкова організація
payment at double rates	платня в подвійному розмірі
annual paid vacation	щорічна оплачувана відпустка
consent	дозвіл, згода
modification	поправки, зміни (угоди)
labour remuneration	оплата праці
benefits	гарантії і компенсації, соцпакет
prior notice	попереднє сповіщення
entitle	надавати право
vest	наділяти, надавати
namely	а саме
conclude a collective agreement	заключити колективну угоду
on behalf of	від імені
introduction	винесення на розгляд
dismissal	звільнення
stipulate	фіксувати, визначати
rules of succession	норми успадкування
join / associate in	вступати в (організацію)
observe	дотримуватися, виконувати
foresee	передбачати
profit	прибуток, винагорода
limited duration	обмежений строк дії
business venture	комерційне підприємство
allowance	винагорода, матеріальна допомога, надбавка до окладу

Task 4. Read and translate the text.

Ukrainian Labour Law

Apart from the Constitution of Ukraine, which proclaims major labour rights and guarantees, the Labour Code of Ukraine (LCU) has remained the main source of Ukrainian Labour Law since 1972, the year when it came into effect. It has been adjoined by numerous acts and subordinate legislation.

The LCU provides for the conclusion of an employment agreement between an employer and an employee as the basis of their employment relations. An employment agreement shall contain the following: the employee's application and the relevant employer's administrative order on employment; the execution of a written agreement by the parties and the actual start of work by the employee.

Ukrainian law distinguishes between an employment agreement and an employment contract. The latter is a particular form of the former

that can provide for additional terms and conditions (e.g. additional grounds for employment termination and liabilities of the parties) as compared to the statutory requirements. Employment contracts can only be concluded with employees strictly specified by the law: as a rule, for private companies this refers only to a chief executive.

As basic work conditions the following major requirements are to be observed by an employer: the monthly wage of an employee shall not be less than a minimum wage established by law; the working week shall not exceed 40 hours; overtime work is permitted only (1) under the circumstances provided for by the law, (2) upon the prior consent of a trade union (if any), (3) with a limited duration, and (4) with payment at double rates; the basic annual paid vacation of an employee shall not be less than 24 calendar days; transfer to another job, work at another company or in another location can be carried out only with the consent of an employee; changes in material work conditions (modification of the system and amount of labour remuneration, benefits, work regime, etc.) can be introduced upon provision of 2-months prior notice to an employee, etc.

Employees are entitled to join the trade unions. Ukrainian law vests trade unions with significant powers, namely: to conclude a collective agreement on behalf of the employees; to consider issues on introduction, revision and change of work norms, labour remuneration, additional payments and benefits; to consider the need for overtime work, issues on the dismissal of employees at the demand of the employer; to control the performance of employer's obligations with regard to labour and labour protection law, etc.

In 2003 the Parliament accepted the new draft Labour Code as a basis. The bill is still being worked on. The latest draft determines the borders of extension of the labour law to relations with foreign participation, stipulates the rules of succession in employment relationship, the terms and conditions of employment of a chief executive, etc.

Task 5. Answer the questions.

1. What year did the Labour Code of Ukraine come into effect?
2. What is the basis of the employment relationship?
3. What is the difference between employment agreement and employment contract?
4. What major requirements are to be observed by an employer?
5. What powers are vested in trade unions by Ukrainian law?
6. What does the latest draft of Labour Code determine?

Task 6. Are the following statements true or false? Explain why.

1. Only the Constitution of Ukraine proclaims major labour rights and guarantees.
2. There isn't any difference between employment agreement and employment contract.
3. The latest draft of Labour Code is perfect and isn't required any improvement.
4. The Labour Code of Ukraine doesn't provide the clear term of annual vacation.
5. Trade unions are entitled to have agreements only with an employee.
6. The Labour Code of Ukraine foresees the employment provisions as the basis of employment relations.

Task 7. Complete the following sentences according to the information from the text.

1. Ukrainian law distinguishes between an employment_____and employment_____.
2. An employer should observe the following requirements: to provide an employee a minimum____, an annual paid _____etc.
3. An employee has the right to associate in_____.
4. Ukrainian law vests trade unions with such powers as: labour_____, issues on_____and so on.
5. The new _____of Labour Code was accepted by the Parliament.

Task 8. Give the English equivalents for the following words and word combinations.

приєднуватись до; оплата праці; матеріальна допомога; понаднормова праця; відповідальність; заява робітника; заробітна платня; адміністративний наказ; скарга; звільнення.

Task 9. Match the words with their definitions considering differences in their meaning.

1) Reward	a) an amount of money that you earn for working, usually according to how many hours or days you work each week or month
2) Living	b) payment or other rewards that you get for your work (formal)

3) Remuneration	c) a fixed amount of money that you earn each month or year from your job
4) Revenue	d) money that you receive for doing your job
5) Wage	e) money that you pay to a professional person or institution for their work
6) Earnings	f) money that someone gets from working or from investing money
7) Income	g) money that you earn to live on
8) Pay	h) the amount of money that you earn
9) Salary	i) income from business activities or taxes
10) Fee	j) money that someone receives for finding and returning something or for helping the police

Environmental Law

Task 1. Translate the following international words without dictionaries.

Conservation, problem, mineral, resource, rational, synthetic, industrial, material, biosphere, gas, atmosphere, ozone, technological, international, national, term, product, civilization, declaration, preamble, conference, climate, toxic, system, constitution, instruction, principle, economical, interest, guarantee.

Task 2. State the part of speech for the following words and use them in the word combinations of your own.

Protect, protection, protective, protectively, protectiveness, protecting.

Task 3. Read and memorize the active vocabulary to the texts.

face	зіштовхнутися (з труднощами)
affect	впливати на, пошкодити
numerous	численний
discharge of	викид чогось
acid rains	кислотні дощі
destroy	руйнувати
ozone layer	озоновий шар
ozone depletion	руйнування озонового шару
greenhouse effect	парниковий ефект
environmentally harmful consequences	наслідки, що шкодять навколишньому середовищу
comprise / encompass	містити, включати в себе
institutional rules	базові норми
primary objective	основна задача
hazardous wastes	небезпечні відходи
pollution	забруднення
constitute	відображати, бути, прирівнюватися
revival	відродження, відновлення
amelioration	покращення, виправлення
nature reserve	заповідник, природний заказник
legal entity	суб’єкт права, юридична особа
observance	виконання (закону)

ownership / property	власність, майно
be regarded as	вважатися
preservation	збереження
assume	приймати (характер, форму)
issue	проблемне питання, предмет (спору)
treaty	договір, угода (часто міжнародна)
political consciousness	політична свідомість
commence	починатися, стартувати
culminate	закінчуватися, досягати вищої точки
concern / interest	інтерес, зацікавленість
plethora	величезна кількість
terrestrial	земний, сухопутний
Customary international law	Міжнародне звичаєве право
neighbourliness	добросусідські відносини
precautionary principle	принцип прийняття запобіжних заходів
polluter-pays principle	принцип матеріальної відповідальності за забруднення навколишнього середовища
principle of sustainable development	принцип екологічно-безпечного розвитку соціально-економічної сфери
public awareness	громадська свідомість

Task 4. Read and translate the text.

Environmental Law

Conservation is the main problem facing humanity nowadays. The biosphere is strongly affected by all sorts of human activity. Mineral resources, rivers and forests of the Earth demand rational use. A wide variety of synthetic and numerous industrial materials alter the biosphere. The discharge of dust and gas into the atmosphere returns to the Earth in the form of acid rains. It also destroys the ozone layer of the Earth and causes “greenhouse effect”. The environmentally harmful consequences of human technological and industrial innovatory activities affected the formation and continuous development of law.

Environmental law is a body of (international or national) law that comprises those substantive, procedural and institutional rules which have their primary objective the protection of environment. The meaning of the term “environment” encompasses both the features and products of the natural world and those of human civilization – the living

and working environment (see the Preamble of the Declaration of the United Nations Stockholm Conference on the Human Environment (UNCHE)). Acid rain, ozone depletion, climate change, loss of biodiversity, toxic and hazardous wastes, pollution of rivers and depletion of freshwater resources are some of the issues for emergent addressing in the environmental law.

The system of legal rules regulating relations between society and nature in their interaction constitutes the subject of the environmental law. The aim of environmental law is the rational use of natural resources, conservation, revival and amelioration of the human environment, and providing for environmental safety. Land, air, depths, waters, forests, vegetation and wildlife, nature reserves are the objects of legal protection in environmental law.

As a legal subject environmental law possesses its substantial and procedural parts. The subjects of environmental law are the following: the people of Ukraine, the state (its appropriate authorities), individuals and legal entities, foreign states and other different groups of people. The main source of environmental law is the law. The Constitution of Ukraine, the international agreements (where Ukraine is a participant), the law of Ukraine on protection of Environment (25.06.1991), other laws, legal regulations, decrees and instructions of the highest and local authorities of Ukraine constitute the sources of environmental law.

Among the main principles of the environmental law are: the priority of human's healthy life, the rational use of natural resources, the unification of ecological and economical interests of society, the observance of environmental law requirements, the publicity in adoption of significant environmental decisions and the international collaboration in the field of conservation.

The citizens of Ukraine have their environmental rights, guarantees and duties. Human right to a decent viable or healthy environment, the existence of state and public control over the observance of law, and legal liability for the environmental damage are among them.

According to the law of Ukraine "About the Property" № 697-12 (7.02.1991) there are three main patterns of ownership on natural resources: state, municipal and private property. The environmental right of ownership is regarded as the combination of legal rules consolidating, regulating and protecting right of possession, right of use and right of disposal of natural resources in human interests.

Task 5. Give the definitions for the following terms and expressions using the text.

1) Conservation
2) Environmental law
3) The natural resources
4) The environmental right of ownership

Task 6. Answer the questions using the text.

1. How do you understand the term conservation?
2. What consequences harmful to the environment do you know?
3. What is the meaning of the term “environment”?
4. What is the aim of environmental law?
5. What is the subject of environmental law?
6. What objects of environmental law do you know?
7. What are the main principles of environmental law?
8. What are the sources of environmental law?
9. What does the environmental right of ownership regulate?

Task 7. Complete the sentences according to the information from the text.

1. The … demand rational use.
2. The discharge of dust and gas into the atmosphere returns to the Earth … .
3. … is a body of (international or national) law that comprises those substantive, procedural and institutional rules which have their primary objective … .
4. The aim of environmental law is … .
5. The … are the objects of legal protection in environmental law.
6. The citizens of Ukraine have … .
7. Property law on natural resources is divided into … .

Task 8. Match the legal terms with their definitions.

1) right of possession	a) buying, selling, changing or gifting of environmental subjects
2) right of use	b) environmental protection
3) right of disposal	c) the features and products of the natural world and those of human civilization
4) conservation	d) the right of being an owner of some natural object
5) the living and working environment	e) human right of satisfying his/her living needs

Task 9. Complete the following sentences by translating the words and expressions in brackets.

1. (Екологічне право) is a body of international/national law that comprises those substantive, procedural and institutional rules.
2. (Шкідливі наслідки) affected the formation and continuous development of environmental law.
3. The rational using of (природні ресурси) is one of the principles of environmental law.
4. The land, (атмосферне повітря, надра, рослинний та тваринний світ), waters, forests, (заповідники) are the objects of legal protection in environmental law.
5. The citizens of Ukraine have human right to a (здорове) environment.

Task 10. Complete the sentences with the words of the active vocabulary.

1. … and … are among the objects of environmental law.
2. The planet faces a diverse and growing range of … challenges.
3. A wide variety of synthetic and numerous industrial materials … the biosphere.
4. The discharge of dust and gas into the atmosphere destroys … of the Earth.

International Law

Task 1. Translate the following international words without dictionaries.

International, standard, global, principle, organization, jurisdiction, diplomatic, traditional, method, neutral, port, regional, transport, postal, agency, economic, sanction, diplomatic, system, sovereign, legal, business, criminal, fact, subject, modify.

Task 2. State the part of speech for the following words and use them in the word combinations of your own.

International, internationality, internationally, non-international, non-internationally, internationalism, internationalist, internationalize.

Task 3. Read and memorize the active vocabulary to the texts.

public international law	публічне міжнародне право
private international law	приватне міжнародне право
supranational law	наднаціональне право
international affairs	міжнародні справи
international community	міжнародна спільнота
obligation	зобов'язання
demand	вимога
common consent	загальна згода
ruling	рішення (суду), постанова
peace / war	мир / війна
legal equality	рівність перед законом
belligerents / warring states	держави, що знаходяться у стані війни
methods of warfare	засоби ведення війни
restriction	обмеження
move troops	переміщувати війська
naval operation	морська операція
resolution of problems	вирішення проблем
scope	діапазон, можливості
regulation	урегулювання дії
outer space	відкритий космос
high seas	міжнародні води
human condition	умови існування людини
authorize	санкціонувати, узаконювати

nonprofit	некомерційний
mistreatment	порушення прав, утиск
ambassador / embassy	посол / посольство
slave	раб
foreign nationals	іноземні громадяни
the Holy See	папський престол
armed insurrectional movement	озброєний повстанський рух
domain	область, сфера
applicable / inapplicable	застосовний / незастосовний
customary law	звичаєве право
conventional law	договірне право
assign	призначати, закріпляти
peremptory norm	безумовна норма
derogation	применшення (прав)
subsequent	наступний
international claim	міжнародний позов / претензія

Task 4. Read and translate the text.

The System of International Law

International Law means principles, rules, and standards that govern nations and other participants in international affairs in their relations with one another. International law is the law of the international community. No single nation can create or modify international law. No statute of one nation or treaty between two nations can create global obligations. International law is not created, developed, or abolished by the demand of one country or a small group of countries. It exists as a result of the common consent and general acceptance of many nations. Most international law consists of long-standing customs, provisions agreed to in treaties, and generally accepted principles of law recognized by nations. Some international law is also created by the rulings of international courts and organizations.

The rules of international law are generally divided into laws of peace, of war, and of neutrality. Peace is considered the normal relationship between nations. The laws of peace define the rights and duties of nations at peace with one another. Each country has a right to existence, legal equality, jurisdiction over its territory, ownership of property, and diplomatic relations with other countries. Many of the laws of peace deal with recognizing countries as members of the family of nations and recognizing new governments in old nations. War is still recognized under traditional international law. Warring states are called belligerents. The laws of war provide definite restrictions on methods of

warfare. Under international law, belligerents are forbidden to move troops across neutral territory. Neutral waters and ports must not be used for naval operations.

The purposes of international law include resolution of problems of a regional or global scope (such as environmental pollution or global warming), regulation of areas outside the control of any one nation (such as outer space or the high seas), and adoption of common rules for multinational activities (such as air transport or postal service). International law also aims to maintain peaceful international relations when possible and resolve international tensions peacefully when they develop, to prevent needless suffering during wars, and to improve the human condition during peacetime.

Enforcement of international law is often difficult because nations are sovereign powers that may put their own interests ahead of those of the international community. Enforcement may be effectively achieved through the actions of individual nations, agencies of international organizations such as the United Nations (UN), and international courts. The United Nations Security Council can authorize economic sanctions, diplomatic sanctions, or military force to maintain or restore international peace and security.

International law began as a system governing the relations among sovereign states, and states have always been the primary legal entities affected by international law. As the global system has become more complex, however, international law has come to recognize and regulate international organizations, businesses, nonprofit entities, and individuals. The emergence of international human rights law and, more recently, international criminal law reflects the fact that individuals today are direct subjects of international law in certain respects.

Task 5. Give the definitions for the terms and expressions.

1) international law;
2) long-standing customs;
3) enforcement of international law;
4) sovereign state;
5) diplomatic relations.

Task 6. Answer the questions to the text.

1. What is the definition of international law?
2. What is international law aimed at?
3. How is international law implemented?
4. What are the subjects of international law?
5. What is the division of the rules of international law?

Task 7. Complete the sentences according to the information from the text.

1. International law is the law … .
2. Some international law is also created by … .
3. International law also aims … .
4. Enforcement may be effectively achieved through … .
5. International law began as a system … .
6. The rules of international law are generally divided into laws … .
7. The emergence of international human rights law and, more recently, international criminal law reflects the fact that individuals today … .
8. Under international law, belligerents are forbidden … .

Task 8. Match the following legal terms with their definitions.

1) custom	a) having undisputed right to make decisions and act accordingly
2) rule	b) 1) a generally accepted practice or habit, convention; 2) long – established practice having the force of law
3) sovereign	c) a binding legal agreement or a moral responsibility
4) organization	d) an association or society of people working together to some end
5) obligation	e) an accepted method of behaviour or procedure

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Для нотаток

Іноземна мова за професійним спрямуванням [Текст]: Методичні вказівки до практичних занять та самостійної роботи з англійської мови для здобувачів другого (магістерського) рівня вищої освіти галузі знань D "Бізнес, адміністрування та право" освітньо-професійної програми D8 "Право", спеціальності 081 "Право" денної та заочної форм навчання / уклад. С. І. Лобанова
Луцьк: ЛНТУ, 2025. 40с.

Комп'ютерний набір та верстка: С. І. Лобанова

Редактор: С. І. Лобанова

Підп. до друку «__»_____2025 р. Формат 60х84/16. Папір офс.

Гарн. Таймс. Ум. друк. арк. 4,87.

Тираж 50 прим.

Інформаційно-видавничий відділ

Луцького національного технічного університету

43018, м. Луцьк, вул. Львівська, 75

Друк – ІВВ ЛНТУ