

LEGAL PROBLEMS OF CULTURE DEVELOPMENT IN COUNTRYSIDE

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The article is devoted to research of normatively and legal adjusting of culture development in a countryside. The special attention is paid to the problem of maintenance of rural cultural institutions and its skilled staff.

Countryside social infrastructure; cultural institutions; base network; rural libraries; club establishments; workers of culture.

For the whole period of village existence, it has always been the cradle of the spiritual culture of the Ukrainian nation. Today villagers significantly limited on access to computer technology, educational, cultural and professional programs.

The legislation establishes state norms in this area in order to ensure the rights of citizens to get qualitative services that are provided by cultural institutions. It includes: the list and amount of free services provided to the population; indicators of the quality of public services; regulations to ensure public institutions, enterprises, organizations and cultural institutions (Art. 13 of the Law of Ukraine dated 5 October 2000 "On State Social Standards and State Social Guarantees"). Problems with funding, understaffing these institutions with specialists, failure of a large rural population get to the cultural institution and also paying the market value of the services leads to unrealized cultural rights of peasants. Therefore, special attention is paid to the solution of the problem of preservation, revival and development of traditional culture.

The purpose of this article is to study the legal regulation of the culture in rural areas. Special attention is paid to the maintenance of cultural institutions in rural areas and its staff.

Among the scientific research devoted to the research of social villages, including the development of culture, it is necessary to allocate the work of leading

scientists in the field of agricultural law, such as V.M. Ermolenko, M.I. Kozyr, A.A. Pogrebnyi, A.M. Stativka, N.I. Titova, V.Z. Yanchuk and others.

As a result of agrarian reform a significant number of libraries, clubs and other cultural institutions was lost. Territorial communities as a whole have lost a large part of the social infrastructure through which the cultural and educational level and social outlook is forming. The main problem in the village is the problem of rural logistic and financial support of cultural institutions. Given the virtual absence of funds in the budgets of local councils there was a process of intensive closure of the objects of social and cultural purposes in rural areas. The legislator repeatedly paid attention to this issue.

The quality of services provided by cultural institutions depends not only on their technical equipment, but also on those professionals who works in this area. A major shortcoming in the cultural life of the village is rooted underestimation of the importance of labor and low wage of clubs, libraries, cinemas workers [9, c. 82]. Current law gives a broad interpretation of the concept of "cultural worker" (worker in the culture). It is a professional creative worker or worker of the cultural institution or other individual that carries out activities in culture (art. 1 of the Law of Ukraine "On Culture"). Law establishes a number of safeguards for them: state provides full tariff rate for such employees (para. 2, Art. 29 of the Law of Ukraine "On Culture"). Resolving this issue is particularly relevant, since the practice of transferring the culture employee on a part-time job in rural areas has become common. In addition, law provides allowances and bonuses for years of service, the honorary title etc.; assistance for rehabilitation, solving social and domestic issues. These categories of persons including pensioners are entitled to get free land in the property in case of: privatization of land plots that are in their use; obtaining land plots from state and municipal property (Art. 118 of the Land Code of Ukraine). In addition, cultural workers are entitled to get land (share) in the process of privatization of state and communal agricultural enterprises, institutions and organizations. They has obtained ownership of land within the land (share) of worker of farm, institutions and organizations located in the territory of council, but not more than the norms of free transfer of land plots to citizens established by law for personal farming (Art. 25 of

Land Code of Ukraine). The state, according to the law also provides free housing with heating and lighting within the established norms. But qualified specialists are still not in a hurry to go to the village. So now the state should create conditions to encourage these employees to work and stay in the countryside. It can be measures to free housing or soft loans.

Thus, the formation of a common cultural environment in rural causes: maximum preservation of existing funds, its personnel and resources improvement, the management of cultural orientation services of every inhabitant of the village in accordance with established standards; development of cultural centers, museums, parks, reserves, promotion broad access to it for rural residents with the provision of benefits to the poor; search and implementation on an equal basis for new forms of cultural activities, including leisure centers, clubs, recreation, youth clubs, centers for the study of folklore, ritual celebration of the restoration of religious holidays and more.

In the article attention is also payed to the fact that the legislation, which regulates relations in the cultural sphere in the country, almost doesn't have clear mechanism for implementation and funding. That's why it is important to adopt the State program of cultural development in rural areas, which would facilitate the complex solution of these problems.