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Concept, Essence and Principles of Administrative Service Provision by Public Authorities in Ukraine

Sergii Prokopenko  ¹ *

¹ *Dnipropetrovsk Regional Military Administration (Ukraine). Lead Inspector at the Division of Communication, Information Protection and Mobilization Work, Directorate of Regional Digital Development and E-Governance, Department of Digital Transformation, Information Technologies and E-Governance, PhD in History.*

* *Corresponding Author*, e-mail: sergiiprokopenko91@gmail.com

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ABSTRACT

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The formation of the theoretical framework of the phenomenon of administrative services is updated against the background of active processes of decentralization and development of administrative reform in Ukraine. The purpose of the study is to analyze the definition of “administrative services”, its essence and the principles of providing administrative services by public authorities. The article deals with the essential features of the phenomenon under study, types and approaches to the provision of administrative services in the context of practice in Ukraine. The study analyzes the key positions of modern scholars on the issues outlined, the national legislative field provides its own considerations and proposals for optimization changes. It has been found that, against the background of the diversity of existing definitions (“management services”, “public services”, “public-power services”, etc.), all existing definitions are characterized by non-property expression, specific nature and targeted orientation to satisfy the client. It is substantiated that the specificity of administrative services is the presence of a powerful subject of their provision, and the vector of relationships that arise in this case is to meet the legitimate needs of a person, the protection of his interests and rights. The basic principles of administrative services in Ukraine which are enshrined in the regulatory field. It is found out that the current scientific position actualizes the “service” nature of the provision of administrative services. The shortcomings of the generally accepted version of the definition of “administrative services”, including the lack of a meaningful category of focus on satisfying the legitimate interests of a person and the guarantees of the realization of his fundamental rights, were noted. The results of the study emphasize the need to minimize the intervention of public authorities in the person's personal living space, expand the functionality of “service” and ensure the quality of administrative services.

KEYWORDS

public administration, public power, public authorities, state authorities, local self-government bodies, administrative service, management processes, principles of providing administrative services, definition.




Поняття, сутність та принципи надання адміністративних послуг органами публічної влади в Україні

Сергій Л. Прокопенко  1*

¹ Дніпропетровська обласна військова адміністрація (Україна). Провідний інспектор відділу з питань зв'язку, захисту інформації та мобілізаційної роботи управління з питань регіонального цифрового розвитку та електронного урядування Департаменту цифрової трансформації, інформаційних технологій та електронного урядування, канд. іст. наук.

* Автор-кореспондент, e-mail: sergiiprokopenko91@gmail.com

СТАТТЯ	АНОТАЦІЯ
<p>Дослідницька</p> <p>DOI: 10.70651/3041-2498/2025.10.14</p> <p>Авторське право © 2025 автора</p>  <p>Цей твір ліцензовано на умовах Ліцензії Creative Commons «Із Зазначенням Авторства – Некомерційна 4.0 Міжнародна» (CC BY-NC 4.0).</p> 	<p>Формування теоретичних рамок феномену адміністративних послуг актуалізується на тлі активних процесів децентралізації та розвитку адміністративної реформи в Україні. Метою дослідження є аналіз дефініції «адміністративні послуги», її сутності та принципів надання адміністративних послуг органами публічної влади. У статті розглянуто сутнісні ознаки досліджуваного феномену, види та підходи до надання адмінпослуг у контексті практики в Україні. В дослідженні проаналізовано ключові позиції сучасних науковців з окреслених питань, національне законодавче поле, наводяться власні міркування та пропозиції щодо оптимізаційних змін. З'ясовано, що на тлі різноманіття існуючих дефініцій («управлінські послуги», «публічно-сервісні послуги», «публічно-владні послуги» тощо) усім існуючим визначенням характерними є не майнове вираження, специфічна сутність та цільова зорієнтованість на задоволення клієнта. Обґрунтовано, що специфіка адміністративних послуг полягає у наявності владного суб'єкта їх надання, а векторність взаємин, що виникають в даному випадку, полягає у задоволенні законних потреб людини, захисті її інтересів та прав. Досліджено основні принципи надання адміністративних послуг в Україні, що закріплені у нормативно-правовому полі. З'ясовано, що сучасна наукова позиція актуалізує «сервісний» характер надання адмінпослуг. Зауважено недоліки загальноприйнятої версії дефініції «адміністративні послуги», у тому числі – відсутність змістовної категорії націленості на задоволення законних інтересів людини та гарантії реалізації її основних прав. Результати дослідження підкреслюють необхідність мінімізації втручання публічних органів у особистий життєвий простір людини, розширення функціоналу «сервісності» та забезпечення гарантій якості адміністративних послуг.</p>

КЛЮЧОВІ СЛОВА

публічне управління, публічна влада, органи публічної влади, органи державної влади, органи місцевого самоврядування, адміністративна послуга, процеси управління, принципи надання адміністративних послуг, дефініція.

1. Introduction

The practical implementation of administrative reform in Ukraine against the background of European integration development necessitates the transformation of the public administration system in the aspect of providing administrative services. The relevance of the extended study of the theoretical and methodological basis of the phenomenon of administrative services is determined by the practical need to improve approaches to their provision to legal entities and individuals in the process of public administration.

Public interests in the field of administrative services are covered in the Law of Ukraine "On Administrative Services" [12], which, although it is a definition of "administrative service", at the same time, has not received a specific coverage of its essence due to the lack of ambiguity in the positions of researchers. The variability of scientific views and concepts of the implementation of administrative services contributes to the development of the discussion process of its doctrinal formation.

In addition, the modern conceptual field of service functionality of local self-government bodies and public authorities is overloaded with dichotomous variability of synonymous definitions, which is the reason for the simultaneous use of different categories of services. Also, an important prerequisite for the effectiveness of the provision of administrative services by public authorities is compliance with the fundamental principles enshrined in the legislative field. A better understanding of the essence, concept and basic principles of the phenomenon of administrative services will optimize the concept of public administration development in this direction.

2. Literature Review

Debatable approaches to the definition of the term "administrative services", as well as the determination of the legal nature of this concept, have been under the close attention of researchers for a long time. With the development of decentralization processes in Ukraine and the implementation of administrative reform, the issue has gained even more popularity. In particular, the problems are studied in the publications of Y. Kyrychenko [7], K. Kolotukha and A. Krakovska [5], N. Sydorenko and I. Shkurat [19], V. Tymoshchuk [21], V. Tokarev and A. Sotnyk [20] and others. Scientists demonstrate multipolar approaches to the category of "administrative services", its essential basis and conceptual apparatus. In fact, the essence of the system of administrative services provision by public authorities is defined in the works of I. Kovbas [6], V. Safronov and E. Syta [14], V. Lapuente and S. Van de Walle [4]. Several researchers define administrative services as "public services" (O. Soloviova [16]) or "public government services" (I. Kovbas [6]).

The principles of implementation of administrative services in the modern field of public administration are studied in the publications of J. Pavlovysh-Senet [11], O. Parkhomenko-Kutsevil [10], W. Hildreth [3], J. Shafritz et al. [15]. The authors analyze the main prerequisites for guaranteeing the quality of services, ensuring the satisfaction of the basic needs and demands of modern society.

Taking into account a certain ambiguity in the interpretation of the definition of "administrative services", the debatable nature of the essence of the phenomenon under study and the need to expand its basic principles, the issue requires in-depth research.

3. Problem Statement

Approaches to the identification and explanation of the theoretical and methodological basis of the concept of administrative services are currently not stable and unambiguous. The positions of researchers on the definition of "administrative service" have undergone evolutionary development from the introduction of administrative reform to the present day. The purpose of the study is to analyze the definition of "administrative services", its essence and principles of implementation by public authorities.

4. Methods and Materials

The study carried out a systematic and comprehensive analysis of scientific publications and fundamental research. Up-to-date primary sources from publications indexed in leading scientometric

databases were used. The works taken into account, for the most part, were published in the time interval 2020–2025. The criteria for inclusion and exclusion of publications were the spatio-temporal indicator and the level of reliability of information. The keywords “public administration, public authorities, public authorities, state authorities, local self-government bodies, administrative service, management processes, principles of administrative services, definition” were used for the search.

The research methodology included analysis and synthesis, systematization, comparison, generalization, abstraction. These methods made it possible to generalize scientific, theoretical and research data, determine cause-and-effect relationships, determine the main criteria and definitions, determine the most influential factors within the phenomenon under study, formulate generalizing conclusions of the study and develop recommendations.

To reduce internal bias in the publications used for this study, an open access and data reuse strategy was applied. This involved providing access to complete study data, including raw data and code, which made it possible to verify the results and conduct additional analysis, if necessary, thereby reducing the impact of bias.

5. Results and Discussion

The definitions of “management service” and “administrative service” have been identified for a long time. Over time, researchers realized that the use of the definition of “administrative service” is a priority in the context of the components of “public” (i.e., state or municipal) services. The adjective “administrative”, at the same time, determines the subject to whom such a service is provided, and also determines the authoritative nature of its implementation.

According to the definition in the encyclopedic dictionary of public administration [18], an administrative service is the result of the exercise of power by some authorized entity, which provides legal formalization of the conditions for the exercise of rights, freedoms and legitimate interests by individuals and legal entities at their request in accordance with the current legislation.

In general, administrative services are positioned as an important component of the system of state and municipal services. According to the provisions of the Law of Ukraine “On Administrative Services” [12], it is interpreted as a result of the exercise of power by the subject of the provision of administrative services at the request of an individual or legal entity, which is aimed at acquiring, changing or terminating the rights and (or) obligations of such a person in accordance with the law. It is important to note that administrative services provided by public authorities are of an executive and binding nature and have the final form of an individual administrative act, being the practical result of administrative proceedings.

The traditional approach to the concept and essence of the phenomenon of administrative services, the foundations of which were formed by V. Tymoshchuk [21, p. 30–35], positions as its basis the concept of serving public authorities to the interests of an individual and the whole society. Based on this, the basis of the category is seen as a practical, purposeful activity to meet certain requests and needs of a person, which is implemented at his request.

According to the field of activity, services are differentiated into information or consulting services; services for interaction between organizations and institutions; to assist or provide assistance; on the implementation of control or supervisory functions, etc. [11, p. 328–330]. From the point of view of involvement in electronic services, administrative services can be fully automated and partially automated. In general, the system of provision of services by public authorities is characterized by some contradictions and a lack of systematicity, which requires optimization of the legal mechanism for regulating relations related to the provision of administrative services.

The relative novelty of the formation of the Institute of Administrative Services in Ukraine and its rapid dynamics in development determine the lack of a single unified classification. The formation of new criteria for the quality of electronic administrative services, which is seen as an urgent issue of today, should be based on the determinants of the concept of development of the system for the implementation of administrative services by the authorities: effectiveness, timeliness, accessibility, convenience, openness, professionalism, etc. [14, p. 34–35].

The process of implementing administrative services by public authorities should be considered in a dualistic context. Firstly, the phenomenon under study is a public power functionality of an administrative body that has a vector of legal registration of conditions necessary for the exercise of priority rights of a person (individual or legal). Secondly, the implementation of administrative services

should be considered as a direct result of the public power functionality of a certain administrative body. In both cases, the preceding stage is the corresponding statement of the person.

It should be noted that from the point of view of administrative services provided by public authorities, not every administrative activity is, in fact, a service. The management service should be considered as providing organizational conditions for the effective and full implementation of fundamental rights by the subject of administrative and legal relations. The current approach to the concept of administrative services synergizes various types of functionalities of state authorities and local self-government bodies, which are implemented in order to maximize the satisfaction of the interests of both an individual citizen and society as a whole.

Public administrative services should be considered as a key function of a democratic service state. Their implementation is determined by the nature of the powers of a certain authority, to the limits of whose competence they belong. It should be noted that the "service" approach requires overcoming the attitude toward the citizen as a "supplicant" established over the past historical periods. The strategy of formal assistance to a person in satisfying requests is replaced by the concept of human rights guarantees, "serving" the individual as a key value of the state [16, p. 250–255].

At the same time, an administrative service should be considered as a legal relationship that is formed in the process of direct implementation of the subjective rights of a legal entity or an individual, provided that there is an application for them, as a result of the performance of the public power functionality of an administrative body to obtain a specific result. Such services are implemented, for the most part, based on provision by the state and local budgets.

The provisions of the Law of Ukraine "On Administrative Services" [12] differentiate administrative legal relations in the context of the approach to their implementation and the power functionality of supervision and control, ensuring openness and transparency of public information, and the exercise of powers in the field of jurisdiction. V. Tymoshchuk [21, p. 30–35] determines the criterion of the balance of powers for the implementation of basic administrative services, distinguishing services with local, centralized, or mixed regulation.

Generalization of the essential features of the provision of administrative services by public authorities allows us to single out their specifics of public authority. By subject, administrative services can be differentiated, while issuing permits (including attestation, accreditation, certification); registration with maintenance of registers (including legalization of subjects); legalization of acts (including nostrification and verification); social administrative services.

The analysis of existing approaches to the concept of "administrative services" in the field of public administration allows us to identify several essential features characteristic of administrative service (Fig. 1), the prerequisites of which are:

- 1) the mandatory presence of an application of a legal entity or an individual;
- 2) targeted focus on providing conditions for the acquisition, change or termination of certain rights and/or obligations of persons;
- 3) determining the method of granting the exercise of power to a certain administrative body that has the exclusive right to provide a specific administrative service;
- 4) the legislative basis of the right to satisfy a person's request to receive a specific administrative service and the legislative and legal basis for determining the powers of a public body.

The principles of administrative services are defined and enshrined in the Law of Ukraine "On Administrative Services" (Article 4) [12]. They are interconnected and form a solid foundation for the functioning of the entire system of administrative services. Among these principles:

- the rule of law, first of all, legal certainty and legality;
- equality before the law;
- stability;
- transparency and openness;
- availability of information on the provision of administrative services;
- security of confidential data;
- timeliness and efficiency;
- fairness and impartiality;
- convenience and accessibility;
- rational reduction of documentary and procedural actions preceding the receipt of administrative services.



Figure 1. Essential features of administrative services provided by public authorities

Source: Summarized by the author based on [5; 6; 14].

Thus, the principle of the rule of law is enshrined in the Constitution of Ukraine as the main concept of the functioning of the state. Its essence is seen in the consolidation of law and order, which establishes the control of society over power. The concept of the development of the service state provides for the implementation of basic rights by each person and society and the provision of appropriate administrative services, which naturally follows from the principle of the rule of law.

The principle of legality is a logical continuation of the above-mentioned principle of the rule of law and provides for the compliance of the law-enforcement functionality of administrative bodies with the requirements of established legal norms.

The principle of stability is understood as the stability of the legislative basis and the legal relations regulated by it, which forms favorable prerequisites for the consistency of the application of legal norms.

The principle of transparency and openness determines the possibility for the subjects of appeal to receive all the reliable information they need regarding the functioning of the system for the provision of administrative services by public authorities.

The principle of information availability is implemented in the purposeful dissemination of information by the subjects of the provision of administrative services regarding the list of the latter and the algorithm of functioning of the subjects of the provision of these services.

The principle of protection of confidential personal information determines the guarantees of compliance by the subjects of administrative services with all the requirements of the Law "On Personal Data Protection".

The principle of legal certainty is characterized by various manifestations, continuing in essence the principle of legality, in particular, a specific definition of the procedure and procedure for observing the law, legislative regulation of public authorities in relations with the subjects of appeal.

The principle of timeliness and efficiency is positioned as a legal determinant, according to which the time optimum for the provision of administrative services is ensured through the rational involvement of possible legal means that have the vector of high-quality and fast receipt of the relevant service by the subject of appeal.

The principle of equality provides for the exclusion of the risk of discrimination, the formation of unreasonable privileges or advantages for individual subjects of appeal. That is, the process of providing administrative services should take place against the background of ensuring conditions of equality, including, before the law, in the comparative context of the subjects of appeal and the subjects of the provision of administrative services.

The principle of rational minimization provides for the reduction to the necessary minimum of procedural actions and the list of documents that serve as a prerequisite for the provision of administrative services, determining the corresponding clearly specified list.

The principle of convenience and accessibility provides for unhindered access to the necessary administrative services for an increasingly wide audience of subjects of appeals. Also, the prerequisites for ensuring the availability and comfort of ways to receive administrative services are positioned as necessary.

In our opinion, when analyzing these principles of the provision of administrative services by public authorities, which are enshrined in the legitimate legislative and legal field, it is necessary to note the absence of a key principle of guarantees of the quality of administrative services. The basis for this principle is the traditional principles of transparency and openness, timeliness and efficiency, convenience and accessibility. The principle of quality assurance of administrative services should be properly enshrined in the legislative and legal field.

The concept of “administrative service” is related to the concepts that are used in the process of providing administrative services, in particular:

- “public services” are services provided by public authorities, state-owned enterprises and institutions to citizens, legal entities and other entities aimed at ensuring the rights of citizens and include the issuance of permits, registration, certification, certificates and other administrative actions, as well as management decisions regulating rights and obligations;

- “utilities” – the result of economic activity aimed at ensuring the living conditions and stay of persons in residential and non-residential premises, houses and structures, complexes of buildings and structures in accordance with norms, standards, procedures and rules;

- “management services” – a type of public services that are provided to an indefinite number of persons by public authorities and consist of the issuance of decisions regulating the rights and obligations of citizens and economic entities;

- “administrative procedure” – the procedure established by law for consideration and resolution of a specific case in the field of public administration, the activities of administrative bodies, which regulate their powers for the effective protection of the rights, freedoms and legitimate interests of individuals and society;

- “administrative act” – a decision or legally significant action of an individual nature adopted by an administrative body, which is aimed at acquiring, changing, terminating, or exercising the rights and/or obligations of a specific person (persons).

Having summarized the definition of the category of “administrative service” in dictionaries and publications, it is advisable to summarize the information received in Table 1.

The analysis of variable approaches to the definition of the concept of “administrative services” convincingly testifies to the diversity of researchers' views on understanding the essence of this category. At the same time, none of the existing definitions takes into account a critically important factor in the professional functionality of public authorities. Also, the legislation does not specify what exactly is positioned as the final result of the provision of administrative services (decisions, documents, etc.), because the service itself is determined as a result of the exercise of power by the subject of administrative services.

Table 1. Approaches to the definition of the category of “administrative service”

O. Lüchtergandt	Management (administrative) services are understood as positive individual acts adopted to satisfy the interests of individuals or legal entities [9, p. 27].
J. Greenwood and S. A. Cross	The concept of “administrative services” is derived from the provision of high-quality state and municipal services to the subjects of appeals, creating a distinct direction of state management [2, p. 31].
I. B. Koliushko	Features of administrative services: <ul style="list-style-type: none"> – an administrative service is provided at the request of an individual or legal entity; – the provision of administrative services is related to the provision of legally significant conditions for the implementation of the subjective rights of a particular private person; – administrative services are provided exclusively by administrative bodies through the exercise of powers; – the right to receive a specific administrative service by a person and the corresponding powers of the administrative body should be determined only by law; – the result of an administrative service is an administrative act – a decision or legally significant action of an administrative body, which satisfies a person's appeal [4, p. 103–112]
V. P. Tymoshchuk and A. V. Yurmach	Among the features of administrative services are the following: <ul style="list-style-type: none"> – an administrative service is provided at the request of an individual or legal entity; – the provision of administrative services is related to the provision of conditions for the implementation of the subjective rights of a particular private person; – administrative services are provided exclusively by administrative bodies through the exercise of power; – the right to receive a specific administrative service by a person and the corresponding powers of the administrative body should be determined only by law; – the result of an administrative service in the procedural sense is an administrative act – a decision or action of an administrative body, which satisfies the appeal of a person – a consumer of an administrative service [22, p. 39]
O. O. Sosnovyk	Signs: <ul style="list-style-type: none"> – they are provided to specific private (individuals and legal entities) on their initiative (i.e. at their request) regarding the satisfaction of their legitimate claims, needs and interests; – the result of an administrative service is an administrative act – a decision or action of an administrative body; – such services are directly related to the exercise of power; – taking into account the importance of the subject of these services (weapons, explosive devices, seals, stamps, passports, etc.), as well as the danger, the state has a monopoly on their provision; – the provision of a specific administrative service (as a rule, registration, issuance of a permit, license) is preceded by an inspection of a private person [17, p. 28].
V. B. Averyanov	The following are included in the mandatory features of administrative services: <ul style="list-style-type: none"> – the provision of these services is aimed at creating appropriate conditions for the full implementation by individuals of their rights and the fulfillment of their obligations; – individuals have the right to use the results of administrative services provided to them at their discretion (except for committing illegal actions) [1, p. 150].
M. G. Pisarenko	Features of administrative services: <ul style="list-style-type: none"> – administrative services are provided only on the direct initiative (application) of individuals and legal entities, regardless of the form of the person's application (oral or written) and the procedure for its receipt by the authority; – the need and possibility of obtaining a specific administrative service must be provided for by law; – the authority to provide administrative services is vested exclusively with executive authorities or local self-government bodies; – the receipt of administrative services by individuals and legal entities involves the fulfillment of certain requirements determined by law; – an administrative service has the final form of an individual administrative act, in which the addressee is indicated [13, p. 52].

Source: Summarized by the author based on [1; 2; 4; 9; 17; 22].

It is advisable to note, in addition to the fact that the principles of administrative services are systemic and comprehensive, i.e., interdependent and interrelated. Violation of one of them can lead to

violation of the others. Obviously, high quality of administrative services can be achieved through the consistent application of both the entire system of these principles and each of them separately.

6. Conclusions

Administrative services are positioned as public, regulated by the legislative field activities of authorized bodies, the competence of which includes the obligation to implement non-property services in case of personal expression of a person's will to receive them, which is aimed at protecting the legal rights of legal entities and individuals.

The main essential features of administrative services are the public nature of legal relations and the intangible nature of the service, legislative regulation, the authoritative nature of their implementation, the focus on the protection and implementation of the legal rights of legal entities and individuals, the relationship with the person of the direct executor, the established procedure for provision, the presence of an appeal, synchronicity and equality in rights regarding the implementation of services, individual nature, general social significance, priority provision at the expense of public funding.

The existence of variability of scientific approaches to the definition of the concept of "administrative services" and its essential basis forms the need to create a unified regulatory and legal model for regulating the system of administrative services provision at the appropriate level, improving the legislative regulation of the quality of administrative services. The study substantiates that the effectiveness of service provision is determined, first of all, by the level of development of public power, and therefore, the phenomenon of administrative services in Ukraine is characterized by problems to this day.

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