

UDC 346.5:005.591.6

*V. Ye. Vakim, PhD. Student of the Economic Law Department,  
Yaroslav Mudryi National Law University, Kharkiv*

## **METHODOLOGY OF APPLICATION OF SPECIAL REGIMES FOR INNOVATIVE ECONOMIC ACTIVITY**

Attraction of financial investment flows is a goal of a majority of economic organizations all over the world. This stipulates peculiar demand for innovative scientific developments. Involvement of them in business activity increases economic efficiency and competitiveness of an enterprise. Integration of scientific achievements and new technologies into production and other spheres of economic activity benefits development of a national economy as a whole. This fact is affirmed by the world experience. The experience indicates that the rapid increase of economic indices is inherent to countries, which provide involvement of innovations in key industries. These countries also conduce to transition of the production base of these industries to new techno-economic paradigms.

Those companies, which rapidly and actively implement innovations, take advantages under a market economy. This enables to expand distribution markets, to conquer a new market niche, and to temporarily occupy the dominant position in a market of new products in case of creation or implementation of principally new projects. Such process is directly related to an opportunity of gaining significantly higher profits compared to other companies.

Under contemporary economies, innovative processes function within so-called national innovative systems, which are a complex of organizationally, economically, and legally interacting subjects of scientific, technical, and innovative activity, other companies, establishments, organizations, which conduct, provide, and/or conduce to conduction of scientific researches, development, commercialization, and practical application (in the real sector of an economy) results of intellectual activity and innovative objects within national borders. Nevertheless, innovative activity and, particularly, activity related to implementation of innovative products is extremely commercially risky. Such risks may not always be neutralized at the expense of current private and legal institutions such as insurance. Therefore, implementation of legal regimes, which would play the role of specific compensators of possible expenses, provides state support for scientific researches and their further transformation into profitable projects or competitive products.

Consequently, special regimes of innovative activity should encompass either all chains of a national innovative system or the most determinative ones for the purpose of protection of a final result, i.e. technological re-equipment of a national production base.

Let us consider development of legislation in the sphere of innovative activity in the case of implementation of industrial parks, which are one of types of special economic zones in the world experience. Nowadays, there are more than thirty types of special economic zones in the world, which have different functional purposes, usually narrowly focused. Governments apply various types of special economic zones, depending on a strategy and aims of an economic policy, which may consist in development of touristic, banking, insurance, export, and transit types of economic activity, stimulation of high technology sectors of an economy, etc.

Industrial parks are one of the most widespread types of special economic zones created in economically developed countries as well as developing countries. They create conditions for productive work of independent companies, which are usually interrelated by common chains of production. There is significant positive experience, when industrial parks become a considerable factor for involvement of powerful investors and advanced technologies in regions. Such process conduces to formation of new workplaces and the increase of budgetary revenues.

In Ukraine, networks of industrial parks were conceived in 2006. The Law «On Industrial Parks» was accepted in 2012. Experts think that this particular form of production organizing could become a driving force of the Ukrainian economy. Nevertheless, success in this sphere has been not yet achieved. In 2013, 12 industrial parks were registered in Ukraine. Only four of them demonstrate minimal results. The others are at the project stage.

Imperfection of legislation in the sphere of formation and functioning of industrial parks has led to a number of uncoordinated matters and issues, which include the following: issues of land relations at the time of setting up industrial parks and implementation of projects within their boundaries; providing legal guarantees of rights belonged to a state or local communities in the process of providing land plots for formation and functioning of industrial parks; excessive requirements of legislation (taking a license) for initiators-business entities and managing companies (an owner of the power grid) in the context of providing connection of industrial park members to the power grid of an industrial park; absence of a strict regulation of procedures of inclusion of industrial parks in a corresponding register, monitoring and analyzing efficiency of functioning; restriction of an opportunity for formation of industrial parks in territories, where property complexes and buildings, which are not used or cannot be used for creation of industrial parks, are located; participation of local state administrations and bodies of local self-governance in

processes of formation and providing functioning of industrial parks; issues of determination of forms and mechanisms of governmental support of creation and functioning of industrial parks.

A contemporary legal policy of the government in the economic sphere contemplates a set of peculiar measures of the influence on formation and functioning of industrial parks. According to the existing Law of Ukraine «On Industrial Parks», industrial parks are a territory provided with necessary infrastructure, where industrial park members may undertake economic activity in the sphere of a processing industry or scientific and research activity, activity in the sphere of information and telecommunications in terms determined by the law and an agreement on undertaking economic activity within an industrial park. Setting up and functioning of industrial parks is provided due to governmental support. For example, bodies of public authority and local self-governance annually make proposals on a project of the State Budget of Ukraine and projects of solutions on corresponding local budgets regarding financial support of setting up industrial parks. In order to support creation and functioning of industrial parks, the government provides managing companies and initiators of creation with interest-free loans and irrevocable target financing for setting up industrial parks.

Nowadays, only particular elements of Ukrainian innovative infrastructure function. This fact causes such governmental standpoint regarding support and stimulation of the national innovative system. The national innovative system of Ukraine does not conform to modern market requirements and does not allow for setting up a final cycle of innovative activity in the industry – from creation of innovations to implementation of them in production.

Stimulation, support, and monitoring activity of industrial parks are aims of the legislator. These aims can be achieved due to implementation of a special regime of industrial park activity. Having analyzed stages of innovative cycles, we can argue that there are stages of research and development, technological designing, production, exploitation of innovative products, and others within boundaries of an innovative park. Consequently, components of a special legal regime should influence the very phases of an innovative cycle, taking into account what economic sphere is substantive for one or another industrial park.

This enables to improve regulation of issues concerned with functioning of industrial parks in Ukraine, providing effectiveness of an instrument for involvement of investments in the national economy for modernization and development of industrial production, which will provide balancing interests of business entities, a state, and corresponding local communities.

Consequently, providing efficiency of subjects of innovative activity is a further stage of development of legislation on innovative activity. It is necessary to pre-

cisely determine phases of an innovative cycle, which need interference and application of measures of public administration and sets of those economic and legal means, which maximally perform functions, particularly a function of a stimulator of innovative and economic activity in a corresponding phase of an innovative cycle. Indication of certain industries, sectors of innovative activity, and development of special regimes based on taking into account peculiarities of subjects, a direction of activity, the interaction with associated spheres of business activity enable to provide efficiency of the national innovative system.

UDC 346:352.07-047.22

*V. S. Veltsen, PhD. Student of the Economic Law Department,  
Yaroslav Mudryi National Law University, Kharkiv*

## **ISSUES OF APPLICATION OF THE ECONOMIC LEGISLATION ON PUBLIC AND PRIVATE PARTNERSHIP IN THE SPHERE OF PROVIDING AIRFARES**

International Airport «Kharkiv» – is one of the most important enterprises of the capital of Slobozhanshchyna region of Ukraine and should be the basis for leading Ukrainian and world aircraft companies. Undoubtedly, transition of Ukraine to a new phase of the sustainable social and economic increase and orientation towards European integration require rapid development of the entire transport system of Ukraine. The Kharkiv airport is advantageously situated. Therefore, the airport can be an air gate of Ukraine and its capital as well as the airport, which fights for a position of an international hub that will provide a transfer service for passengers in the region from the Moscow air cluster in the north to the Istanbul one in the south. Start to this large-scale reconstruction project was given on 1 April, 2008, when the company «New Systems AM» (part of the DCH group, its president – well-known Ukrainian businessman, investor and general coordinator of Kharkiv for EURO 2012 program – Oleksander Yaroslavskiy) won the tender for the rental of a complete property complex of the Kharkiv airport.

The reconstruction project includes the construction of a new terminal, reconstruction of the existing one, construction of a new runway and major repairs of the airport terminal apron facilities. A technological scheme of passenger service was designed by the renowned German company «Airport Research Center», which has extensive experience in designing major airports in Europe. Adjustment of this