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**STATE REGULATION AND LEGAL SUPPORT
FOR ENTREPRENEURIAL ACTIVITIES OF BUSINESS ENTITIES,
WHICH PROVIDED SERVICES FOR THE CARRIAGE
OF PASSENGERS ON PUBLIC BUS ROUTES IN UKRAINE**

This paper sets out the issue of the newly established business entity, which intends to provide services on passenger routes for public use.

The State implementation of economic policy, the implementation of targeted economic and other programs and programs of economic and social development uses a variety of means and mechanisms to regulate economic activity.

The basic means of regulating the State's influence on the activity of economic entities are (including):

Licensing, patenting and quoting.

Conditions, volumes, areas and the procedure for the application of certain types of tools of State regulation to economic activities defined by the Civil Code of Ukraine, other legislative acts, as well as programmes of economic and social development.

The Civil Code of Ukraine States that restrictions on the exercise of the business activity, as well as a list of activities, which prohibit entrepreneurship, established by the Ukrainian Constitution and law [2].

The General position of the Organization and activities of road transport are governed by the applicable laws of Ukraine and sub-legal acts.

The Law of Ukraine «On Automobile Transport» is defined principles of organization and operation of road transport and found that local governments form a network of city bus routes and public exercise within its authority monitoring compliance with legislation in the road transport sector in the territory.

Organization of passenger transportations on city bus routes in the public relies on the executive body of the village, Township, city councils of the respective locality [3].

The order of the Ministry of infrastructure of Ukraine of 15.07.2013 № 480 «on approval of the procedure of organization of carriage of passengers and luggage by road transport» is registered with the Ministry of Justice of Ukraine on July 31, 2013 No. 1282/23814 defined the mechanism for organizations preparing for the opening of public bus services (except international) [4].

Order [4] regulates the issue of opening of urban, suburban, long-distance intra-regional and interregional bus route.

According to the requirements of the law on road transport « document on which run passenger services for motor carrier – a license agreement with the executive authorities and local governments or their permission, passport route a document that certifies the use of bus on legal grounds, other documents provided by legislation of Ukraine [3].

The Constitution of Ukraine defined the protection of sovereignty and territorial integrity of Ukraine, ensuring its economic and information security are the most important functions of the State and the whole Ukrainian people [5].

Commercial code of Ukraine regarding competition in the field of management revealed that the organs of State power and local self-government bodies should carry out an analysis of the State of the market and the level of competition on it, take adequate law and measures to organize the competition entities [1].

Regulation of competition is reflected in the law of Ukraine «on fundamentals of national security of Ukraine», which determined that the main direction is to provide conditions for sustainable economic growth and competitiveness of the national economy. This same Law stated priorities of national interests, one of which is the creation of competition capable, socially oriented market economy and ensure continued growth of the quality of life and well-being of the population [6].

The law of Ukraine «on protection against unfair competition» provides that unfair competition is any action in competition, contrary to the trade and other honest customs in economic activities, and the persons who suffer harm as a result of actions defined by this Law as unfair competition, may apply to the Court with the claim about compensation [7].

The Paris Convention for the protection of industrial property provides that the Countries of the Union are obliged to provide the citizens of countries that participate in the Union, effective protection against unfair competition. An act of unfair competition is considered to be any act of competition contrary to honest customs in industrial and commercial matters [8].

In turn, the Civil Code of Ukraine «custom» is defined as a rule of conduct that is not installed in the acts of civil legislation, but there are well established in the sphere of civil relations [2].

According to the above, authorities must ensure the economic security of the country through the implementation of the law of Ukraine «on protection against unfair competition», «on protection of economic competition» [9] and the Paris Convention for the protection of industrial property of March 20, 1883 onwards. Also noted that local authorities must carry out an analysis on the State of the market and the level of competition on it and take the measures stipulated by the law on arrangement of competition entities.

From the above, it can be concluded that the execution on the organization of transporting passengers and luggage by road transport [4] to open bus routes in general use, can lead to the contradictions concerning the observance of the requirements of other regulations governing the issue of economic competition.

On the basis of the requirements of [5-9] refers to the signs of the possibility to appeal the court order against opening of urban, suburban, long-distance intra-regional and interregional bus route, as such that contradict with the requirements mentioned above and is not guaranteed by the state of conditions ensuring economic security and development of the automotive industry.

At the same time, «custom», as a rule of conduct that is not installed in the acts of a civil legislation, but established in a particular area of civil relations. This definition does not fully illuminates the procedure of understanding the term «custom», because it is a rule of conduct that is not installed in the acts of civil legislation, and therefore any behavior does not contradict legislative acts of civil legislation.

Presently in Ukraine the status of implementing regulation on the State service of Ukraine for security in transportation [10] leads to prevent license pursuant in the requirements of the law of Ukraine «on licensing of certain types of economic activity. This is due to the fact that the State security service of Ukraine on transportation is the body that carries out licensing of appropriate economic activities, is actually not functioning and not licensing.

Currently, the newly established business entity, which intends to provide services on a public passenger bus routes, has no actual ability in obtaining the relevant permits, and the existing process of opening new routes has signs of inconsistency with other normative-legal acts guaranteeing the safety of business activities in Ukraine.

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