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DEAR COLLEAGUES!

I congratulate the staff of the editorial board, the authors, the editorial and publishing department and readers of the professional publication “Public management” with the release of his next issue.

It is a pleasure and honor to me, as the Chief Editor, that this publication is an aid to the scientific provision of public administration in Ukraine. A considerable amount of actual scientific works is carefully reflected on the pages of collections, which is a significant contribution to the treasury of science and education of Ukraine, the development of international cooperation. The collection is constantly paying a lot of attention to methodological issues, however, it is not isolated and general theoretical issues, in particular, regarding the modernization of the civil service, taking into account the processes of decentralization, regionalization, democratization and integration, creating an effective system of administrative, financial and economic instruments for the functioning of local institutions self-government and so on. They were published on the pages of the collection and the results of the scientific study of the problems of reforming the system of state and self-government in Ukraine. And this is an incomplete list of problems in the collection.



In these achievements, a significant proportion of the work of the Interregional Academy of Personnel Management, based on which has a high scientific potential and sufficient material base.

It is nice to express our hope that our cooperation will be strengthened and will contribute to the development of public administration science in Ukraine.

Health, all sorts of things, creative inspiration and further success!

**Regards,
Chief editor, Vice-Rector
of the Interregional Academy of Personnel Management,
Doctor of Science in Public Administration,
Professor, Honored Lawyer of Ukraine**

A stylized, handwritten signature in black ink, consisting of a single, fluid, sweeping stroke that forms the letters 'Y. O. Romanenko'.

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MEDIA AND INFORMATION LITERACY: THE SOLUTION OF QUESTIONS OF FORMATION OF A CIVIC STAND IN KAZAKHSTAN

Abstract. For the world community UNESCO has developed international standards of media information literacy, which have been adopted by all UNESCO member countries.

In Central Asia, Kazakhstan was the first to deal with these issues 10 years ago. The group of scientists of the Kazakh National University named by al-Farabi is working on studying this issue. Most of the scientific works on media education are aimed at justifying the need for media education in modern society and its value.

The purpose of the article is the development of methodological materials on the formation of literacy in the field of media and information literacy for training target groups and informing the public. The authors of this article apply the methodology of comparative historical research, the methodology and technique of sociological research, the systemic and structural-functional approach in combination with comparative historical method and statistical data analysis, as well as the study of official documents characterizing the policy of international community and Kazakhstan. Also, content analysis and qualitative documents analysis, as well as comparative research methods, were used.

As a result of the research, it was concluded that any conceptual design, scientific paradigm suffers to some extent with idealization and the conceptual approach of UNESCO discussion formed the basis for this review, causing positive expectations. However, media is not always socially-oriented tool. It is clear that in this scenario, it is not necessary to rely solely on the consciousness of journalists and self-censorship of editors. However, understanding the principal approaches of UNESCO and following the recommendations developed can control risks and contribute to the development of a full-fledged civil society.

Practical significance of the research lies in the possibility of using its results in the field of media, psychology, pedagogy, culture, history, journalists, political scientists, social engineers, teachers, students and post-graduate students of universities. The results of the research can be integrated into the educational and upbringing processes. It is necessary to train target groups for the further dissemination and training of media and information literacy and to address the issues of forming a civic position in Kazakhstan.

Keywords: UNESCO, media and information literacy (MIL), civil position, communications, mass media, Kazakhstan, new technologies.

МЕДІЙНА ТА ІНФОРМАЦІЙНА ГРАМОТНІСТЬ: ВИРШЕННЯ ПИТАНЬ ФОРМУВАННЯ ГРОМАДЯНСЬКОЇ ПОЗИЦІЇ У КАЗАХСТАНІ

Анотація. ЮНЕСКО для світової спільноти розробили міжнародні стандарти медійної інформаційної грамотності, які були прийняті всіма країнами – членами ЮНЕСКО.

У Центрально-Азіатському просторі цими питаннями першим став займатися Казахстан 10 років поспіль. Група вчених Казахського Національного університету імені аль-Фарабі працює над вивченням цього питання.

Більшість наукових робіт з медіа-освіти спрямовано на обґрунтування необхідності медіа-освіти в сучасному суспільстві, його цінності.

Пропонуються методичні матеріали щодо формування в медійній та інформаційній галузі грамотності щодо навчання цільових груп та інформування громадськості. Застосовується методологія порівняльно-історичного аналізу, методологія і техніка соціологічного дослідження, системний і структурно-функціональний підхід у поєднанні з порівняльно-історичним методом і аналізом статистичних даних, а також вивченні офіційних документів, що характеризують політику міжнародного співтовариства і держави Казахстан, правового регулювання тощо. Використані контент-аналіз і якісний аналіз документів, а також метод компаративістських досліджень.

У результаті дослідження дійшли висновку, що будь-яка концептуальна конструкція, наукова парадигма тою чи іншою мірою заідеалізована, і застосування концептуального підходу ЮНЕСКО було закладено в основу даного огляду, що викликає позитивні очікування. Однак ЗМІ не завжди є соціально орієнтованим інструментом. Зрозуміло, що при такому розкладі розраховувати виключно на свідомість журналістів та самоцензуру редакторів не доводиться. Однак, розуміння принципів підходів ЮНЕСКО та дотримання вироблених рекомендацій може коригувати ризики та сприяти розвитку повноцінного громадянського суспільства.

Практична значущість дослідження полягає у можливості використання його результатів у медіа-галузі, психології, педагогіці, культурі, історії, журналістами, політологами, соціальними інженерами, педагогами, студентами та аспірантами університетів. Результати дослідження можуть бути інтегровані в освітній і виховний процеси. Необхідною є підготовка цільових груп для подальшого поширення та навчання медійної та інформаційної грамотності та вирішення питань формування громадянської позиції в Казахстані.

Ключові слова: ЮНЕСКО, медійна та інформаційна грамотність (МІГ), громадянська позиція, комунікації, мас-медіа, Казахстан, нові технології.

МЕДИЙНАЯ И ИНФОРМАЦИОННАЯ ГРАМОТНОСТЬ: РЕШЕНИЕ ВОПРОСОВ ФОРМИРОВАНИЯ ГРАЖДАНСКОЙ ПОЗИЦИИ В КАЗАХСТАНЕ

Аннотация. ЮНЕСКО для мирового сообщества разработали международные стандарты медийной информационной грамотности, которые были приняты всеми странами — членами ЮНЕСКО.

В Центрально-Азиатском пространстве этими вопросами первым стал заниматься Казахстан 10 лет назад. Группа ученых Казахского Национального университета имени аль-Фараби работает над изучением этого вопроса. Большинство научных работ по медиаобразованию направлено на обосно-

вание необходимости медиаобразования в современном обществе, его ценности.

Предлагаются методические материалы по формированию грамотности для обучения целевых групп и информирования общественности в медийной и информационной области. Применяются методология сравнительно-исторического исследования, методология и техника социологического исследования, системный и структурно-функциональный подход в сочетании со сравнительно-историческим методом и анализом статистических данных, а также изучены официальные документы, характеризующие политику международного сообщества и государства Казахстан, правового регулирования и т. д. Использован также контент-анализ и качественный анализ документов, а также методов компаративистских исследований.

В результате исследования сделан вывод, что любая концептуальная конструкция, научная парадигма в той или иной степени заидеализирована и разговор о концептуальном подходе ЮНЕСКО лег в основу данного обзора, вызывая позитивные ожидания. Однако СМИ не всегда являются социально ориентированным инструментом. Понятно, что при таком раскладе рассчитывать исключительно на сознательность журналистов и самоцензуру редакторов не приходится. Однако понимание принципиальных подходов ЮНЕСКО и следование выработанным рекомендациям может курировать риски и способствовать развитию полноценного гражданского общества.

Практическая значимость исследования заключается в возможности использования его результатов в области медиа, психологии, педагогике, культуре, истории, журналистами, политологами, социальными инженерами, педагогами, студентами и аспирантами университетов. Результаты исследования могут быть интегрированы в образовательный и воспитательный процессы.

Необходима подготовка целевых групп для дальнейшего распространения и обучения медийной и информационной грамотности и решения вопросов формирования гражданской позиции в Казахстане.

Ключевые слова: ЮНЕСКО, медийная и информационная грамотность (МИГ), гражданская позиция, коммуникации, масс-медиа, Казахстан, новые технологии.

Target setting. From the 60-th years of the last century the whole world works in the field of information literacy. Since the end of the 80-th years the western countries began to make legislative decisions in this area and actively

discuss problems of media information literacy among the international community. Result understanding that information technologies are ahead of all and everything in understanding that it is necessary to settle the questions fac-

ing the world: how to live in democratic society and to observe national security of the country how to give understanding of media information literacy to all people: from a child to an elderly person, irrespective of the status, welfare, the place of residence and all other indicators.

UNESCO for the world community was developed by the international standards of media information literacy which have been adopted by all member countries of UNESCO.

Kazakhstan was the first country, which in Central Asian space began to deal with these issues 10 years ago. The group of scientists of Al-Farabi Kazakh National University works on studying of this question.

Analysis of the last researches and publications. In spite of the fact that media education as some independent direction of scientific practical activities has begun to develop relatively recently, it is possible to note that there is large volume of works, generally by foreign authors. The majority of scientific works on media education are directed on the one hand to justification of media education need for modern society, its value and demand as new direction of scientific activity in general, and pedagogical, in particular (for example, Masterman L. [1–3], Hart A. [4], etc.), with another one — a search of concrete its realization of models and practical recommendations' development of creation of media educational programs (Vartanova E. L. [5], Fedorov A. Century [6, 7] etc.)

Among foreign specialists in problems of media education it is also necessary to note such works, as by Wilson S. [8–10] Silverblatt And. [11], Sema-

li L. M. [12], Baranov O. A. [13]. The researches are devoted to a problem of media interaction and younger generation by Bondarenko E. A. [14], Zhilavskoy I. V. [15], Zaznobina L. S. [16], Penzina C. H. [17], etc.

In general, methodological principles of the article are, first of all, definitions and recommendations about media formation questions of UNESCO [18–20].

The purpose of the article is to describe the development of methodical materials on formation of literacy in the field of media and information literacy for training of target groups and informing the public.

There are used a lot of methods in our article. Such as methodology of a comparative-historical research, methodology and technique of a sociological research, system and structurally functional approach in a combination to a comparative-historical method and the analysis of statistical data and also official documents studying which characterize a policy of the international community and Kazakhstan state, legal regulation, etc. The comparative researches are supposed also by content analysis and the qualitative analysis of documents.

The statement of basic materials. Concepts of media education and information literacy are tightly interconnected among themselves. Information literacy, certainly, is much wider — it envelops practically all spheres which assume exchange, distribution, storage and information security. Here library literacy, digital, computer literacy etc. enters, and also it is safely possible to refer media literacy and media education. The role of electronic media

promptly increases in connection with the speed of their development and a level of distribution. Due to the new technical capabilities the nature of mass media changes – the convergent journalism gains steam, bloggers and vloger compete with traditional media. All this requires judgment.

Couple of decades ago for obtaining information serious time expenditure – time for a trip to library, design of the order, search of a necessary source, etc. was required. Audiovisual archives by and large were destiny of favorites. Additional restrictions existed for inhabitants of the periphery – a possibility of access at rural and countrymen were 10 times less than at city. Plus to it censorship in Soviet period seriously dosed information flows.

Since the beginning of the 2000th years the situation began to change cardinally. Appearance of the broadband high-speed Internet in fact blurred frontiers, having changed the world to “the global village of Maklyuen”. And thanks to smartphones and the mobile Internet now it isn’t even necessary to be at home to track the current news in online the mode and to use archives of the most various libraries, forums and the websites.

Here along with huge positive potential, there are also negative aspects. Information happens not only truthful – pluralism and alternative sources don’t guarantee its objectivity yet. Social networks not only allow to reduce distances, granting to people an opportunity to communicate, but also are a powerful platform for distribution of rumors, gossips and frank misinformation.

The abundance of the contradictory, unbalanced points of view from time

to time destabilizes audience, without meeting expectations, leads to social shocks. Consequences can be watched not only in the countries of “the third world”, but also in the advanced states. The last presidential race in America is an evident to that demonstration. Of course, didn’t reach “the Arab spring”, but a turmoil, protest movements with the smashed store windows beaten by citizens and other expenses of “democratic” manifestations, – eloquently illustrated that freedom of speech is not always that saving lightning protector which is capable to guarantee stable and progressive development of civil society.

On the other hand, total monitoring and restrictive measures – too not a panacea. The rigid restrictions characteristic of authoritarian regimes, inevitably lead to a collapse. The weighed approach is necessary for achievement of harmonic balance between support of freedom of expression and the guaranteed protection against destructive components – such as: promotion of terrorism, extremism, ethnic strife, etc. Media and information literacy just, and shall help if not to overcome everything then to deal with the main problem zones and potential threats in a media discourse.

In 2012 in Russian under Alton Grizzl and Caroline Wilson’s editorial office of UNESCO published the book “Media and information literacy: the program of training of teachers” [10] where authors select 9 mains and 5 additional modules the INSTANT as subject matter. The following belongs to basic modules:

- Civic stand;
- Ethical aspects of news;

- Information in media;
- Media speech and language of information;
- Advertizing;
- New and traditional media;
- Internet;
- Library literacy
- Communication and training.

And besides there are also additional modules:

- Audience;
- Media, technologies and global village;
- Digital mounting and computer retouching;
- Shooting using different plans and foreshortenings;
- Transnational advertizing and superbrands [10].

Certainly, this modular circuit will be over time will extend. Even already now it can be reconsidered as it is structured spontaneously. Besides, it is necessary to mark that the special attention is deserved by a subject of promotion which isn't in this list yet too.

From the logical point of view the Ecosystem the INSTANT in which all range of communication options and means of distribution of information integrates is thought much more over, beginning from traditional books and finishing with the latest IT development. Here belongs: media literacy, library, news, computer, digital literacy, also freedom not only of access, but also self-expression, Internet literacy, literacy in the sphere of cinema, television, advertizing, computer games, etc.

Alton Grizzl, Caroline Wilson and coauthors select eleven segments, but they are too not final [10]. For example, at the independent level the fixed study of a segment of social networks

and some other is necessary already now.

This article doesn't set as the purpose conceptual revising of didactic system. Until we only try to consider more attentively the first module concerning questions of formation of a civic stand.

MIL and formation of a civic stand.

Medial and informational the competent person knows that he not only has rights to obtain information, but also to self-express equally creatively. The MIL learns to find alternative methods of obtaining information, to analyze sources and adequately to evaluate them. The individual in this conceptual approach is given the chance to use pluralism of media. It assumes existence of the real competition between different media. Content, a line item and estimates of commercial, communal and public mass media shan't duplicate each other. The information agenda isn't full without exchange of judgements of ordinary citizens and bloggers.

The information access implies not only about what write or suppress media. It is also life of social networks, Internet issuings and forums. An opportunity timely gets acquainted with resolutions of official bodies and government institutions. An opportunity will report to the public about an arbitrariness of officials in time, about how to solve these or those home problems etc.

MIL actively promotes exchange of experience — through Internet resources of the master can share own achievements, finds, to discuss shop interests, to find and advise specialized technical literature; to prompt how to bypass

censorship and to get access to the disabled websites.

The information access assumes not only one-sided process of receiving, but also and distribution of original content. Self-expression realizes a line item of the socially active citizen for whom it is important not only his personal wellbeing, but also an opportunity to bring a benefit to people around, to gratuitously share positive emotions. For example, talented people I upload the video with own musical compositions, songs, beautiful photos, etc. Handicraftsmen show ease and dexterity with what they create samples of applied art, open secrets of skill and explicitly show how to achieve the necessary result. Skilled professional performers or fans teach playing a guitar, and other music instruments.

MIL enriches life, does it more interesting and more various. The individual involved in full communicating process stops being just a customer, he broadens own horizons, permanently studies and self-improves. Such person becomes difficult to be manipulated as he knows about obligations of public authorities, and, first of all, about own constitutional rights. For Kazakhstan a cornerstone in this question is the second paragraph of the twentieth article of the Constitution where it is told that everyone “has the right freely to receive and distribute information by any, not forbidden law, a method” [21].

With laws business is more complex. The ideal model on access to information has to be based on the fundamental rule that there is certain, strictly limited list of the classified information which can't be disclosed, but all the rest is authorized. This rule has to concern

not only journalists, but also ordinary citizens. So far, unfortunately, in our society other concept prevails. Any information which is officially not recognized resolved automatically gets under category of an office or state secret. It contradicts the principle of publicity of public authorities and not quite helps to be implemented the Anti-corruption strategy of the Republic of Kazakhstan for 2015–2025. However, the solution of this question is provided in the program of institutional reforms “100 concrete steps” [22] by the 94th point where it is told that development “the LAW ON ACCESS TO INFORMATION which will allow to make any information which is at the disposal of public authorities except for carried to the state secret and other information protected by the legislation” [23] is necessary.

On November 16, 2015 there was such Law of the Republic of Kazakhstan № 401-V “About access to information” [23]. In him, unfortunately, instead of “any” information only that which is included in one of 12 allowed points became available:

“1) about the emergency situations and accidents menacing to safety and health of citizens and their consequences, and also about natural disasters, their official forecasts and consequences;

2) about a condition of health care, sanitation, demography, migration, education, culture, social protection, economy, agriculture, and also about a condition of crime;

3) about the facts of commission of acts of terrorism;

4) about a condition of ecology, fire safety, and also about a sanitary and

epidemiologic and radiation situation, safety of foodstuff;

5) about the privileges, compensations and privileges provided by the state to natural and legal entities;

6) about the facts of violation of the rights and freedoms of the person and citizen;

7) about the sizes of gold and foreign exchange reserve of National Bank of the Republic of Kazakhstan;

8) the Republic of Kazakhstan containing texts of regulations, except for the regulations containing the state secrets and other secrets, and also their projects protected by the law; [23]

9) about formation and an expenditure of means from republican and local budgets, except for the data containing the state secrets;

10) about control of an expenditure of means from republican and local budgets, except for the data containing the state secrets;

11) about the legality violation facts by owners of information, their officials;

12) about mass repressions for political, social and other motives, including being in archives, except for information carried to the state secrets of the Republic of Kazakhstan” [23].

And that even is restrictions in three points here. Besides, there is quite extensive list of the legal secrets protected by the law. Information for the official use isn't subject to disclosure. So so far is what to work on, and to complete transparency still far.

On the other hand, when we spoke about a civic stand and self-expression above, only the positive moments were considered. The objective reality is much more difficult. It is necessary to remember that information can be used

by unfair people in the evil. On a bowl of scales on the one hand protection of society against corruption, transparency of functioning of state agencies, freedom of expression, and with another – the mystery of private life, protection of private interests, etc. lies.

One Internet user can be guided by altruistic motives, another – mercenary thoughts. Someone spreads the tutorial how to impose log in Indesigne, and someone step by step learns how to crack others mail or to listen to telephone conversations. One users share skills of preprinting preparation of photos, and others post a photo of mockeries at animals (for example, the case with minor Khabarovsk fleecers which caused a huge resonance on social networks and in traditional mass media). With abundance of instructions for production of explosives, drugs, with appeals to ethnic strife, with rollers where school students and schoolgirls beat each other, in every possible way humiliate and even force, it is necessary to fight somehow. To what to the useful, it is asked, it is possible to learn if to get on the page of group of suicides?

For representatives of traditional media certain requirements were worked out in due time. Theorists and practitioners from journalism, estimating efficiency and efficiency of own activities, paid attention to possible consequences of unfair execution of the functional duties and created some kind of ideal behavioral model at which it is necessary to aim.

Its key characteristics consist in the following [18–20]:

– News shall move quickly, raise the questions, important for society, and to be urgent, and the assessment of real

threats for life of citizens shall be adequate and not pile on the agony of unjustified fear and horror at all.

– Journalists and editors have to remember responsibility of “fourth estate” to society, have to protect ordinary citizens from an arbitrariness of officials, controlling activity of state agencies and large monopolists.

– At consecration of a problem situation it is necessary to analyze soberly and impartially relationships of cause and effect, avoiding narrow-mindedness, and, giving an equal opportunity to protect own position to all participants of the conflict, — the scenario when one party has accused another, and for the answer or a justification of the place wasn’t, we don’t accept.

– Mass media need to approach consciously selection of the facts and to try to systematize them that the audience had a complete picture of perception of surrounding reality.

– Journalists need to stimulate public interest, paying the attention of readers, listeners and audience to problem aspects of life of society, latently forming an active civic stand.

– Media have to watch sharp-sightedly behavior of politicians and public figures both on a post, and in off-duty time, however it is impossible to interfere in space of private life of ordinary law-abiding citizens under no circumstances.

– It is necessary that work of mass media was based on the principle of interactivity that citizens fully participated in communication process, reacting to publications, leaving comments and sharing own point of view [18–20].

Besides, there is a concept of “editorial independence”. It assumes that the

owner of media has no right to define information policy of the editorial office, that is to interfere with working process and to dictate to the journalist or the editor what position should be taken in illumination of this or that question. Formally — it certainly is achievable, but is real if between the owner and the editor there are disagreements, then about the last usually speak — at first he looked for the truth, and now looks for work.

The advertiser or the investor will stop financing of the edition if it begins to allow the critic in his address. Editors-in-chief, people, traditionally educated, are also perfectly informed on what subjects are a taboo and for what red line it is impossible to step.

From told quite logically follows that all media are affiliated with someone. It can be either public authorities, or commercial structures, or parties therefore absolutely independent editions don’t exist as they get financial support. In case mass media are quite successful commercial project and are able to afford to choose advertisers, they are dependent too — on need of audience for receiving sensational materials.

Acquaintance to bases of critical thinking if don’t guarantee, then considerably increase chances to avoid unfair primitive manipulations which can arise in the course of formation of media of public opinion. Ability to ignore provocative messages, to competently weigh the value of the obtained information, allows to keep stability, as at the level of the personal growth, and development of the state in general. The series of so-called “color” revolutions fully reflect to what degree it is

possible to heat emotionally audience and to what consequences all this leads for the state.

With what work Kyrgyzstan gets out of crisis as it storms Georgia and Moldova when media, social networks and various information resources lift degree of social tension, heat a situation in extremely difficult sphere of the international and interfaith relations, then inevitably there are serious cataclysms.

The active actions caused by protest moods, the social movements, meetings, etc. always originally arise in information space. An old kind formula – “at the beginning there was a word”, – works at an extent of all mankind. The ideas are thrown in mass consciousness, systematically stimulated by means of mass media and not only, and then realized.

This message, despite isolation from reality, have harmoniously laid down on the paved way and have been apprehended by audience as categorical axioms. In two decades of copying of history enough young people for whom the Soviet past is connected only with repressions, Famine-Genocide and an other negative has managed to grow. Unfortunately, in their consciousness there was no place for critical thinking. They were certainly “advanced” users of gadgets, the Internet and social networks, but to call them medial and information competent it is impossible. First of all they couldn’t separate soberly a peel of ideological promotion from grains of objective information.

Conclusions. Summing up the results, it is necessary to tell that the example is eloquent – it not just characterizes a situation in separately

taken area. In the global plan of an event of 2014 became critical and have brought world information and communication processes to a new phase – a phase of open ideological opposition of times of “Cold War”. The new trend was outlined – it is quite deservedly possible to designate 2016 year of promotion.

The reality is always much broader, than any theoretical generalization. Any conceptual design, a scientific paradigm in a varying degree suffers from idealization. In our case, a dialect about conceptual approach of UNESCO which has formed the basis of our small review here the emphasis is placed generally on positive expectations. However media are not always the socially oriented tool.

It is clear, what in this situation it isn’t necessary to count only on consciousness of journalists and self-censorship of editors. However the understanding of basic approaches of UNESCO and following to the developed recommendations can stop risks and promote development of full-fledged civil society.

The practical importance of a research consists in a possibility of use of his results in the field of media, psychology, pedagogics, cultures, stories, journalists, political scientists, social engineers, teachers, students and graduate students of universities.

Recommendations. Results of a research can be integrated into educational and educational processes. Training of target groups is necessary for further distribution and training of media and information literacy and the solution of questions of formation of a civic stand in Kazakhstan.

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DEVELOPMENT OF HIGHER EDUCATION IN UKRAINE IN THE CONTEXT OF RISKS AND CHALLENGES

Abstracts. The article reveals the economic essence of the current state of higher education in Ukraine. It examines the main problems of state regulation of risks and challenges facing modern education at the stage of reform.

The subject of the study is the very system of higher education in Ukraine. The purpose of the study is to analyze the state of the modern market of higher education in the country, as well as the features and trends of its development to date in the process of reform.

The development of the national education system is shown together with its social and economic problems and challenges, as well as the political conditions that find the direction of the development of education in the country. It was revealed that the main risks in the education system of Ukraine can be considered a decrease in the number of highly skilled professionals, the closure of a number of

educational institutions with a reduction in the contingent that lead to financial losses. In addition, among the risks studied, the low efficiency of training technologies and the low-level of graduates' competence, corruption and low rating indicators in the world educational community are highlighted.

The author specifies the existing external risks of the education system in the country and presents possible ways of overcoming them. And also draws the conclusion that the current conditions of the country's existence and specifically the development of the education sector, the introduction of new models and training programs is a complex process. The reform of higher education today does not have significant results, therefore, it is suggested that the entire education system in Ukraine is integrated and fundamentally reformed, with the aim of overcoming existing discrepancies between the educational product and the needs of society.

So, the author says that the modern structure of education should give to ensuring ideal conditions for the functioning and development of the education system, taking into account the needs of modern society and the existing problems in the educational sphere, which should give quality educational services and freedom of choice in education.

Keywords: risks, higher education, external risks, state regulation, educational institutions.

РОЗВИТОК ВИЩОЇ ОСВІТИ В УКРАЇНІ В КОНТЕКСТІ РИЗИКІВ ТА ВІКЛИКІВ

Анотація. Розкривається економічна сутність сучасного стану вищої освіти в Україні. Розглядаються основні проблеми державного регулювання ризиками і викликами, що стоять перед сучасною освітою на етапі реформування.

Предметом дослідження є сама система вищої освіти в Україні. Аналізується стан сучасного ринку вищої освіти в країні, а також особливості і тенденції його розвитку на сьогодні у процесі реформування.

Показано розвиток національної системи освіти разом з її соціально-економічними проблемами і викликами, а так само політичними умовами, які визначають напрям розвитку освіти в країні. Виявлено, що основними ризиками в системі освіти України можна вважати зниження чисельності висококваліфікованих кадрів, закриття ряду навчальних закладів зі скороченням контингенту, які призводять до фінансових втрат. Зокрема, серед розглянутих ризиків позначається низька ефективність навчальних технологій та низький рівень компетентності випускників, корумпованість й низькі рейтингові показники у світовому освітньому співтоваристві.

Конкретизуються існуючі зовнішні ризики системи освіти в країні і представляються можливі шляхи їх подолання. Сучасні умови існування країни, зокрема розвиток сфери освіти, введення нових моделей та програм підготовки є складним процесом. Реформування вищої освіти на сьогодні не має значних результатів, у зв'язку з чим, висувається припущення про комплексне та фундаментальне перетворення всієї системи освіти в Україні з метою

подолання наявних невідповідностей між освітнім продуктом та потребами суспільства.

Отже, мова йде про сучасну структуру освіти, яка має сприяти забезпеченню оптимальних умов для функціонування та розвитку системи освіти, враховуючи запити сучасного суспільства та наявні проблеми в освітній сфері, яка повинна надавати якісні освітні послуги і свободу вибору в освіті.

Ключові слова: ризики, вища освіта, зовнішні ризики, державне регулювання, заклади освіти.

РАЗВИТИЕ ВЫСШЕГО ОБРАЗОВАНИЯ В УКРАИНЕ В КОНТЕКСТЕ РИСКОВ И ВЫЗОВОВ

Аннотация. Раскрывается экономическая сущность современного состояния высшего образования в Украине. В ней рассматриваются основные проблемы государственного регулирования рисками и вызовами, стоящими перед современным образованием на этапе реформирования.

Предметом исследования является сама система высшего образования в Украине. Также анализируется состояния современного рынка высшего образования в стране, а так же особенности и тенденции его развития на сегодня в процессе реформирования.

Показано развитие национальной системы образования вместе с ее социально-экономическими проблемами и вызовами, а так же политическими условиями, которые определяют направление развития образования в стране. Выявлено, что основными рисками в системе образования Украины можно считать снижение числа высококвалифицированных профессионалов, закрытие ряда учебных заведений с сокращением контингента, которые приводят к финансовым потерям. Помимо этого среди изученных рисков выделяется низкая эффективность учебных технологий и низкий уровень компетентности выпускников, коррумпированность и низкие рейтинговые показатели в мировом образовательном сообществе.

Конкретизируются существующие внешние риски системы образования в стране и представляются возможные пути их преодоления. Современные условия существования страны и конкретно развитие сферы образования, введение новых моделей и программ подготовки представляют собой сложный процесс. Реформирование высшего образование сегодня не имеет значительных результатов, в связи с чем, выдвигается предположение о комплексном и фундаментальном преобразовании всей системы образования в Украине, с целью преодоления имеющихся несоответствий между образовательным продуктом и потребностями общества.

Таким образом речь идет о том, что современная структура образования должна способствовать обеспечению оптимальных условий для функционирования и развития системы образования, учитывая запросы современного общества и имеющиеся проблемы в образовательной сфере, которая должна предоставлять качественные образовательные услуги и свободу выбора в образовании.

Ключевые слова: риски, высшее образование, внешние риски, государственное регулирование, учебные заведения.

Problem statement. Today, every sphere of life is exposed to the impact of such external challenges as globalization, the dissemination of information and communication technologies and the changes that they bring with them. In particular, these changes relate to the system of higher education, which are an important area of the national economy, and its main institutions work in conditions of increasing the number of internal and external risks. In this regard, such contemporary challenges should lead to an adequate response, which, moreover, is based on an understanding and a meaningful understanding of all possible risks. It should be noted that the peculiarity of educational risks lies in the fact that they will not always assume direct financial losses, but rather, represent a threat to the occurrence of losses in the long run.

In addition, we can say that today there is a formation of the direction of educational risk management. The purpose of such a direction is seen in the streamlining of the process of making managerial decisions, which are for reducing the likelihood of adverse processes, as well as minimizing possible losses. At the same time, the level of decision-making can be either for an educational institution either for the region, or for the entire education sector as a whole [1].

The modern environment is characterized by an increase in uncertainty, which in turn influences the actualization of the need to study the risks of

such a sphere of activity as education. An understanding of the phenomenon of education as a public good of a mixed type, contributes to the expansion of this concept beyond its traditional perception, which characterizes the risks as loss of entrepreneurial income. Thus, we can assume that educational losses are strategic for the progress of society; therefore, such problems as poor quality of training of skilled personnel, weakness in the formation of staff and value characteristics of human resources, insufficient level of innovation development of the state and losing positions of international competition can be considered as more global risks, rather than financial losses [2].

Today, domestic higher education is facing challenges that are caused by global trends and are based on the specific conditions of our lives. Educational risks pose a threat to the functioning and development of the education system to the extent that they involve significant losses. Among economic losses in the field of education, a significant part of highly qualified staff, the closure of educational institutions and the loss of contingent, together with reduction and loss of financial resources, can be identified. Among the serious losses, we can also highlight the processes of social choice and cut the function of social mobility, significant labor market imbalances, with high unemployment of highly skilled workers and low wages. No less important will be pedagogical losses, among which are

the low efficiency of educational technologies, low-level of general education and competence of graduates and political losses, which are manifested in the absence of prestige of the national education system due to its inefficiency and corruption, along with the presence of low indicators in world rankings and attractiveness for foreign students.

Analysis of recent publications on research issues. The first research in the field of education management is to highlight the problems associated with the development of the educational services market in the United States and Europe. A lot of research in this area is devoted to finding opportunities to apply risk assessment methodologies in educational institutions. Among the foreign researchers of such problems we can call M. Fullan, Clark, Hargreaves and Floresil.

Among domestic researchers stand V. Yu. Krichevsky, A. P. Trypitsin, N. F. Rodionov and others. The works of these authors show the problem of risk management in education, as well as attempts to explore methods for forecasting threats for the development of the national system of higher education.

Along with the theoretical studies, empirical research on the risks of higher education institutions, which involve the use of various methods, extends over the past few years.

However, despite the broad empirical basis, we can see a lack of systematization of the assessment of all current risks to the higher education system.

Purpose of the article. The purpose of the article is to analyze and systematize the main risks faced by modern higher education.

Presenting the main material of research. It should be noted that traditionally the set of risks is divided into two large groups: external and internal. In our opinion, the first of them can be systematized as follows: globalization, technological challenges, political, legal, economic and demographic risks. Economic in turn are divided into: financial, fiscal and real.

The group of internal risks should include the following: people qualification, lack of funds for development, level of preparation of entrants, management system, namely: leadership style, orientation towards novelty, communication and relations system, as well as outdated material and technical and educational and laboratory facilities and the weakness of marketing policy. Consequently, globalization is today the leading trend of modern development, which radically changes the external environment of educational institutions, which becomes more uncertain and characterized by interdependence and sharp competition. This or that institution of higher education, regardless of where it is in the capital or periphery, in its development can not predict the actions of these factors. Therefore, we do not take into account the process of globalization rather rashly, because every day we face its manifestations, among which the removal of barriers to the movement of potential consumers in the international market of educational services, together with the aggravation of competition in their various spheres, is a special place [3].

First of all, the increase of competition is caused by potential students, and the basis of this is the demographic problems of developed countries, which

are related to the birth rate, which leads to a decrease in the population 18–23 years of age. This circumstance leads to the fact that in countries with a sufficiently strong base for higher education and highly developed university complexes with well-designed infrastructure, they actively attract potential students from other countries. An example of this circumstance can be that today higher education in Ukraine is subject to a rather active foreign policy influence on the part of Poland. Thus, we can see that the high level of the informational and advertising campaign of the neighboring state is the tip of the iceberg of a focused educational policy, which creates omit attractive conditions for the attraction of Ukrainian students. Among these conditions, payment for study, which is comparable to the Ukrainian language, is allocated as an opportunity to study in Russian or Ukrainian, as well omit accelerate the study of Polish, along with the possibility of living and future employment. As a result, the policy of Poland has led to an unprecedented increase in the number of Ukrainian students who are currently studying more than five times in the last few years, while their number exceeds 10 thousand people, accounting for one-third of the foreign student contingent. Most of all, this affects the higher education institutions of western Ukraine, since it is this young people who prefer to study in the near abroad, while in our country there is a negative dynamics of the demographic situation, which puts a rather serious risk to our higher education system.

Among other reasons, the growth of export policy can be called trying to at-

tract more talented youth. Here we say that omit competition for the best human resource. It should be noted that officially there are no statistics showing the total number of graduates leaving abroad for temporary or permanent employment. However, it is known that the bulk of specialists of various promising areas under different conditions work in advanced countries. This allows us to realize that Ukraine needs to take into account not only the scale of this process, but also its long-term consequences for its development [4].

The growth and expansion of competition is explained not only by the departure of students abroad, because this process encompasses the scientific, international and entrepreneurial activities of the education system. Thus, we see the updating of the various ratings of universities that carry out the process of ranking and give to institutions of higher education to focus on specific goals of achieving a higher level. It is all the while that the sphere of activity that is engaged in the realization of such goals becomes a business, which, in turn, affects the emergence of new financial flows and the receipt of higher incomes. An example of this may be the emergence of scientific-mathematical databases. The controversial issue here is a comparison of real scientific achievement with the growth of publications in the “cited collections”, which is also recognized in whirled research. However, such statements cannot withstand the mainstream, since every month the aspiration to get into these databases of personal editions grows to increase their publications in cited collections. And all this while trying to get into this or that cited collec-

tion show as separate scientists, both scientific institutions and the state of the state. All of this greatly affects the emergence of more owners of the respective brands, which are recipients of monopoly rent, which manifests itself in obtaining more than profit from the sale of rights to publishing houses and databases. However, the understanding of the essence of this process does not change its outcome – to take a worthy place in the modern environment, it is necessary to make enormous expenditures at the level of each scientist, institutions and state [5].

The second risk block for the higher education system is the constant emergence of the latest technology. This suggests that the proliferation of information and telecommunication technologies necessitates meeting their level. In this regard, the national system of higher education in order to get real competitive advantages in the modern environment, it is necessary to build their activities in accordance with omit the latest technologies, at the same time, to respond adequately to those changes that bring technology into the educational process. An example of such a reaction can be the emergence of distance learning, when higher education has successfully adapted to its requirements. Such new technologies have influenced the qualitative changes in the educational process, which can now be carried out without the personal communication of a teacher and a student. Therefore, the information and communication technology is assigned the task of transferring knowledge and controlling their assimilation.

In addition, today, we see widespread dissemination of various video

curricula of academic disciplines, both domestic and foreign. The technologies of such a knowledge transfer organization are the creation of special platforms that offer open access to those or other courses, and provides interactive training and discussion of any forum-based issues. From the beginning, such courses were only cognitive, and now there are issues for developing a technology for free familiarization with the content of academic disciplines, with the possibility of taking into account their learning [6].

A significant problem for the economic mechanism of public administration of the domestic higher education system in our country is corruption risks. The new law provides for an algorithm to overcome corruption, through the creation of a new body that controls the quality of education and does not depend on the Ministry of Education and Science of Ukraine. However, it is clear that countering corruption with the help of a new body is unlikely to become an effective way, will most likely give to raising the “issue price”. In our view, among the real mechanisms that will be for overcoming corruption, there can be openness and clarity of all processes, and especially of managerial issues, including decision-making and elections, financial, such as allocation of funds for higher education institutions and direct distribution their costs, as well as staff, etc. [7].

There are also legal risks that are characterized by imperfection and inconsistency of the regulatory framework governing educational activities. However, the adopted Law of Ukraine has omit high value for the development of higher education in Ukraine.

Among his major innovations are new conditions for admission to higher education. Future students need to apply to the higher education institution itself, and to the institution that will conduct the external independent assessment, and the number of applications for applicants depends on the some places for government orders. Another not less important innovation is that graduates of the baccalaureate have the opportunity to enter the magistracy to another specialty, the so-called cross-sectional introduction. This allows expanding the migration of students from regional higher education institutions to metropolitan or European universities [8].

In addition, higher education institutions in Ukraine, thanks to the new law, have academic, organizational and financial autonomy. The adopted law gives for the disclosure of financial documents, which contributes to open public control over the monetary turnover of any educational institution. At the same time, we see strengthening of democratic processes in the rector's elections, as all teachers and researchers, as well as numerous students, can take part. In line with this, Ukrainian educational legislation for the first time in the state of existence of the state pays such attention to the control over the quality of education. Yes, the National Quality Assurance Agency will be established. Such an agency will be a collegial body composed of 25 elected members.

Adoption of such a document is significant enough, but many of its provisions cannot be implemented at a single moment, because their implementation requires significant financial resources, as well as changes in many regulatory

documents. However, the most novelty in the Law itself is the creation of a genuine competitive environment. This tells us that every home institution of higher education must provide high quality education, thereby proving its uniqueness and importance for Ukrainian society or ceasing its activity [9].

This risk group also involves economic risks, which, however, have a rather different structure. So in the higher education system of Ukraine, we may face fiscal, property and financial risks. The biggest difficulties may arise due to the volume and structure of funding. As insufficient level of financial resources can become a serious risk for providing creative development, and this, not to mention, the normal functioning of the system of higher education. It should be noted that insufficient financial resources are also available in advanced and developing countries. This tells us that today we have a significant problem, which is the lack of state resources that could make sure the activity of higher education, including the strength of its growing importance for the innovative development of society. It should be noted that world practice effectively solves this problem. Many countries are actively using the process of involving other funding actors, along with government mechanisms. In our country, we also have the prospects for adapting to the world experience of the use of incentive mechanisms, the purpose of which is to increase the participation of business in financing educational and research activities of educational establishments, along with mechanisms to reduce the financial burden for private consumers of educational services [10].

Conclusions and prospects for further research. So today, we have a lot of questions about the organization of educational activities that need to be further developed and completed, since not all educational standards have been adopted.

This is all because the risks considered do not exhaust all the difficulties of the development of the higher education system, which also includes a large group of internal risks. Among the main internal risks that depend on internal resource and management factors, we can highlight the lack of such resources, especially students, highly skilled staff, finance, computer equipment, infrastructure, etc. At the same time, today we are seeing an inefficient process of managing the use of these resources under fairly complex external conditions. Therefore, further research and discussion may be devoted to a more detailed analysis of internal risks in the higher education system.

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SIGNIFICANCE OF NATURAL CAPITAL MANAGEMENT: ARCHETYPAL APPROACH

Abstract. The issues of the essence of the concept of “natural capital”, as well as management in the field of conservation of natural capital have been investigated. The author uses an archetypal approach. The activity and structure of international organizations engaged in environmental policy have been analyzed. The basic features aspects and cooperative efforts in biodiversity identified shortcomings for international and suggests ways to address them have been investigated. The basic state policy measures improving conservation and reproduction of natural capital have been ordered.

The basic approaches to evaluating the effectiveness of conservation based on best international experience. The economic evaluation of natural capital resour-

ces of Ukraine has been done and the necessity of increasing the annual state budgetary financing natural capital conservation has been improved. The methodic of evaluating the effectiveness of conservation on three levels: national, regional and local has been ordered, to better analyze the actual state of natural ecosystems, to investigate the dynamics of the cost of maintaining of natural capital by various sources (state budget of Ukraine, the cost of regional state administrations and local self-government).

The experience of international financing of natural capital conservation through environmental funds has been studied, funds of NGOs and grant projects. Scientific and practical interest in the work is the proposed funding mechanism for biodiversity conservation in the current economic climate of Ukraine. Investigated the organizational structure of government natural capital conservation of Ukraine. The effectiveness of government natural capital's conservation has been investigated. The functions of the Ministry of Ecology and Natural Resources of Ukraine as a central body of executive power in the field of natural capital conservation have been studied and analyzed. The staffing Ministry of Ecology and Natural Resources of Ukraine has been investigated, the system of placement and examined staffing departments of the Ministry, responsible for natural capital Ukraine, has been analyzed. The best foreign practices of natural capital public administration and recommendations for its implementation in Ukraine have been ordered.

Keywords: natural capital, archetypal approach, international cooperation, management.

СУТНІСТЬ УПРАВЛІННЯ ПРИРОДНИМ КАПІТАЛОМ: АРХЕТИПНИЙ ПІДХІД

Анотація. Розглянуто сутність поняття природний капітал та управління у галузі збереження природного капіталу. Застосовано архетипний підхід у дослідженні. Проаналізовано сутність поняття “природний капітал”. Досліджено основні аспекти та особливості кооперації зусиль у галузі збереження природного капіталу. Запропоновано основні заходи удосконалення державної політики збереження й відтворення природного капіталу.

Розглянуто основні підходи оцінювання ефективності збереження природного капіталу на основі кращого іноземного досвіду. Здійснено економічну оцінку ресурсів природного капіталу України та доведено необхідність збільшення обсягів щорічного держбюджетного фінансування.

Запропоновано методику оцінки ефективності збереження природного капіталу на таких трьох рівнях: загальнодержавному, регіональному та місцевому, що дає можливість краще аналізувати як фактичний стан природних екосистем, досліджувати динаміку витрат на утримання природного капіталу за різними джерелами (коштами державного бюджету України, витратами обласних державних адміністрацій та органів місцевого самоврядування).

Вивчено досвід міжнародного фінансування збереження природного капіталу за рахунок екологічних фондів, коштів громадських організацій та

грантових проєктів. Науковий та практичний інтерес у роботі складає запропонований механізм фінансування збереження природного капіталу в сучасних економічних умовах розвитку України.

Досліджено організаційну структуру державного управління збереженням природного капіталу України. Проаналізовано ефективність державного управління збереженням біорізноманіття. Вивчено та проаналізовано функції Міністерства екології та природних ресурсів України (Мінприроди України) як центрального органу державної виконавчої влади у галузі збереження біорізноманіття. Досліджено штатний розпис Мінприроди України, проаналізовано систему розстановки кадрів та досліджено штатний розпис структурних підрозділів міністерства, що відповідальні за збереження природного капіталу України. Розглянуто кращий міжнародний досвід державного управління збереженням природного капіталу та розроблено рекомендації щодо його імплементації в Україні.

Ключові слова: природний капітал, архетипний підхід, міжнародна співпраця, управління.

СУЩНОСТЬ УПРАВЛЕНИЯ ПРИРОДНЫМ КАПИТАЛОМ: АРХЕТИПНЫЙ ПОДХОД

Аннотация. Рассмотрены вопросы сущности понятия “природный капитал”, а также управления в области сохранения природного капитала. В исследовании применен архетипный подход. Проанализированы деятельность и структура международных организаций, осуществляющих экологическую политику. Исследованы основные аспекты и особенности кооперации усилий в области сохранения природного капитала. Предложены основные мероприятия усовершенствования государственной политики сохранения и воспроизводства природного капитала.

Рассмотрены основные подходы к оценке эффективности сохранения природного капитала на основе лучшего зарубежного опыта. Осуществлена экономическая оценка природного капитала Украины и доказана необходимость увеличения объемов ежегодного госбюджетного финансирования сохранения природного капитала.

Предложена методика оценки эффективности сохранения биоразнообразия на следующих трех уровнях: общегосударственном, региональном и местном, что позволяет лучше анализировать как фактическое состояние природных экосистем, исследовать динамику расходов на содержание природного капитала по источникам (средствами государственного бюджета Украины, расходами областных государственных администраций и органов местного самоуправления).

Изучен опыт международного финансирования сохранения природного капитала за счет экологических фондов, средств общественных организаций и грантовых проектов. Научный и практический интерес в работе составляет предложенный механизм финансирования сохранения природного капитала в современных экономических условиях развития Украины. Исследована

организационная структура государственного управления сохранением биоразнообразия Украины. Проанализирована эффективность государственного управления сохранением биоразнообразия. Изучены и проанализированы функции Министерства экологии и природных ресурсов Украины (Минприроды Украины) как центрального органа исполнительной власти в области сохранения биоразнообразия. Исследовано штатное расписание Минприроды Украины, проанализирована система расстановки кадров и исследовано штатное расписание структурных подразделений министерства, что ответственных за сохранение природного капитала Украины. Рассмотрен лучший международный опыт государственного управления сохранением природного капитала и разработаны рекомендации по его имплементации в Украине.

Ключевые слова: природный капитал, архетипный подход, международное сотрудничество, управление.

Formulation of the problem. In recent years, the preservation of Ukraine's natural wealth has become particularly relevant and has become one of the problems of our time. This question creates a real ground for ensuring the country's ecological safety, the formation of its natural resource potential, and hence the formation of economic well-being, democratic development of the state and society. However, the system of preserving natural capital can gain elements of systemicity only due to the development of democratic foundations of the management of society and the effective functioning of the state apparatus. This situation requires the maximum concentration of efforts of all branches of power and local self-government in the field of preserving natural capital, developing a system for its reproduction and multiplication as a national treasure of the state.

Analysis of recent research and publications. A large number of works by Ukrainian scientists — Ye. O. Romanenko, A. Yu. Yakymchuk, O. O. Veklych, Yu. I. Stadnytskyi, I. M. Synia-

kevych, S. O. Bila and many others — is devoted to the study of the reasons for the decline of natural capital, its degradation.

The purpose of the paper is using archetypal approach to provide a general idea of the concept of natural capital and its management system on the basis of the experience of developed democratic countries, to offer the author's vision of the notion and management system for the preservation of natural capital and give suggestions on how to improve the system of preservation and reproduction of natural capital as a national wealth of the state.

Presenting main material. The management system of the preservation of natural capital, taking into account the degradation of the latter, can not be considered effective in Ukraine today. On the basis of numerous developments, the author comes to the need to use an archetypal approach as the most effective in terms of the preservation of natural capital as a fundamental social system of society. It is known that in

order to carry out the archetypal management of social systems — by own political organizations as well as by the Ukrainian society as a whole, progressive national elites can use — along with the increase of the level of existing and the formation of new political myths by changing the meanings and content of the generated information flows in the direction of strengthening love for the neighbor, reducing aggression and expansion of the circle of “us” due to the narrowing of the circle of “them” — the organizational tools, applying in the development of their own organizations modern variable structures that allow for activation and maintenance for a long time its members within the framework of the cultural archetype with corresponding organizational culture [1]. This will result in synchronous activation in their psyche of higher levels of personal archetypes and will provide them with the choice of the appropriate behavioral models, schemes and strategies within the framework of values formed in a way of minimizing the differences between the actual political myth and the dominant cultural archetype.

Accordingly, the question about understanding the nature of natural capital in the system of archetypal management arises. One of the peculiarities of the modern period of development of both highly developed economies and developing countries is the realization that the formation of capital in its various manifestations is an important source of economic growth. The nature of capital, its essence have attracted the attention of economic thought for centuries. Depending on the level of development of productive forces and in-

dustrial relations researchers in different ways responded to the question of what capital is [11].

Capital (ger. *kapital*, lat. *capitalis* — main) is the resources used to produce goods and services in order to generate income [2, p. 313].

Capital is money, securities, real estate, etc., as a means of making profit, generating income [4, p. 326].

Capital represents the value in the form of financial resources and goods used to obtain its additional growth — profit (income of entrepreneurs) [5, p. 143].

Capital is a value that brings added value (income stream) and has a vital desire to grow [6, p. 119].

Capital is a discounted future income, that is, capitalized income [7].

Capital is a set of industrial relations in capitalist mode of production, in which means of labor, certain material wealth, money, intellectual property and various types of securities, etc. are an instrument of exploitation, appropriation of part of someone else’s unpaid labor [8, p.719]. From all these definitions, we can observe the well-known principle of science: capital, as a fundamental category, is the value (value, resources) that brings a new value (income, profit). Thus, the essence of the notion of “natural capital” should also be based on the above mentioned principle and additionally include a broader definition than that given in the scientific publications of classical economic theory.

The notion of “natural capital”, as a socio-economic category, has been introduced into scientific circulation relatively recently in the 80’s of the twentieth century in the writings of

R. Costanzo, Hugh Daley, J. Bartholomew and other authors. The doctrine of “natural capital” is formed in the framework of a new scientific discipline, which is called “green (ecological) economy”. As a result, today in the world economy of the developed countries the “green economy” becomes the dominant one, which differs from the previous economic formations by the isolation in the market process of “natural capital”.

According to Daley (1998), natural capital is the stock, which is the source of the flow of natural services and real natural resources. “This sustainable flow is called “natural income”, and it is provided by “natural capital”...“Natural capital can also produce “environmental services”. If we make the analogy of natural capital with capital in the traditional sense used to produce goods and services — these are “stocks/assets of the natural environment, giving a flow of valuable goods and services in the future” [8, p. 130].

At the United Nations Conference on Environment and Development (Rio de Janeiro, 1992), an attempt was made to define the term “natural capital”, which was called “the gift of nature to humanity” and its types were formulated:

- non-renewable or exhaustible natural capital (Depletable Natural Capital DNC) — energy resources;
- cyclically-used natural capital (Recyclable Natural Capital RecNC) — non-energy mineral resources;
- renewable Natural Capital — RenNC — soils and other resources of the environment.

A conference in Rio de Janeiro concluded that the loss of the functions of natural systems (natural capital) can always be compensated by the increase in Human Made Capital — HMC. However, replacement of “natural capital” with industrial capital is possible only to a certain limit and there is a limited ability to replace some parts of natural capital, by others [8, p. 131].

It should be noted that in the modern theory of the green economy the main system-forming features; criteria for the division of natural phenomena into “resources” and “secondary raw materials”; character of the process of changes in “natural phenomena” (natural objects) in “economic phenomena” (economic objects); the place of the phenomenon of “natural resource” in transitional states; the role of research in this process; criteria for determining the distinction between renewable and non-renewable natural resources (natural capital) are not clearly defined. There are doubts in use of the term “resources” (as industrial and domestic stocks) for the phenomena that exist in nature. Great difficulty arises in the process of assessing the value characteristics of natural capital by the existing methods used to determine the value of production material resources, etc. However, “natural capital” is still a rather new theoretical concept, and therefore its scientific, methodological and practical formation has just begun in both new and long-developed economies.

The widespread idea in scientific society is that natural capital is a combination of goods and services provided by nature. At the same time, natural capital retains all the properties of con-

ventional forms of capital. This term is increasingly applied to the selection of elements of the natural environment that are valuable to people and society. In essence, from the economic point of view, natural capital represents the values given by nature for the purpose of their further use in the process of production of consumer goods and services in order to increase the well-being of people and social development.

According to the authors of the publication [9], natural capital covers three main categories: natural resources reserves, incl. water and air; soil; ecosystems and ecosystem services.

Figure depicts natural capital and its relations with other forms of “capital” through the provision of ecosystem services. At the same time, it should be noted that natural capital is considered to be the most important, since it serves as the basis of all other types of capital, such as human, social, and production capitals, and therefore it is the basis for the functioning of modern economies of all countries without exception.

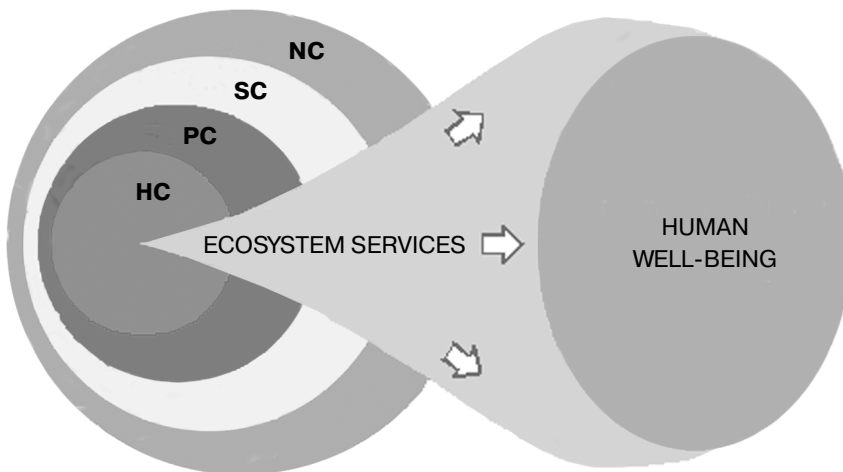
1) *Resource or providing services.* For example, wood, food, water, etc. In other words, everything that has a market assessment and value.

2) *Regulatory services:* water systems regulation, carbon sequestration, flood prevention, etc.

3) *Socio-cultural services.* These are the benefits people receive, admiring nature, performing educational, scientific, religious functions, etc.

4) *Supporting services.* These are the most complex natural cycles, the deep ecological processes and phenomena.

Natural capital directly forms the national wealth of all countries without exception. This is especially true for emerging economies, which account for about 30 % of total capital in the share of natural capital [9]. The economic development of most countries is due to nature, and it in turn leads to excessive spending of the natural resource base faster than the planet can restore it. As a result, human activity, especially during the past 50 years, has caused significant damage to the natural en-



Relation of natural capital with other forms of capital

NC — natural capital PC — production capital
 SC — social capital HC — human capital

vironment. In the process of excessive use, considerable exploitation and destabilization, significant damage has been caused to the ecosystem of nature at the global level. In response to the continued increase in the use of natural capital, the global economy faces an urgent need to implement urgent measures to preserve and improve the natural potential of the planet towards sustainable development and the growth of people's well-being.

One of the main reasons for spending a significant amount of natural capital is that the cost of environmental goods and services is usually taken for granted and perceived as something infinitely affordable. Thus, natural capital is not reflected in traditional balances, income statements, in the reports on the formation of gross domestic product, both the authorities and individual economic entities. As a result, usually, too large reserves of natural resources are involved in production processes, while investments in its formation and preservation are minor and ineffective.

In this regard, the question of the strategic development of natural capital is a priority in the state policy of any country, and increasing environmental awareness in the corporate sector and society as a whole are key prerequisites for obtaining positive socio-economic results. At the macro level, the mechanisms of public administration of processes for the development of natural capital, as well as the calculation of both positive and negative consequences of the influence of human interventions in the natural environment, should be adequately reflected in the normative-legal documents. At the micro level, it is extremely important for business

organizations to understand their dependence on natural resources and develop policies, tools and indicators that contribute to integrating natural capital accounting in the systems of private and corporate sector economies.

The true statement is that natural capital is an invaluable asset to Ukraine, as it plays an important role in the strategy of socio-economic development and protection of the country's natural environment. Natural capital of Ukraine includes geological elements, soils, air, water and all living organisms that provide a wide range of so-called "free" products and ecosystem services that are the basis of the national economy and society. Natural capital is considered a solid foundation for the development of the "green" economy and sustainable growth in Ukraine. The values of ecosystem services, national parks, nature reserves, natural heritage, biosphere reserves, parks of historical heritage, etc. are the basis for the functioning and development of environmentally sound sectors of the economy. The functions and values of natural capital are enormous, and therefore it is the basis for the formation of a strategy for the development of the advanced countries of the world to ensure their sustainable development. In this regard, the socio-economic development of Ukraine will also not be able to function in the long run unless natural assets of the country are preserved.

In modern conditions, the priority of economic policy of all states is economic growth [13]. In this case, the question arises: which factors provide economic growth? What are the prospects for such growth? It is known that the results and rates of economic

growth depend directly on the attraction of natural capital components [12]. This is due to the fact that in almost all branches of material production, the main component of the product is the raw material, which is the material basis of the good that is being produced, or acts as auxiliary material, providing the production process. So, for example, the growth of China's economy is driven by the dynamic development of industry, which is accompanied by an increase in consumption of metals, including steel, copper, zinc, nickel, aluminum [14, p. 221]. The growth of national economies in post-Soviet countries such as Armenia, Azerbaijan, Tajikistan, and Turkmenistan is associated with an increase in exports of natural gas and petroleum products. It should be noted that the Ukrainian economy is also largely dependent with its economic growth on the use of national natural capital, the components of which are massively exhausted and liquidated.

During the last 100 years, the consuming of components of non-renewable natural capital such as zinc, chromium, copper, magnesium, molybdenum in world economy has increased in 2–8 thousand times. To meet the needs of production in raw materials for this period, 1100 million tons of iron ore, 10 million tons of copper, 5,5 million tons of zinc, 2,5 million tons of lead, 1 million tons of nickel, more than 2500 tons of gold, 120 million carats of diamonds, etc have been mined. [15, p. 24].

Consequently, strong economic growth in the twentieth century and in the second decade of the XXI century were accompanied by the involvement in the production of an increasing amount of natural capital, exhausting

it. It is fair to note that, with the accession of some developed countries and those developing in the post-industrial development, their needs for materials and raw materials are constantly shrinking in favor of increasing the share of industries that produce knowledge and information products in the national product. But on the scale of the world economy the role of the natural factor remains significant [12]. The share of costs for raw materials and materials still exceeds half of world GDP, and in the world industrial production, their share reaches more than 70 % [16, p. 52].

In this context, American researchers J. Tinbergen and R. Huting emphasize the existence of a direct dependence between the degree of loading of the field of economic activity on the environment and the share of its contribution to the structure of GDP. J. Tinbergen and R. Huting's research has shown that 30 % of the activities increase production by about 70 %, and therefore they are the most conducive to economic growth [17; 18]. These are the very types of activities (oil, chemical, metallurgical, mining and woodworking industries, agriculture, road construction, transport, etc.) which, by contamination of air, the use of land, soils and other components of natural capital, cause the greatest damage to the environment, that is, there is the most burdensome for nature. At the same time, the replacement of 1 % of environmentally harmful activities with the environmentally sound ones will lead to an 1,8 % decrease in national income [19, p. 129].

It should be noted that in Ukraine one of the most ecologically "dirty",

environment-intensive economies has been formed – it is saturated with metallurgical, chemical and mining industries with outdated technologies. The industry producing raw materials, metals and energy resources, accounts for more than 2/3 of the total volume of industrial products [20, p. 102; 20]. The consequence of such raw material orientation of domestic production is, firstly, the reduction of national natural capital, that makes disappointing prospects for further economic growth, and secondly, the strengthening of the dependence of the national economy as a whole on the situation on the external markets of raw materials. Achieving economic growth without taking into account environmental interests has led to the appearance and aggravation of problems of provision of production with the necessary components of natural capital in time and space. As a result, the domestic economy in the present conditions has acquired a specific feature: its growth has become limited, as a rule, “survivable” natural capital. And the economic growth achieved through the exhaustion and degradation of natural capital is distorted, unbalanced and can not be sustained for a long time. Only by investing in the formation of natural capital a rapid and balanced growth of the national economy can be achieved and the overall economic welfare of the population can be improved [12–16].

Substantial research of natural capital in the system of formation of an environmentally balanced economy has become the object of studying for foreign and Ukrainian scientists. The new approaches to the preservation of natural capital in the conditions of for-

mation of ecologically balanced development of the economy were formed by such well-known scientists of the twentieth century as G. Daley, J. Cobb, R. Kostanza, S. El Serafi, J. Tinbergen, R. Huting and others.

This problem is actively explored in the post-Soviet space, including Ukrainian scientists. In view of the complexity, the multidimensionality of the problem, scientific developments of scientists can be systematized in the following groups:

- researches connected with the study of interrelationships “nature – man – nature” (G. Bachynskiy, M. Holubets, C. Zlupko, B. Nekos, O. Palamarchuk, V. Popovkin, O. Shabliiy);

- research related to the theoretical modeling of the ecologically balanced use of natural capital in the economy (A. Alexandrov, O. Badrak, Yu. Bazhal, V. Baranovskiy, B. Danylyshyn, E. Girusov, A. Golub, L. Grinov, L. Melnyk, B. Prykin, M. Rudenko, G. Strukova, L. Shostak);

- studies related to the management of the process of environmental improvement (O. Veklych, O. Vrublevska, I. Grabynskiy, M. Dolishnii, I. Mykhasiuk, L. Ribun, I. Syniakevych, Yu. Stadnytsky, V. Stepanov, Yu. Tunytsia, S. Harichkov, V. Shevchuk).

Conclusions. The preservation of Ukraine’s natural capital, and in particular the process of its reproduction, should be built on systematic management and based on the application of an archetypal approach. Such an approach will allow to take into account the public values of natural capital, the cultural development of the individual, based on love for nature, its ecological value, as the fundamental basis of development

of society as a whole. In addition, the achievement of economic growth of the state is impossible without taking into account environmental interests. The economic growth achieved through the exhaustion and degradation of natural capital is distorted, unbalanced and can not be sustained for a long time.

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THE MODERN TECHNOLOGICAL CAPABILITIES THAT CAN BE USED TO EFFECTIVELY IMPLEMENT PUBLIC ADMINISTRATION AT THE LEVEL OF THE TERRITORIAL COMMUNITIES (BASED ON THE USE OF THE ANDROID-PROGRAM)

Abstract. The article details the use of the Android application as a technological solution to ensure the interconnection between the territorial community and the authorities within the framework of public administration. The main requirements of the structure and functionality of the proposed application are considered, and the main existing variants of using mobile applications for the effective implementation of public administration at the level of territorial communities on the example of other countries of the world. Additionally, an analysis has been made that confirms the most effective use of the Android application within the framework of implementing public administration and administration. The main technological aspects and interrelations between local authorities and participants of territorial communities are considered. A separate part of the article is devoted to the possibilities of public control by the territorial communities and to the improvement of the efficiency of local self-government bodies.

Development of modern technologies was put before society a number of questions from which one of the major is the requirement in increase of labor productivity, and reduction of time expenditure. These components are a key indicator which distributes the developed countries, and developing countries on level of life quality [1–10].

In Ukraine historically developed system of local authorities functioning and respectively the system of their cooperation with territorial community, is constructed on a large number of manual skills.

Respectively for effective public management the system in the existing state will demand either increases in number of officialdom and expenses on its maintenance that will create additional load of the working segments of the population which are a part of territorial communities, or change of an operating procedure of this structure.

This article seeks to analyse a possibility of technical improvement of work of local authorities and, respectively, public management by means of technology use of mobile applications which will provide fast and effective communication between society and the power.

Keywords: public administration and administration, technological implementation, decentralization, territorial communities, public control, implementation of public administration.

СУЧАСНІ ТЕХНОЛОГІЧНІ МОЖЛИВОСТІ, ЯКІ МОЖУТЬ ВИКОРИСТОВУВАТИСЯ ДЛЯ ЕФЕКТИВНОЇ РЕАЛІЗАЦІЇ ПУБЛІЧНОГО УПРАВЛІННЯ НА РІВНІ ТЕРИТОРІАЛЬНИХ ГРОМАД (НА ПРИКЛАДІ ВИКОРИСТАННЯ ANDROID-ДОДАТКУ)

Анотація. Детально розкрито проект використання Android-додатку як технологічного рішення для забезпечення взаємозв'язку територіальної громади та органів влади в рамках публічного управління. Розглянуто основні вимоги структури та функціонал запропонованого додатку, та основні існуючі варіанти використання мобільних додатків для ефективною реалізації публічного управління на рівні територіальних громад на прикладі інших країн світу. Додатково здійснено аналіз, який підтверджує найбільшу ефективність використання Android-додатку в рамках впровадження публічного управління і адміністрування. Розглянуто основні технологічні аспекти та взаємозв'язки місцевих органів влади та учасників територіальних громад, можливості публічного контролю з боку територіальних громад і підвищення ефективності роботи місцевих органів самоврядування.

Розвиток сучасних технологій поставив перед суспільством низку питань, з яких одним з найважливіших є вимога збільшення ефективності праці, та зменшення витрат часу. Саме ці складові є головним показником, що розподіляє розвинені країни, та країни, що розвиваються за рівнем якості життя [1–10].

В Україні історично складена система функціонування місцевих органів влади і відповідно система їх співпраці з територіальною громадою, побудована на великій кількості ручної праці.

Відповідно для ефективного публічного управління система в існуючому стані потребуватиме або збільшення кількості бюрократичного апарату та витрат на його утримання, що створюватиме додаткове навантаження на працюючі верстви населення, що входять до складу територіальних громад або зміни порядку роботи даної структури.

Проаналізовано можливість технічного вдосконалення роботи місцевих органів влади і, відповідно, публічного управління за допомогою використання технології мобільних додатків, що забезпечуватиме швидкий та ефективний зв'язок між громадою та владою.

Ключові слова: публічне управління та адміністрування, технологічне впровадження, децентралізація, територіальні громади, публічний контроль, впровадження публічного управління.

СОВРЕМЕННЫЕ ТЕХНОЛОГИЧЕСКИЕ ВОЗМОЖНОСТИ, КОТОРЫЕ МОГУТ ИСПОЛЬЗОВАТЬСЯ ДЛЯ ЭФФЕКТИВНОЙ РЕАЛИЗАЦИИ ПУБЛИЧНОГО УПРАВЛЕНИЯ НА УРОВНЕ ТЕРРИТОРИАЛЬНЫХ ОБЩИН (НА ПРИМЕРЕ ИСПОЛЬЗОВАНИЯ ANDROID-ПРИЛОЖЕНИЯ)

Аннотация. Подробно раскрыто проект использования Android-приложения как технологического решения для обеспечения взаимосвязи между территориальной общиной и органами власти в рамках публичного управления. Рассмотрены основные требования структуры и функционал предложенного приложения, и основные существующие варианты использования мобильных приложений для эффективной реализации публичного управления на уровне территориальных общин на примере других стран мира. Дополнительно проведен анализ, подтверждающий наибольшую эффективность использования Android-приложения в рамках внедрения публичного управления и администрирования. Рассмотрены основные технологические аспекты и взаимосвязи между местными органами власти и участниками территориальных общин. Отдельная часть статьи посвящена возможностям публичного контроля со стороны территориальных общин и повышению эффективности работы местных органов самоуправления.

Развитие современных технологий поставило перед обществом ряд вопросов, из которых одним из важнейших является требование в увеличении эффективности труда, и уменьшении затрат времени. Именно эти составляющие являются основным показателем, который разделяет развитые страны, и развивающиеся страны по уровню качества жизни [1–10].

В Украине исторически система функционирования местных органов власти и, соответственно, система их сотрудничества с территориальной общиной, построена на большом количестве ручного труда.

Соответственно для эффективного публичного управления система в существующем состоянии требует или увеличения количества бюрократического аппарата и расходов на его содержание, что создает дополнительную нагрузку на работающие слои населения, входящие в состав территориальных общин, или изменения порядка работы данной структуры.

Проанализирована возможность технического совершенствования работы местных органов власти и, соответственно, публичного управления посредством использования технологии мобильных приложений, обеспечивающих быструю и эффективную связь между обществом и властью.

Ключевые слова: публичное управление и администрирование, технологическое внедрение, децентрализация, территориальные общины, публичный контроль, внедрение публичного управления.

Statement of a problem. Development of modern technologies was put before society a number of questions from which one of the major is the requirement in increase of labor productivity, and reduction of time expenditure. These components are a key indicator which distributes the developed countries, and developing countries on level of life quality [1–10].

In Ukraine historically developed system of local authorities functioning and respectively the system of their cooperation with territorial community, is constructed on a large number of manual skills.

Respectively for effective public management the system in the existing state will demand either increases in number of officialdom and expenses on its maintenance that will create additional load of the working segments of the population which are a part of territorial communities, or change of an operating procedure of this structure.

This article seeks to analyse a possibility of technical improvement of work of local authorities and, respectively,

public management by means of technology use of mobile applications which will provide fast and effective communication between society and the power.

Analysis of the last researches and publication. Most in detail questions of modern technologies use by means of mobile applications within effective realization of public management at the level of territorial communities are analysed in work of Za Abil Nukara and Michel Nouri “The effective government for a new century” [1]. According to data of the conducted research, in many countries of the world the technology of mobile applications is already used for exchange of information and rendering of services to territorial communities according to what “the electronic government” or “E-government” already becomes a reality.

However, the most important condition for effective use of opportunities of the E-government is achievement of a situation at which the mobile application is the standard and primary instrument of communication between the power and a territorial community [10].

According to the statistical report of the UN in 2016 nearly 90 % of the population of the earth [6] became owners of mobile communication. In fact, the main number of owners of mobile devices are the share of developing countries and because of the specifics have a much bigger mobile communication covering in comparison with a standard covering of the Internet.

Owing to historical specifics Ukraine falls into the category to such segment of the countries.

Additional factor is projects on providing the conditional and free mobile Internet – so until 2020 in this branch two most technological monsters compete – Tesla corporation and Google. According to it irrespective of the fact which of the corporations will dominate in granting the satellite Internet, nearly 100 % of the population of Ukraine will have a possibility of easy access to the Internet with high speed.

According to it all prerequisites for introduction of mobile Android-application as an element of interaction of authorities and territorial communities within public management, are technologically formed.

Examples of successful use of mobile applications for public management implementation. Thanks to development of modern technologies, a specific place is held by progress in the field of mobile applications use for public management in the USA. Since 2001 the Federal U.S. Government has created the specialized catalog of the mobile applications improving interaction between a territorial community and the power which is placed to the address: <https://www.usa.gov/mobile-apps>

However various service reference books or applications for trade with the state enterprises are the main contingent of applications.

In Sweden process of E-government creation has begun much earlier according to what the majority of electronic services is carried out owing to the mobile menu and SMS. This system also is progressive, however tools that can be realized by means of SMS and DCS of mobile inquiries is sufficiently restricted [1].

It is separately possible to allocate the UAE. Since 2013 the UAE has centrally accepted the strategy of transition to “the mobile government” at the state level. The initiative of “The mobile government” is constructed on wide use of mobile phones and modern technologies for rendering of services. In 2014 in the UAE the state shop of mobile applications for interaction with authorities has been activated. The shop consists from more than 100 mobile applications for Android and IOS and allows to provide to citizens of more than 700 various services – from submission of the reporting and requests for obtaining references of utility payment documents, a call of masters for repair, and so forth.

Article purpose. To render the practical offer concerning use of modern technologies in the field of public management and interaction of local authorities with territorial communities. The basic principles of the offered technological mechanism of this idea realization within increase in overall performance of local authorities are considered.

To accumulate the gathered international experience for allocation of

the main aspects of the practical embodiment of modern technologies at the heart of interaction process of society with public institutions and local authorities.

Presentation of basic material of the research. Structure of Android – the application that is offered to be used for effective realization of public management at the level of territorial communities.

Creation of any mobile application begins with planning process. In this case some of the major elements take place [2]:

1. The client is actually functionality with which the representative of territorial community cooperates. The interface which is used in the Client gives to the user an opportunity to make data exchange with local authority.

2. The server is the technological place including located in “a cloudy segment” where processing of inquiries from the Client takes place. The server also may contain Clients for “the front processing of the obtained data with the purpose of further use in the means of documentation processing and office-work used in authorities (ASKOD program, tax base, etc.).

3. Data basis (DB) is the place of data storage which has an opportunity to continuous updating and cooperation with external data sources and providing data submission to the Client on the search processed by the server. In option of a mobile application that is considered is offered the following [4]:

1. Creation of the Client which installer is placed on the state resources and allows users to take in free access advantage of cooperation with public

authorities of the power by means of a mobile application.

2. Creation of server structure that will allow, on the one hand automatically to generate through the Client installed on the mobile device of the member of territorial community, and with another – to send from the server inquiries of the Client concerning various polls, inquiries, expressions of opinions, petitions, and so forth:

- the inquiries aren't demanding intervention from operators and also formed by means of giving of the corresponding inquiry from the member of territorial community (excerpts from F-3, inquiry concerning homeowners, request for existence of arrest on property and another);
- the inquiries demanding processing by the operator – the person with the subsequent moving of information to the operating system of office-work in public authorities (complaints, offers, draft budgets of public use, other inquiries of specific character);
- inquiries which are formed from the server and demand the return information from the Client (various polls, informing, information requests);
- creation of the database as uniform source of final information storage.

Within consideration the application as computing system it is possible to identify three groups of the functions focused on the solution of various tasks:

1. Functions of input and display of data (provide interaction with the user).

2. Applied functions characteristic of area of interaction between the member of territorial community and local authority.

3. Resource management functions (file system, database, etc.).

Features of authorization, safety and data exchange. Security settings, localizations and functions of data exchange is the major element of the offered mobile application.

Security settings. Considering the growing threats of the cyber attacks connected with presence of the aggressively disposed “northern neighbor” requirements to safety is nearly the most important element of the offered application. Accordingly, it is offered to make a start not from development of the safety module “from scratch”, and from use of already existing solutions of safety.

Pursuant thereto, it is offered to use already operating system of natural person’s authorization, used for functioning in Privat network. Use of this system is already actively carried out at the level of the city at registration on KCGA website and when giving inquiries in tax and other public institutions.

Considering coverage of Privatbank network of nearly 80 % to the population of Ukraine, use of elements of a code (apu) from this developer is offered.

Data exchange. Today the ordered data on users are separately collected and provided within various resources: website tax, register of the enterprises and organizations of Ukraine, land registry, and so forth. Besides, separate elements of office-work by inquiries of citizens is realized in ASKOD program

that provides document flow in all public institutions.

It is offered to create, first of all, a possibility of the semi-automatic addressing data of base of public institutions for increase in efficiency of document flow.

At the second stage it is offered to adjust semi-automatic exchange of information with the commercial and state enterprises providing utilities to citizens – members of communities: Ukrtelecom, Kiyevenergo, Housing and Utility Management Unit and apartment building co-owners association, and so forth. Inclusion of such opportunities not only will accelerate information processing, but also will provide to citizens who address to these institutions of additional protection as participation as the third party (though at the level of server inquiry) of local authority considerably will increase probability not to violate basic rights and freedoms of citizens.

Increase in appeal of a mobile application to installation to the member of community will be additional plus of such combination of bases, as it will give him (her) an opportunity to resolve own issues with smaller expense of time.

Operating procedure with Android-application. Primary element of the application, considering its specifics and need of the person identification there has to be an identification with the help “Privat 24”.

Function of accounts connection of social networks for urgent informing the citizen in case of events has to be additionally provided important for territorial community.

The starting desktop which is available to work in case of the available au-

thorization has to be the following element. The starting desktop will provide the list of the organizations with which the citizen can correspond by means of this application.

The main advantage at the same time is that the inquiry, first of all, is provided in electronic form at the same time to local authority with the copy to the legal entity and, secondly, the inquiry on its registration and contents corresponds to the Law of Ukraine “About addresses of citizens” that additionally protects the rights of the person, who has sent it.

The separate element it is proposed existence of a possibility of transition to payments after their verification (at the same time there will be a transition to functionality of “Privat 24”, intended for processing of payments).

At the same time for receiving feedback from residents of the district it isn't necessary to carry out actions of promoting of the local budget. Electronic mailing on a mobile application is enough. Comparison of resource spend of information processing during the work with the application in comparison with the existing system.

1. Providing inquiry in the Form-3 (the list of the persons registered in the apartment)

Existing order	By means of the application
<u>On the part of the person:</u> <ul style="list-style-type: none"> - to submit an inquiry (to come to administration, to wait in line); - 7 days on processing; - to receive inquiry (to come to administration, to wait in line) 	<u>On the part of the person:</u> <ul style="list-style-type: none"> - to submit an inquiry through the application; - 3 days on processing; - to receive inquiry through the application
<u>On the part of the administration:</u> <ul style="list-style-type: none"> - the operator accepts and checks inquiry; - the operator prints inquiry; - the operator moves inquiry to archive; - the operator provides result for the signature; - the signer signs; - the signer provides to the operator; - the operator provides inquiry to the person 	<u>On the part of the administration:</u> <ul style="list-style-type: none"> - check and digital signature

2. Providing inquiry concerning the Certificate of lack of criminal proceedings

Existing order	By means of the application
<u>On the part of the person:</u> <ul style="list-style-type: none"> - to submit an inquiry (to come to the Ministry of Internal Affairs, to wait in line); - 7 days on processing; - to receive inquiry (to come to the Ministry of Internal Affairs, to wait in line) 	<u>On the part of the person:</u> <ul style="list-style-type: none"> - to submit an inquiry through the application; - 3 days on processing; - to receive inquiry through the application
<u>On the part of MIA:</u> <ul style="list-style-type: none"> - the operator accepts and checks inquiry; - the operator prints inquiry; - the operator moves inquiry to archive; - the operator provides result for the signature; - the signer signs; - the signer provides to the operator; - the operator provides inquiry to the person 	<u>On the part of MIA:</u> <ul style="list-style-type: none"> - check and digital signature

3. Verification of indicators of hot water counter

Existing order	By means of the application
<p><u>On the part of the person:</u></p> <ul style="list-style-type: none"> – to submit an inquiry (to come to Kyivenergo, to wait in line); – 7 days on processing; – to receive inquiry (to come to Kyivenergo, to wait in line) 	<p><u>On the part of the person:</u></p> <ul style="list-style-type: none"> – to submit an inquiry through the application; – 3 days on processing; – to receive inquiry through the application
<p><u>On the part of Kyivenergo:</u></p> <ul style="list-style-type: none"> – the operator accepts and checks inquiry; – the operator prints inquiry; – the operator moves inquiry to archive; – the operator provides result for the signature; – the signer signs; – the signer provides to the operator; – the operator provides inquiry to the person 	<p><u>On the part of Kyivenergo:</u></p> <ul style="list-style-type: none"> – check and digital signature

Thus, at external similarity of operations, we see improbable saving tens of hours of both the certain citizen, and government.

However, there are things which remain out of sight: expenses of the personnel salary of bodies, expenses on their placement, heating, repair, providing with office equipment and stationery, and so forth.

And the main thing – existence of such system will stimulate development of more effective segments of the population.

It is possible to allocate with separate plus reduction of a window of opportunities to corruption – the lack of personal contact between the performer and the customer actually levels existence “to bribe for the solution of a question.

Conclusions. As we see from article, modern hi-tech decisions open new opportunities both for management of local authorities in general, and for public management from territorial communities in a separate case. At the same time besides considerable economy of means, increase in overall perfor-

mance of the existing personnel and opportunities of its reduction we receive one major plus – we form at citizens consciousness of own responsibility for a situation that is created around as it is inherent line of all citizens in the developed countries of the world.

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THEORETICAL PRINCIPLES OF ORIGIN OF NEGATIVE ECOLOGICAL TERRITORIAL EXTERNALITIES IN THE CONTEXT OF SUSTAINABLE DEVELOPMENT

Abstract. The article examines the territorial type of externalities, which is closely linked to the concept of sustainable development. The modern generation must satisfy its needs without diminishing the opportunities of the following generations. Here the fundamental economic point is the laying of additional external costs of modern generations for the future ones, with the current technological development. The concept of temporal externalities is a new level of awareness of the effect of external negative environmental externalities. The positive experience of the EU countries in creating effective tools for stimulating environmental protection and reducing the complex negative impact on natural ecosystems is considered.

Determined that the implementation of the concept of “risk management” for human health in general is based on a system of tools similar to that of Ukraine [5].

It is noted that, however, the use of these tools in EU countries is based on a mechanism that is significantly different from the domestic one. At the heart of this mechanism is the system of giving the complex environmental permits for industrial installations, which for industrial objects will be determined on the basis of the best available technologies (BATs).

Installed that, the company meets the requirements set by the CEDs, planned to improve the environmental impact indicators, it will be exempted from any financial sanctions (in the form of fines in foreign practice). Such sanctions will arise only if the planned work of the enterprise is not executed and the established limits are not reached.

It is noted that, another methodological approach deals with the analysis of the provision of social and economic system of natural resources based on modeling. Attempts to construct global models of development, taking into account the influence of a set of factors, are widely known in the world practice.

Keywords: sustainable development, external effect, globalization, economic permits, risk management, environment, the best available technology.

ТЕОРЕТИЧНІ ЗАСАДИ ВИНИКНЕННЯ НЕГАТИВНИХ ЕКОЛОГІЧНИХ ТЕРИТОРІАЛЬНИХ ЕКСТЕРНАЛІЙ В КОНТЕКСТІ СТАЛОГО РОЗВИТКУ

Анотація. Досліджено територіальний тип екстерналій, тісно пов'язаний з концепцією сталого розвитку. Сучасне покоління повинно задовольняти свої потреби, не зменшуючи можливості наступних поколінь. Тут принциповим економічним моментом є покладання додаткових екстернальних витрат сучасним поколінням на майбутні, при сформованому технологічному розвитку. Поняття темпоральних екстерналій і є новим рівнем усвідомлення ефекту

зовнішніх негативних екологічних екстерналій. Розглянуто позитивний досвід країн ЄС у створенні ефективних інструментів стимулювання охорони навколишнього середовища та зниження комплексного негативного впливу на природні екосистеми.

Визначено, що реалізація концепції “управління ризиками” для здоров’я людини в цілому побудована на системі інструментів, аналогічної в Україні. Зазначено, що використання даних інструментів у країнах ЄС спирається на механізм, який значно відрізняється від вітчизняного. Основою даного механізму є система видачі комплексних екологічних дозволів для промислових установок, яка для промислових об’єктів буде визначатися найкращими доступними технологіями (далі НДТ).

Встановлено, якщо підприємство виконує встановлені в КЕД вимоги, заплановані для поліпшення показників впливу на навколишнє середовище, то воно звільняється від будь-яких фінансових санкцій (у вигляді штрафів у зарубіжній практиці). Такі санкції виникають тільки в тому випадку, якщо з вини підприємства заплановані роботи не були виконані та встановлені ліміти не були досягнуті.

Зазначено, що інший методологічний підхід розглядає аналіз забезпеченості соціально-економічної системи природними ресурсами на основі моделювання. Світовій практиці широко відомі спроби побудови глобальних моделей розвитку, що враховують вплив комплексу факторів.

Ключові слова: сталий розвиток, екстернальний ефект, глобалізація, економічні дозволи, управління ризиками, навколишнє середовище, найкраща доступна технологія.

ТЕОРЕТИЧЕСКИЕ ОСНОВЫ ВОЗНИКНОВЕНИЯ НЕГАТИВНЫХ ЭКОЛОГИЧЕСКИХ ТЕРРИТОРИАЛЬНЫХ ЭКСТЕРНАЛИЙ В КОНТЕКСТЕ УСТОЙЧИВОГО РАЗВИТИЯ

Аннотация. Исследованы территориальный тип экстерналий, тесно связанный с концепцией устойчивого развития. Современное поколение должно удовлетворять свои потребности, не уменьшая возможности последующих поколений. Здесь принципиальным экономическим моментом является возложение дополнительных экстернальных расходов современным поколением на будущее, при сложившемся технологическом развитии. Понятие темпоральных экстерналий и является новым уровнем осознания эффекта внешних негативных экологических экстерналий. Рассмотрен положительный опыт стран ЕС в создании эффективных инструментов стимулирования охраны окружающей среды и снижения комплексного негативного воздействия на природные экосистемы.

Определено, что реализация концепции “управление рисками” для здоровья человека в целом построена на системе инструментов, аналогичной в Украине. Отмечено, что использование данных инструментов в странах ЕС опирается на механизм, который значительно отличается от отечественного. В основе данного механизма находится система выдачи комплексных эколо-

гических разрешений для промышленных установок, которая для промышленных объектов будет определяться наилучшими доступными технологиями (далее НДТ).

Установлено, если предприятие выполняет установленные в КЭД требования, запланированные для улучшения показателей воздействия на окружающую среду, то оно освобождается от любых финансовых санкций (в виде штрафов в зарубежной практике). Такие санкции возникают только в том случае, если по вине предприятия запланированные работы не были выполнены и установлены лимиты не были достигнуты.

Отмечено, что иной методологический подход рассматривает анализ обеспеченности социально-экономической системы природными ресурсами на основе моделирования. Мировой практике широко известны попытки построения глобальных моделей развития, учитывающие влияние комплекса факторов.

Ключевые слова: устойчивое развитие, экстернальный эффект, глобализация, экономические разрешения, управление рисками, окружающая среда, лучшая доступная технология.

Statement of the problem. Ukraine declared the ideology of the sustainable development strategy for the 21st century. Implementation of this strategy requires the appropriate theoretical support. As it is known, the main characteristics of the region are the complexity of social and economic and ecological development; complexity of industrial development; character of industrial and social infrastructures development; the ability to reproduce the conditions for the harmonious development of population living, and so on. The above characteristics are internal. Regarding external influence, the region depends on solving a number of problems associated with the emergence of negative economic territorial externalities and searching effective tools for promoting environmental protection.

The analysis of recent researches. The theoretical foundations of sus-

tainable development were covered in the writings of such scholars as: V. H. Vdovych, M. Z. Zhurovskiyi, O. V. Kubatko, V. V. Lukianenko, I. O. Mazurina, L. Ts. Maslovska, L. G. Melnyk, T. V. Mohylenets, T. P. Norikina, A. D. Ostapchuk, N. O. Tarkhanova, V. M. Tregobchuk, O. V. Fedun.

Relevance. Analysis of the essence and content of the concept of sustainable development shows that it has brought new aspects into the solution of economic problems as a result of the interaction of the natural environment and social and economic development of human society. Therefore, the study of the relationship of economic, social and environmental problems remains at the moment in the minds of scientists.

The aim of the article. To consider the theoretical principles of the origin of negative ecological territorial externalities and awareness of their effect in order to find effective institutions for

stimulating environmental protection and reducing the complex negative impact on natural ecosystems.

Presenting the main material. Today the activity in the regional sphere is regulated by the legislation on stimulating the development of regions, on the basis of which the State Strategy for Regional Development for the period up to 2020 is developed and implemented [7]. The content of this strategy determines the problems and proposes constructive directions for their solution in the economic, social and environmental spheres, but does not specify the actions regarding their dependence and the needs of balanced development of these three spheres. Attention is drawn to the desire to balance the economic and environmental spheres in the context of meeting international requirements through the introduction of the quality management system (ISO 9000 standard) and the environmental management system (ISO 14000 standard). The defined state priorities for the development of certain regions for the period up to 2020 include improvement of the ecological situation in general or in certain directions (protection of territories against flooding, overcoming the consequences of ChNPP, etc.) as a separate item for most regions [1].

Analysis of the essence and content of the conception of sustainable development shows that it has introduced new aspects of solving environmental problems as a result of interaction of the natural environment and social and economic development of human society.

Firstly, this is a justification of the relationship of economic, social and

environmental problems of the society development.

Secondly, it is a consideration of intergenerational problems, that is, the statement of the need to determine the long-term strategy of human development based on the challenges posed by meeting the needs of present and future generations. In connection with the intergenerational aspect, there is the concept of temporary (temporary, between generations) ecological externalities, which are higher than the territorial level of awareness of the effect of external negative environmental externalities [5].

In the economy the environmental pollution by a manufacturer is usually considered as a negative external effect, when the increase in company profits due to the increase in production turns into harm to the environment, which afflicts some companies and society as a whole.

External effect occurs when the behaviour of one subject directly, and not by means of price changes, affects the welfare of another. External effects appear because of the impossibility or inability to establish the right of ownership of any resource. The consequence of this is the lack of a market for this resource or mechanism which ensure its efficient use. In the presence of an external effect, the market allocation of resources turns out to be ineffective if no action is taken. External effects are called direct, not mediated by the market influence of one economic agent on the activity results of another. These influences can be favorable, in this case they are called positive external effects, or external benefits, and unfavorable, then they

are called negative external effects, or external costs.

The scholars O. O. Akimov and L. M. Akimova noted that sustainable development is a guided stable social and economic development that does not violate the natural basis, is aimed at survival and the continuous progress of society within the economic capacity of the biosphere [1]. In accordance with the interpretation of the concept of “externalities” we can note that the externalities are the benefit or damage of the third parties who do not participate in the agreement [3].

The temporary type of the externalities is closely linked to the concept of sustainable development. The modern generation must meet its needs, without reducing the ability of future generations to meet their own needs. By generating global environmental problems, exhausting non-renewable resources, contaminating the environment at the present time, modern mankind creates enormous environmental, economic, and social problems for the descendants, narrowing their ability to meet their own needs. Here the fundamental economic point is the laying of additional, external costs of modern generations for the future ones with the current technological development. Thus, exhausting oil in the near future, massive degradation of agricultural land will create enormous energy and food problems for the future, requiring a sharp increase in costs compared with modern ones to meet the very first needs. Technological breakthroughs, achievements of the scientific and technological revolution of contemporaries create the opportunities for reducing costs in the future. For example,

the mastering of cheap technologies of energy production (solar) will have a significant economic effect for future generations.

The concept of temporal (intermittent, intergenerational) externalities originally arose in connection with the intergenerational aspect and is a new level of awareness of the effect of the external negative environmental externalities.

In connection with this there are territorial negative ecological externalities, which can be divided into:

1. Global (interstate) externalities. In the scale of the planet, this type of externalities has already generated a number of specific problems associated, first of all, with the transposition of transboundary pollution. Emissions of chemicals into the atmosphere, pollution of rivers and other environmental impacts create significant ecological and economic problems in other countries.

Increasing environmental threats and externalities are causing a series of events or situations in the world that change the potential of development, sovereignty and security of countries, their partner perception in international economic relations. It should be borne in mind that the desire of one state to strengthen environmental safety can lead not only to the improvement of the environment, but also weaken the sense of security in others [2].

Pollution in the United Kingdom as a result of the transport of pollutants leads to the emergence of “dead” lakes in the north of Sweden and the need to allocate the additional costs for environmental protection. These problems are particularly acute in the context of re-

lations between industrialized and developing countries, when the rich countries have a negative environmental impact on the poor countries, the main polluters and consumers of natural resources, and underdeveloped and poor countries suffer from this. So, in case of global warming and rising sea levels by one meter, the territory of Bangladesh will be reduced by 17 %, although the share of this country accounts for only 0,3 % of greenhouse gas emissions. In Egypt, 12 % of the territory might be under water. And the number of examples of such negative environmental impact in the world is becoming more and more. The world community is currently aware of this problem. The special world conventions and agreements, intergovernmental agreements on combating transboundary pollution and obligations of the parties are signed.

2. Intersectional externals. The development of the economic sectors, especially environmental exploitation, causes significant environmental damage to other sectors. In Ukraine, the agrarian sector suffers huge losses. The construction of a cascade of hydropower stations on the Dnipro River (power complex) led to the flooding of high productivity agricultural land. The security zones of power grids and main gas pipelines are accompanied by the loss and degradation of millions of acres of land. All this forces the agriculture to bear additional costs, to develop additional marginal, poorly-developed or remote areas of land. There are also positive intersectional externals. The development of some sectors can have a significant ecological and economic effect in other sectors. This is achieved by an alternative solution to environmen-

tal problems, structural adjustment of the economy [6].

3. Interregional externalities. This type of externality is a reduced copy of global externalities, only within a single country. For a country like Ukraine this problem is quite acute. A classic example here may be the Dnipro River, when the regions that are in the upper reaches, with their pollution, create additional costs for water treatment in the "lower" regions.

4. Local externalities. This type of externalities is most well studied in the literature. Typically, an enterprise pollutant is considered in a limited area and external costs of the recipient caused by its activities (other enterprises, population, natural objects, etc.) are analysed.

The countries of the European Union (EU) have gained considerable positive experience in creating effective tools for stimulating environmental protection and reducing the complex negative impact on natural ecosystems.

The foreign system of tools to reduce the negative impact on the environment is based on the concept of "risk management" for human health, which means the establishment of environmental and technical standards based on the existing level of technical and technological development and financial capacity of natural resource companies (and not zero risk, as in the domestic version). Such an approach means considering the problem of reducing the negative impact as a long-term process of reducing environmental risks that can be managed, which allows to set realistic goals and objectives in this direction (both at the national, local and micro levels).

The implementation of the concept of “risk management” for human health in general is based on a system of tools similar to that of Ukraine [5].

However, the use of these tools in EU countries is based on a mechanism that is significantly different from the domestic one. At the heart of this mechanism is the system of giving the complex environmental permits for industrial installations, which for industrial objects will be determined on the basis of the best available technologies (BATs).

Complex environmental permits (CEDs) in the European Union are authorized by the Directive 96/61/EU on Integrated Pollution Prevention and Control (IPPC Directive).

If the company meets the requirements set by the CEDs, planned to improve the environmental impact indicators, it will be exempted from any financial sanctions (in the form of fines in foreign practice). Such sanctions will arise only if the planned work of the enterprise is not executed and the established limits are not reached.

Another methodological approach deals with the analysis of the provision of social and economic system of natural resources based on modelling. Attempts to construct global models of development, taking into account the influence of a set of factors, are widely known in the world practice [1].

One of them is the “Globesight” model, which combines subsystems such as population (demography), economy (GDP, energy, investments), ecology (use of natural resources). The advantage of the models is the ability to predict the future state, the assessment of the effect of the decisions.

Conclusions from this study. Thus, the mechanism operating in the EU countries is based on a logical prerequisite is a “financial opportunity”, and the guides for the best available technology (BAT) are the guarantee for the implementation of environmental conditions and the elimination of errors in making specific management decisions.

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PRINCIPLES OF STATE REGULATION OF THE ACTIVITIES OF BODIES OF THE STATE EXECUTIVE SERVICE AND PRIVATE EXECUTORS

Abstract. Within the presented article, taking into account already existing achievements of scientists, the concept, the main features of the principles of state administration of the executive system of Ukraine are defined. The principles of activity of executive bodies according to the current legislation of Ukraine are determined. A brief description of the principles is presented, namely: the rule of law, legality, compulsory, independence, justice, impartiality and objectivity, discretion, transparency and openness of executive proceedings and its fixation by

technical means, the reasonableness of the time limits for enforcement proceedings, the proportionality of enforcement measures and the amount of claims for decisions, the right to appeal decisions, actions or omissions of state executives, private performers. It is established that in general the principles of executive proceedings in the investigated normative acts are duplicated, in addition to the principles of independence and the right to appeal decisions, actions or inaction of state executives, private performers.

The actual vision of the principles of public administration of the executive system of Ukraine is determined. The opinion on the need to supplement the list of principles with the following: the principle of equal competition between state and private performers through the balance between them; the principle of responsibility of the executive system bodies, their officials and private executors for damage caused as a result of violations of regulatory requirements; the principle of introducing effective incentives for voluntary implementation of decisions; the principle of professionalism and competence.

Also, within the submitted article, it is stated that the use of the terms “principles” and “principles” in the Laws of Ukraine “On Bodies and Officials Performing Enforcement of Court Decisions and Decisions of Other Bodies”, “On Enforcement Proceedings”, which are adopted simultaneously and regulated, are unjustified, identical social relations.

Keywords: the principles of public administration, state executives, private executives, enforcement of decisions.

ПРИНЦИПИ ДЕРЖАВНОГО РЕГУЛЮВАННЯ ДІЯЛЬНОСТІ ОРГАНІВ ДВС ТА ПРИВАТНИХ ВИКОНАВЦІВ

Анотація. Визначено поняття, основні ознаки принципів державного управління виконавчою системою України, принципи діяльності органів виконавчої системи згідно з чинним законодавством України. Представлена коротка характеристика принципів: верховенства права, законності, обов’язковості, незалежності, справедливості, неупередженості та об’єктивності, диспозитивності, гласності та відкритості виконавчого провадження та його фіксування технічними засобами, розумності строків виконавчого провадження, співмірності заходів примусового виконання рішень та обсягу вимог за рішеннями, забезпечення права на оскарження рішень, дій чи бездіяльності державних виконавців, приватних виконавців. Встановлено, що в цілому принципи виконавчого провадження у досліджуваних нормативних актах дублюються, крім принципів незалежності та забезпечення права на оскарження рішень, дій чи бездіяльності державних виконавців, приватних виконавців.

Визначено власне бачення принципів державного управління виконавчою системою України, а також висловлено думку про необхідність їх доповнення: принципом рівноцінного конкурування між державними і приватними виконавцями через дотримання балансу між ними; принципом відповідальності органів виконавчої системи, їх посадових осіб та приватних виконавців за шкоду, заподіяну внаслідок порушення нормативних приписів; принципом

впровадження дієвих стимулів для добровільного виконання рішень; принципом професіоналізму і компетентності. Також у межах представленої статті вказано на невикористання термінів “засади” і “принципи” в Законах України: “Про органи та осіб, які здійснюють примусове виконання судових рішень і рішень інших органів”, “Про виконавче провадження”, що прийняті одночасно та регулюють тотожні суспільні відносини.

Ключові слова: принципи державного управління, державні виконавці, приватні виконавці, примусове виконання рішень.

ПРИНЦИПЫ ГОСУДАРСТВЕННОГО РЕГУЛИРОВАНИЯ ДЕЯТЕЛЬНОСТИ ОРГАНОВ ГИС И ЧАСТНЫХ ИСПОЛНИТЕЛЕЙ

Аннотация. Определены понятие, основные признаки принципов государственного управления исполнительной системой Украины, принципы деятельности органов исполнительной системы согласно действующему законодательству Украины. Представлена краткая характеристика принципов, а именно: верховенства права, законности, обязательности, независимости, справедливости, беспристрастности и объективности, диспозитивности, гласности и открытости исполнительного производства и его фиксация техническими средствами, разумности сроков исполнительного производства, соразмерности мер принудительного исполнения решений и объема требований по решениям, обеспечение права на обжалование решений, действий или бездействия государственных исполнителей, частных исполнителей. Установлено, что в целом принципы исполнительного производства в исследуемых нормативных актах дублируются, кроме принципов независимости и обеспечения права на обжалование решений, действий или бездействия государственных исполнителей, частных исполнителей.

Представлено авторское видение принципов государственного управления исполнительной системой Украины, а также указывается на необходимость их дополнения: принципом равноценного конкурирования между государственными и частными исполнителями через соблюдение баланса между ними; принципом ответственности органов исполнительной системы, их должностных лиц и частных исполнителей за вред, причиненный вследствие нарушения нормативных предписаний; принципом введения действенных стимулов для добровольного исполнения решений; принципом профессионализма и компетентности. Также в рамках представленной статьи указано на нецелесообразность использования терминов “основы” и “принципы” в Законах Украины “Об органах и лицах, осуществляющих принудительное исполнение судебных решений и решений других органов”, “Об исполнительном производстве”, которые приняты одновременно и регулируют тождественные общественные отношения.

Ключевые слова: принципы государственного управления, государственные исполнители, частные исполнители, принудительное исполнение решений.

Thesis statement. The imperfection of the enforcement mechanism became the basis for reforming the enforcement system of Ukraine, the introduction of a mixed system of enforcement authorities, the normative consolidation of the principles of state administration of the activity of the enforcement system of Ukraine, which is a significant step towards the existence of an effective enforcement system, took place.

Analysis of recent publications. The research of scholars on the principles of public administration has a different depth and is devoted to the principles of organization and management of various spheres of public life. At the same time, few works would comprehensively study the principles of the activities of the enforcement bodies themselves, especially after the introduction of a mixed system.

In general, the following works study the principles of public administration: H. Atamanchuk, N. Maltiukhova, O. Chechel, and others; the principles of public administration of the enforcement system of Ukraine: V. Boliukh, O. Verby-Sydor, E. Gryshko, L. Krupnova, S. Savonai, S. Fedyk, K. Shevchuk and others.

The objective of the article is to define the concept of the principle of public administration, to define the basic principles of the functioning of the enforcement system, to describe them briefly, to define the author's own vision of the principles of state administration of the enforcement system of Ukraine.

Results. The principles of this activity are of great importance in the mechanism of public administration for the enforcement of judgments and deci-

sions of other bodies (officials) (hereinafter – decisions).

The term “principle” derives from the Latin principium – the basis, the beginning and has the following interpretations:

1) The basic, initial position of theory, doctrine, etc., the guiding idea, the basic rule of activity;

2) Internal belief, a view that means the norm of behaviour [1, p. 409].

Under the principles of public administration, one understands the patterns, relations, interrelationships, and the guiding principles on which its organization and implementation are based and which can be formulated in certain rules [2, p. 74].

The principles of public administration:

- must be enshrined in normative legal acts, that is, have a legal form. It is the legal consolidation of the principles of activity to be a guarantee of the observance of rights by all participants, in our case, enforcement legal relations;

- must be stable, system-forming stabilizing structures;

- should be real guiding postulates, which are actually used in the practice of enforcement of decisions, are the guarantee of an effective, efficient, consistent with modern realities mechanism of public administration for the enforcement of decisions. Suitable in this regard is the opinion of V. Gorshenev and I. Shakhov, namely: “if the principles are perceived, they must be deeply understood, mastered in detail and become professional beliefs” [3].

That is, under the principles of state administration for the enforcement system one needs to understand the stable, system-forming constructions, which

are enshrined in the normative and legal acts and are actually used in practical activity in the enforcement of decisions, are the guarantee of effective, efficient, corresponding to modern realities, mechanism of public administration for enforcement of decisions.

In this case, the number of principles is determined by the level of knowledge about certain patterns of the implementation of a phenomenon or a process [4].

In Ukraine, the principles of the organization and operation of enforcement bodies were regulated in 2016 in Art. 4 of the Law of Ukraine “On Bodies and Officials Performing Enforcement of Court Decisions and Decisions of Other Bodies” [5], namely: 1) the rule of law; 2) legality; 3) independence; 4) fairness, impartiality and objectivity; 5) mandatory implementation of decisions; 6) discretion; 7) transparency and openness of enforcement proceedings and its fixation by technical means; 8) the reasonableness of the terms of enforcement proceedings; 9) the proportionality of the measures for the enforcement of decisions and the amount of claims by decisions.

In its turn, Art. 2 of the Law of Ukraine “On Enforcement Proceedings” [6] regulates that enforcement proceedings are carried out with the following principles: 1) the rule of law; 2) mandatory implementation of decisions; 3) legality; 4) discretion; 5) fairness, impartiality and objectivity; 6) transparency and openness of executive proceedings; 7) the reasonableness of the terms of enforcement proceedings; 8) the proportionality of the measures for the enforcement of decisions and the amount of claims by decisions; 9) ensuring the right to appeal deci-

sions, actions or omissions of state and private performers.

It is unjustified, considering the presented norms, to use different terms in laws that are adopted at the same time and regulate enforcement proceedings. “Norms” and “principles” are not identical concepts. The term “norm” is broader in its content and also covers the phenomena that are outlined by the “principle” category [7]. Principles of enforcement proceedings are duplicated, the principle of independence remains the same as the first rule, and the second is the provision of the right to appeal decisions, actions or omissions of state and private performers.

Let us analyse the presented principles in view of the system of enforcement of decisions we are investigating.

The rule of law principle. The rule of law is reflected in the fact that the laws must comply with the law as the measure of equal to all freedom and justice, in laws, it is necessary to restrict the private arbitrariness of both individual and state for the benefit of society [8, p. 188].

The observance of the principle of the rule of law in state administration for enforcement decisions depends on: respect for a person in the process of proceedings; actual, and not declarative equality of all before the law; balance of interests of society; subordination of the activities of all state institutions to the needs for realization and protection of human rights; not only the regulation of human rights and freedoms as the main duty of the state, but also the real guarantee of the realization of these rights; ensuring the right to appeal decisions, actions or omissions of public and private performers.

The principle of legality in the enforcement of decisions involves a condition where the enforcement legal relationship does not contradict the rules of law proclaimed in the interests of society; when the laws are observed by the participants steadily, when the rights and freedoms of participants in the enforcement proceedings are not violated; when the activity of private and public performers is under control.

The Constitution of Ukraine, the procedural codes of Ukraine guarantee the principle of compulsory execution of decisions. It should be noted that any court decision and decisions of other bodies (officials) is an individual act, but its non-fulfilment causes significant harm not only to a person whose interests are not secured, but also the public order. In addition, the fact of non-execution of the decision violates such principles of enforcement as the rule of law, legality, etc. If we investigate the factors that create the extremely unsatisfactory state of voluntary and then enforcement execution of decisions, we can distinguish, in addition to subjective factors, also objective ones: organizational factors (ineffective organization of enforcement bodies of Ukraine), economic problems in the state.

As a result, as G. Ognevyuk rightly states, a situation is created in which a citizen used all the possibilities provided by the state to protect his violated right, but did not receive the actual provision of his right [9, p. 174].

The principle of independence from public authorities, institutions and officials, as well as local authorities and self-government bodies, public associations should be expressed in a competent public and private performers

conscientious performance of their duties, the priority of public interests over departmental or own. The principle of independence should protect performers from outside influences, from unskilled recommendations, preconceived opinions of people who have no professional training, can not give a scientifically based assessment of a particular activities, decisions, events, that are relevantly accepted, take place in the enforcement of decisions. In its turn, independence does not imply that the enforcement bodies of Ukraine become exempt from assessments of their activity, from liability for its consequences.

Part 2 of Article 16 of the Law of Ukraine "On the Bodies and Persons Carrying Out Enforcement of Court Decisions and Decisions of Other Bodies" regulates that the private official is the subject of independent professional activity. However, the next article, 17, of this Law indicates that the state regulation of the activity of a private official is carried out by the Ministry of Justice of Ukraine. This ministry regulates the activities of state performers as well. As a pretty abstract we consider Art. 9 of the Law of Ukraine "On Bodies and Persons Enforcing Enforcement of Judgments and Decisions of Other Bodies", which states that the independence of state performers from the influence or interference in their enforcement activities is guaranteed by: 1) a special procedure for financing and material and technical provision of state executive service bodies; 2) an effective mechanism for motivating state performers; 3) transparency of enforcement activities; 4) in another way, determined by law. In view of this, we consider it

doubtful that the subjects of enforcement proceedings are independent.

Justice, impartiality and objectivity. The principle of equity in the field of study manifests in particular: in the equality of all before the law, the proportionality of enforcement measures and the volume of claims by decisions. Impartiality manifests in: making decisions, committing acts that do not depend on the preference and interests of both public and private performers; in protecting the rights, freedoms and legitimate interests of a person irrespective of sex, race, nationality, language, origin, property and official position, place of residence, attitude to religion, beliefs, membership in social associations, and other circumstances; in the existence of enforcement of such institutions as “recusal” and “self-recusal”.

Objectivity as a principle of the functioning of the Enforcement Service of Ukraine manifests itself in the strict conformity of the actions of the performers with the normatively declared competence; exclusion of any personal motive; impartiality; the exclusion of material (except for the statutory), physical and moral influence on public and private performers.

The principle of discretion of enforcement proceedings manifests itself in the ability of participants in enforcement relations to exercise their subjective rights at their discretion. The state guarantees them free access to their rights. Other participants in the legal relationship are obliged not to impede the person, who owns the subjective right, in its implementation.

Publicity and openness of enforcement proceedings and their fixation by technical means. Publicity is an ac-

cess to full and reliable information on debtors, on the results of enforcement proceedings. The principle of openness means both the openness of access to the service in the executive power bodies, as well as the constant ability of citizens to receive adequate information about the various institutions of executive power [10, p. 15]. This definition can undoubtedly apply to the authorities of the enforcement system of Ukraine. At the same time, information obtained during the enforcement proceedings, access to which is limited by law, can be used only in accordance with the requirements of the law. That is, openness and publicity correspond with professional secrecy during the enforcement proceedings. The principle of fixation enforcement proceedings by technical means exercises through the right granted to the official to use photo and film shooting, video recording (paragraph 17, part 3, Article 18 of the Law of Ukraine “On Enforcement Proceedings”) during the enforcement of decisions.

Reasonableness of the terms of enforcement proceedings. The terms in the enforcement proceedings are periods of time within which the participants in the enforcement proceedings are obliged or have the right to make a decision or to act. The time limits in the enforcement proceedings are established by law, namely Section II of the Law of Ukraine “On Enforcement Proceedings”, and if they are not specified by law, they are set by the official, that is, they are of an appraisal nature.

The principle of proportion of measures of enforcement of decisions and volume of claims by decisions provides that the foreclosure on the debtor’s property is to the amount and scope

necessary for the implementation by an enforcement document, including charging enforcement fee, costs of enforcement proceedings, fines imposed on the debtor during enforcement proceedings, the main reward of a private official. The time will show if this principle will defend the debtor from the possible manifestations of arbitrariness on the part of the performers.

The principle of ensuring the right to appeal decisions, actions or omissions of state performers, private performers. Thus, Article 74 of the Law of Ukraine “On Enforcement Proceedings” regulates the right to appeal decisions, actions or omissions of the state performers and officials of the bodies of the State Enforcement Service in certain cases to the court, either to the administrative court or to the head of the department, which the state official is directly subordinated to. Article 37 of the Law of Ukraine “On Bodies and Persons Enforcing Enforcement of Court Decisions and Decisions of Other Bodies” stipulates that a private official shall bear the civil, administrative or criminal liability for his decisions, actions or omissions in the order and volumes established by law, as well as disciplinary liability in the manner prescribed by law.

Summary. Consequently, the principles of the activity of the enforcement bodies of Ukraine, private performers play an important role as theoretical foundations, the basis of the activities of state and private performers, which determines the effectiveness and efficiency of this system. At the same time, we observe an uneven list of principles in “related” regulations, and even the use of different terms, namely, “princi-

ples” and “norms”. The principles analyzed are mostly constitutional rather than special procedural ones, which are inherent to the enforcement bodies of Ukraine, to private performers. In addition, the Laws under study do not contain separate articles that would disclose the content of these principles, and this raises the ambiguity of the content of such principles. We believe that the list of these principles should be supplemented, for example, by the following principles: the principle of equal competition between public and private performers through the balance between them; the principle of the responsibility of the enforcement bodies, their officials and private performers for damage caused as a result of violations of regulatory requirements; the principle of introducing effective incentives for voluntary implementation of decisions; the principle of professionalism and competence.

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CATEGORIZATION OF PUBLIC-PRIVATE PARTNERSHIP IN THE CONCEPTUAL SPACE OF THE SOCIAL STATE

Abstract. The article studies the problematic issues of scientific understand-
ing and the correlation of the notions of public-private/public-private partner-
ship in a categorical series of concepts that reveal the essence and mechanisms of
the functioning of a social state in the theory of public administration.

Is done semantic analysis a family of related scientific categories ‘social part-
nership’, ‘public-private partnership’, ‘intersectoral partnership’, ‘state-private
partnership’ and ‘municipal-private partnership’, which mean the same process
and are different only the definition of the range of subjects of social action in the
application of public dialogue and the implementation of social policies aimed at
building a social state in Ukraine.

It is argued that in the course of state-private partnership, the satisfaction
of the society with the activities of state and local authorities, which, in turn,
forms the trust of the people in power, stimulates them to fulfil their duties bet-
ter. And this is a prerequisite for ensuring well-being in the country as a whole.
Thus, the mechanism of public-private partnership is one of the key elements of
a public (social) dialogue in the discursive space of state social policy that brings
Ukraine closer to Europe, promotes the formation of a socially oriented economy
and socially responsible governance as crucial elements for the development of a
social state. Meanwhile, there is still no steady practices of partnership between

public administration and civil society institutions in areas such as the formation of public policy, its monitoring, public control over the activities of central executive authorities, local governments, and budget financing agencies, etc. at present.

The article reveals the importance of public-private partnership as a key mechanism of the state's social policy aimed at achieving the Sustainable Development Goals for Ukraine.

Keywords: public-private partnership, public-private partnership, Sustainable Development Goals, social partnership, social policy.

КАТЕГОРИЗАЦІЯ ПУБЛІЧНО-ПРИВАТНОГО ПАРТНЕРСТВА В ПОНЯТІЙНОМУ ПРОСТОРІ СОЦІАЛЬНОЇ ДЕРЖАВИ

Анотація. Досліджуються проблемні питання наукового розуміння та співвідношення поняття публічно-приватного/державно-приватного партнерства у категоріальному ряду понять, що розкривають сутність та механізми функціонування соціальної держави в теорії публічного врядування.

Зроблено семантичний аналіз сімейства споріднених таких наукових категорій: “соціальне партнерство”, “публічно-приватне партнерство”, “міжсекторальне партнерство”, “державно-приватне партнерство” та “муніципально-приватне партнерство”, котрі означають один і той самий процес та відрізняються лише визначенням кола суб'єктів соціальних дій в ході застосування публічного діалогу та реалізації соціальної політики, спрямованої на розбудову соціальної держави в Україні.

Стверджується, що в ході державно-приватного партнерства виникає задоволеність суспільства діяльністю державних та місцевих органів влади, котра, у свою чергу, формує у громадян довіру до влади, стимулює їх до кращого виконання своїх обов'язків, а це є передумовою забезпечення добробуту в країні загалом. Отже, механізм публічно-приватного партнерства є одним з ключових елементів публічного (соціального) діалогу в дискурсивному просторі державної соціальної політики, що наближує Україну до Європи, сприяє формуванню соціально орієнтованої економіки та соціально відповідального врядування як визначальних елементів розбудови соціальної держави. Проте наразі відсутні сталі практики партнерства інститутів державного управління та громадянського суспільства в таких сферах, як формування державної політики, її моніторинг, громадський контроль за діяльністю центральних органів виконавчої влади, органів місцевого самоврядування, установ з бюджетним фінансуванням тощо.

Розкривається значення публічно-приватного партнерства як ключового механізму соціальної політики держави, спрямованої на досягнення цілей сталого розвитку для України.

Ключові слова: публічно-приватне партнерство, державно-приватне партнерство, цілі сталого розвитку, соціальне партнерство, соціальна політика.

КАТЕГОРИЗАЦИЯ ПУБЛИЧНО-ЧАСТНОГО ПАРТНЕРСТВА В ПОНЯТИЙНОМ ПРОСТРАНСТВЕ СОЦИАЛЬНОГО ГОСУДАРСТВА

Аннотация. Исследуются проблемные вопросы научного понимания и соотношения понятий публично-частного/государственно-частного партнерства в категориальном ряду понятий, раскрывающих сущность и механизмы функционирования социального государства в теории публичного управления.

Сделан семантический анализ семейства родственных таких научных категорий: “социальное партнерство”, “публично-частное партнерство”, “межсекторальное партнерство”, “государственно-частное партнерство” и “муниципально-частное партнерство”, означающие один и тот же процесс и отличающиеся только определением круга субъектов социальной деятельности в ходе применения общественного диалога и осуществления социальной политики, направленной на развитие государства всеобщего благосостояния в Украине. Утверждается, что в ходе государственно-частного партнерства возникает удовлетворенность общества деятельностью государственных и местных органов власти, которая, в свою очередь, формирует доверие граждан к органам власти, стимулирует их лучше выполнять свои обязанности, а это является предпосылкой обеспечения благосостояния страны в целом. Таким образом механизм государственно-частного партнерства является одним из ключевых элементов публичного (социального) диалога в дискурсивном пространстве государственной социальной политики, приближающей Украину в Европу, способствующей формированию социально-ориентированной экономики и социально ответственного управления как определяющих элементов социального государства. Однако сейчас еще отсутствуют стойкие практики партнерства институтов государственного управления и гражданского общества в таких сферах, как формирование государственной политики и ее мониторинг, общественный контроль над деятельностью центральных органов исполнительной власти, органов местного самоуправления, учреждений с бюджетным финансированием и т. д.

Раскрывается значение государственно-частного партнерства как ключевого механизма социальной политики государства, направленной на достижение целей устойчивого развития для Украины.

Ключевые слова: публично-частное партнерство, государственно-частное партнерство, цели устойчивого развития, социальное партнерство, социальная политика.

Introduction. The third millennium of life, has reached a critical point. The world community has twice returned to this issue at the highest level of the UN Summit: 189 countries of the world

adopted the Millennium Declaration in 2000, and the United Nations Summit on Sustainable Development and the adoption of the new Human Development Agenda adopted the Final Document 'Transforming Our World: An Agenda for Sustainable Development to 2030' in the framework of the 70th session of the UN General Assembly in New York in 2015. This document contains 17 Global Sustainable Development Goals, deployed and detailed in 169 tasks.

Ukraine, like most other countries of the world, has acceded to these commitments and has done the appropriate work to adapt them to the specifics of national development. On September 15, 2017, the Government of Ukraine presented the National Report 'The Objectives of Sustainable Development: Ukraine', which defines the basic indicators for achieving the Goals of Sustainable Development, hereinafter referred to as the GSD. The report presents the national system of the GSD containing 17 goals detailed in 86 development tasks and 172 indicators for monitoring their implementation in four areas as follows:

1. Fair social development;
2. Sustainable growth and employment;
3. Effective management;
4. Environmental equilibrium and sustainable development.

One of Ukraine's tasks is to develop partnerships between government and business to achieve the Goals of Sustainable Development, measured by the number of public-private partnership projects [11, p. 124–125].

All this leads to a revival of scientific interest in the consideration of the phe-

nomenon of public-private partnership, especially in its relationship with the categories of social state and social development, which are enshrined as one of the key areas of the GSD.

Analysis of recent scientific research. The problems of state-private sector partnership development in modern scientific discourse (both foreign and domestic) are being studied quite actively. In particular, among the most recent publications tangible to the goal, attention is paid to the work of such researchers as V. Butenko [1], O. Vasylieva [2], N. Hvozdyk [3], M. Deich [4], K. Dubych [5], M. Koliada [7], S. Maistro [9], O. Makara [10], V. Mamonova [11], O. Siduniak [14], and others. This year was published an interesting and fairly lengthy, both in the amount and scope of scientific and analytical research specialist of both the World Bank specialist Jeffrey Delmon [18] and Joshua Newman of the Australian University of Flinders [21].

Problem statement. The mentioned authors reveal certain aspects of public-private partnership, however, they did not focus on the complex study of scientific understanding and the relation between the concept of public-private and state-private partnership in a number of concepts that reveal the essence and mechanisms of the functioning of a social state in the theory of public administration. That is precisely the purpose of this scientific intelligence.

Description of the main results of the study. Historically, the same phenomenon of joint actions on the basis of partnership relations between state authorities, local self-government, business structures and civil society or-

ganizations in Western European and national science is called something different, as it would sound in the literal translation. The term '*Public-Private Partnerships*' (PPP) is widely used, which literally means 'public-private partnerships' (PPP), while Ukraine, along with most CIS countries, operates on the concept of '*State-Private Partnership*' (SPP) for the EU and North America and Australia.

In our opinion, this kind of interpretation in the post-Soviet space was reflected in the perception of the state as the dominant subject of relations with other traditional sectors (business and civil society) in the post-Soviet space. In the context of the European integration course, Ukraine should also have the appropriate 'decommunization' of similar scientific terms bearing the expressive burden of the state as a social dominant. The processes of decentralization, started in our country, are gradually bringing Ukraine closer to Europe, where public authorities, in particular, the bodies of public governance, in the sense of the equal role of these bodies of state executive power, as well as municipal bodies, institutions, are no longer playing a role in social and political life civil society, involved in the development and implementation of public policy.

At the same time, the categorical West-based phrase 'Public Private Partnership' is wider in its interpretation than its Ukrainian counterpart, since the definition of 'public', among the entities of the relevant partnership, refers not only to state authorities but also establishments and institutions of local self-government and institutions of civil society that is, all social forces

which aim to achieve certain public interests. In turn, the definition of '*private*' to the range of subjects of the partnership does not refer to a specific individual, but representatives of business, economic sector, at the disposal of which there are financial and other resources and the main purpose of which is to generate profit or increase social capital campaign, its image through participation in socially significant projects.

A short definition of the World Bank is typical in this regard: 'public-private partnership is an agreement between public and private partners seeking to produce and provide infrastructure services whose purpose is to increase the efficiency of budget financing and investment attraction' [17]. The European Commission adds to this definition the 'division of powers and responsibilities, joint investment of resources, distribution of responsibility or risk and, ideally, benefits' [19].

On this basis, we consider the wider use of the notion of 'public-private partnership', which is wider than the 'state-private partnership' commonly accepted by us, due to the expansion of the subjects of such a partnership (because the second concept leaves only the state as the designated subject not taking into account the possibility of participation in similar projects of other bodies of public authority, in particular local self-government bodies by definition). In this case, in the case where the partnership agreement is bilateral and is concluded between the private investor and the state body, we can speak about the identity for such a case of both above mentioned terms.

Finally, a simple syntactic analysis of the exploratory definition as a compound phrase clearly indicates the process, the action (partnership) and the subjects of this process (state and private structure). But even in the encyclopaedia of public administration, the SPP is disclosed as 'a form of cooperation between public authorities and a private institution' (*i. e. 'In a clear sense, not as SPP, but as the PP', the author said*) further: 'regarding the provision of services in areas that are commonly considered recipients of budget financing' [11, p. 79] ('*Today, more and more recipient recipients of budget financing go to the municipal government, not the state but the public authorities in Ukraine*', the author said).

In the same vein, with the isolation of all subjects of public governance, and not just state bodies, M. Solodarenko gives his definition of state-private partnership, under which such '*a partnership*' should be understood as legal, voluntary and mutually beneficial cooperation between the state, local self-government bodies and private business, during which the union of resources and interests of the parties takes place, the distribution of rights in certain proportions, responsibilities, results and risks for the effective implementation of investment projects and solving the problems of socio-economic development in accordance with the interests of civil society [15, p. 165]. An attempt to squeeze out all possible partners of the partnership can be characterized by the attempt of N. Ilchenko to introduce into the scientific circle the concept of 'state-private-public partnership' [6, p. 34]. In the literature, you can also find rarely used constructions

'intersectoral partnership', and 'municipal-private partnership', etc.

In our opinion, the most successful is the definition of D. Grimzee and M. Lewis, which define public-private partnership as 'an agreement by which the public administration sector enters long-term contractual relations with the private sector in order to implement a private partner in the construction of public sector infrastructure facilities and managing them or for providing services (using appropriate infrastructure) to the population on behalf of the organization of the public sector' [102, p. 248].

Then we anatomize in the same semantic plan '*partnership*'. This concept necessarily implies a joint activity and a common goal of this activity. That is, the '*partnership*' as a scientific category indicates not only the partnership nature of the relations between state institutions, municipal institutions, economic institutions and public institutions, but necessarily involves the achievement of a specific goal or specific goals and objectives of public-private partnership. And at this stage, we obtain the integral unity of the micro and macro levels of society's social life, since, according to Jeffrey Delmon's definition, public-private partnership as a form of infrastructure investment at the socio-economic micro-level is crucial for achieving the main social goals of the modern state as economic growth, quality of life, reduction of poverty, access to education, and health care, etc. [18].

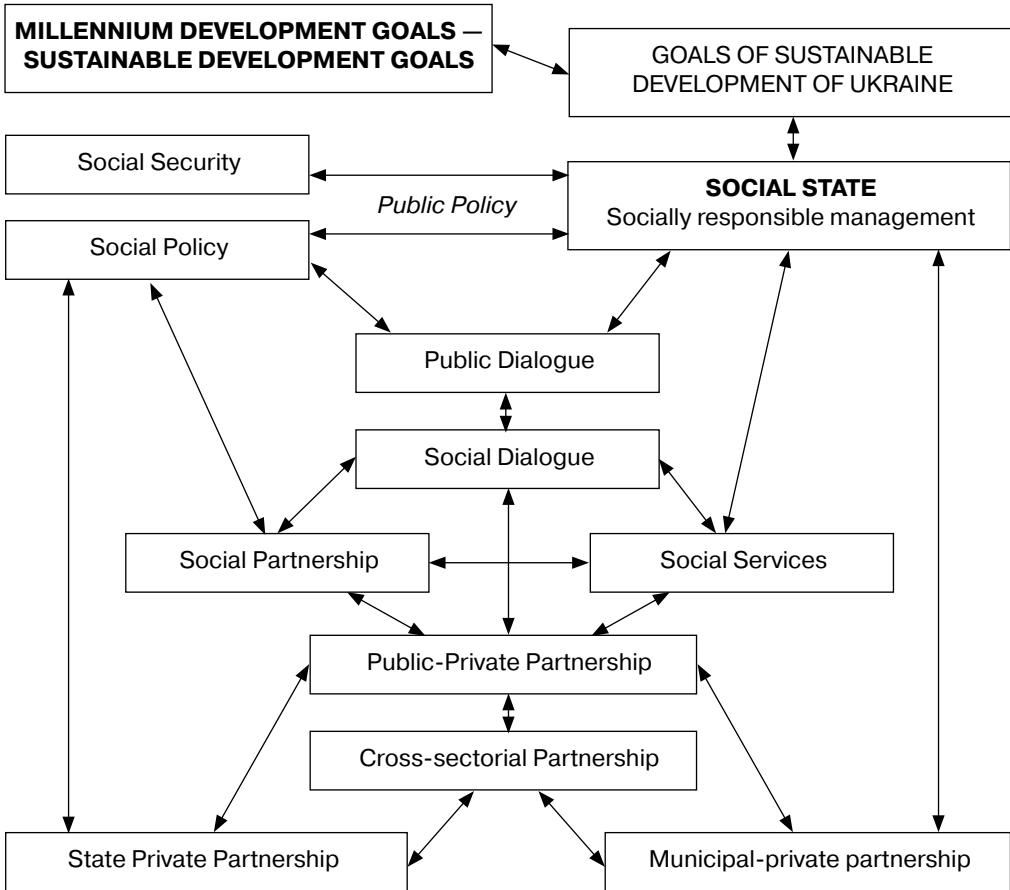
Here again, we are returning to the Goals of Sustainable Development (GSD), which, in the broadest generalization, set the task of developing a social state, and, in a concrete application,

called for ‘to stimulate and encourage an effective partnership between public organizations, between the public and private sectors and between civil society organizations, based on experience and strategy of using partner resources’ [12, p. 172].

This gives us the opportunity to try to outline and characterize the subject field of concepts that reveal the essence and mechanisms of the functioning of a social state in the theory of public administration (see Fig.). The logical chain of research leads from the universal Millennium Development Goals-

Sustainable Development Goals to the specified Sustainable Development Goals for Ukraine, in particular, with the development of a social state with a socially responsible administration in our society that should guarantee citizens the necessary social security.

M. Deich notes that socially responsible management provides for a certain level of voluntary response to social problems on the part of an entity that goes beyond the limits defined by law or regulatory authorities [4, p. 29]. At the same time, in the opinion of Professor S. Maistro, ‘the mechanism of SPP



The place of public-private partnership in the subject field of the social state

forms the basis for the joint responsibility of the state, community and business for the development of sectors of priority importance' [9, p. 246].

The tasks of building a social state are realized in the course of implementing a public policy, first of all, as a significant component of it as a social policy with its contemporary focus on widespread reform of the social sphere of Ukraine [2]. As a matter of fact, the social policy as a whole, as well as the PPP, according to Professor O. Siduniak, are intended to ensure the creation of a social infrastructure that provides a normal daily life-sustaining activity of the society [14, p. 51].

The main format of social-power interaction in a social state is recognized as a public dialogue or a social dialogue (these concepts do not have a fundamental difference, unless the first involves again greater range of subjects interaction). At the same time, specialists in public administration are more inclined to use the notion of 'public dialogue' (Professors O. Krutyi, O. Radchenko [8]), instead sociologists and lawyers widely use the concept of 'social dialogue' (M. Koliada [7]).

One of the key functions of a social state is to provide citizens with social services guaranteed by the Constitution. K. Dubych focuses on this: 'state-public, intersectoral cooperation on the provision of social services is an integral component, an important state-management mechanism that in practice enables the implementation of the principles of the provision of social services' [5, p. 120]. In the same way, O. Makarov noted the reduction of the budget deficit at all levels of public administration and the improvement of the quality of

public services through the involvement of private investors in the public-private partnership [10, p. 367].

M. Koliada shifts the logical chain from social dialogue to social partnership, emphasizing that on the one hand, social dialogue involves social partnership, but on the other hand it acts as an element of social partnership, correlating among themselves as a process and a goal [7, p. 292]. At the same time, N. Hvozdyk defines social partnership as one of the basic principles of functioning of a modern democratic society, an important instrument for the implementation of the social policy of the state, as a means of preventing and resolving social conflicts [3, p. 17]. According to the researcher, the main sphere of realization of social partnership is the sphere of social-labour relations, and its key element is social dialogue [ibid].

V. Butenko emphasizes the special role of social partnership during the development of a social state. 'Historical experience of the development of many countries has shown that eventually all countries come to understand the need to resolve social conflicts, confrontation, proceeding from economic and environmental crises through the development of such an institution as a social partnership that, under certain specific conditions, meets the needs of society and ensures social stability' [1, p. 61].

In turn, social partnership in the semantic-morphological decomposition methodology completely absorbs itself as a public-private, inter-sectorial partnership, and its structural components as public-private and municipal-private partnership (the main purpose of which Professor O. Serdiukova sees attraction of investments in development of the lo-

cal economy and ensuring the improvement of the state of the objects of state and communal property [13, p. 328]).

Thus, we can talk about a family of related scientific categories ‘social partnership’, ‘public-private partnership’, ‘intersectoral partnership’, ‘state-private partnership’ and ‘municipal-private partnership’, which mean the same process and are different only the definition of the range of subjects of social action in the application of public/social dialogue and the implementation of social policies aimed at building a social state in Ukraine.

Ukrainian officials honestly admit that, despite the fact that it has been developed a legal framework for state-private partnership for Ukraine, but the real pace of its practical application is unsatisfactory. Existing projects mainly relate to the implementation of current government procurement and do not include tangible investment components. One of the main reasons for this state of affairs is the lack of trust in the state as a business partner due to the continuing instability of public finances, the volatility of legislation with high levels of corruption, including at the level of the middle management who is responsible for implementation of state-private partnership projects. There are no steady practices of partnership between public administration and civil society institutions in areas such as the formation of public policy, its monitoring, public control over the activities of central executive authorities, local governments, and budget financing agencies, etc. at present [12, p. 125–126]. This requires more active use of the PPP tools during state-building reforms taking place in Ukraine now. The existing steps

and even the plan of the Ukrainian government are extremely scarce, because only 5 units were in 2017, 15 will be in 2022 and 30 will be in 2027 according to the mentioned National Report ‘The Objectives of Sustainable Development: Ukraine’. And despite the fact that 6 such projects, for example, were implemented in 2011 and 16 projects were implemented in 2012 in Ukraine! It turns out that our government deliberately ‘reduces the bar’, rather than focusing on leaders (the UK annually concludes up to 80 new partnership agreements, with more than 30 such agreements in the healthcare sector alone).

Conclusions. In summing up the research, we state the statement that in the course of state-private partnership, the satisfaction of the society with the activities of state and local authorities, which, in turn, forms the trust of the people in power, stimulates them to fulfil their duties better. And this is a prerequisite for ensuring well-being in the country as a whole [14, p. 52]. Thus, the mechanism of public-private partnership is one of the key elements of a public (social) dialogue in the discursive space of state social policy that brings Ukraine closer to Europe, promotes the formation of a socially oriented economy and socially responsible governance as crucial elements for the development of a social state.

Prospect for further research is the need to study the development of the institutional environment of state-private partnership; improvement of the mechanism of public administration in the field of ensuring the development of such a partnership; improving the effectiveness of the public support mechanism in state-private partnership.

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TRANSFORMATION OF CONCEPTUAL APPROACHES OF PROFESSIONAL AND AMATEUR ARTS IN THE SPHERE OF GOVERNMENT MANAGEMENT

Abstract. Arts turned to the background of the attention of public administration proceeding from the fact that our country is in a rather difficult political and economic situation. Therefore, it is not surprising that globalization processes affect the weakest, from a managerial point of view, state-building aspects. Art is the philosophical and spiritual layer of social consciousness, which is not manifested as clearly as, for example, some industrial branches, but its significance does not become less from it. The proof of the magnitude development of arts' state management is an example of some negative globalization impact on modern Ukrainian society. Also relevant is the consideration of the conceptual public administration approaches to professional and amateur arts, their transformation into modern conditions of society development. The transformation of conceptual approaches to public administration is dedicated to a large number of studies by leading Ukrainian scholars. Each of them made a significant contribution to the

state-management transformations development of almost all branches of government.

The aim of the article is to consider the conceptual approaches of public administration transformation to professional and amateur arts through the analysis of scientific research of modern Ukrainian scholars.

In the management there is always a public authority or its official, the other part is a citizen, or an association of citizens, an enterprise, an institution, an organization. And if in public administration a citizen is the main subject of public-legal relations, then public administration of professional and amateur art aims more broad on the population of the country.

It has been concluded that in the broad sense the state administration of art will be understood as a system of social development management. This is disclosed through the activities of public administration and local government. They are fully accountable to the public and operate in their interests, with the help of co-ordination of decisions on the development and implementation of state policy on the development of professional and amateur art.

Keywords: systemic approach, amateur, professional, art, state administration, transformation.

ТРАНСФОРМАЦІЯ КОНЦЕПТУАЛЬНИХ ПІДХОДІВ ДО ПРОФЕСІЙНОГО ТА АМАТОРСЬКОГО МИСТЕЦТВ У СФЕРІ ДЕРЖАВНОГО УПРАВЛІННЯ

Анотація. Виходячи з того, що Україна перебуває у досить складному політично-економічному становищі, мистецтво відійшло на другий план уваги державного управління. Тому й не дивно, що глобалізаційні процеси вражають саме слабкі, з управлінської точки зору, державотворчі аспекти. Мистецтво є філософсько-духовним шаром суспільної свідомості, яка не виявлена так чітко, як, наприклад, промислові галузі, але значущість мистецтва від цього не стає меншою. Доказом неабиякої ваги розвитку державного управління мистецтвом є приклад негативного впливу глобалізації на сучасне українське суспільство. Також актуальним є розгляд концептуальних підходів державного управління до професійного та аматорського мистецтв, їх трансформація до сучасних умов розвитку суспільства. Трансформації концептуальних підходів державного управління присвячено чимало досліджень провідних українських вчених. Кожен з них вніс вагомий внесок у розроблення державно-управлінських трансформацій практично всіх галузей управління державою.

Розглянемо трансформації концептуальних підходів державного управління до професійного та аматорського мистецтв за допомогою аналізу наукових досліджень сучасних українських науковців.

В управлінні однією зі сторін завжди є орган публічної влади чи його службова особа, другою стороною — громадянин, або об'єднання громадян, підприємство, установа, організація. І якщо у публічному управлінні саме громадянин є головним суб'єктом публічно-правових відносин, то у дер-

жавному управлінні професійним і аматорським мистецтвом — населення країни.

У широкому розумінні державне управління мистецтвом розумітиметься як система управління суспільним розвитком. Це розкривається через діяльність органів державного управління та місцевого самоврядування. Вони є цілком підзвітними суспільству, і здійснюють діяльність в його інтересах за допомогою скоординованості рішень з розробки та реалізації державної політики розвитку професійного та аматорського мистецтва.

Ключові слова: системний, підхід, аматорське, професійне, мистецтво, державне управління, трансформація.

ТРАНСФОРМАЦИЯ КОНЦЕПТУАЛЬНЫХ ПОДХОДОВ К ПРОФЕССИОНАЛЬНОМУ И ЛЮБИТЕЛЬСКОМУ ИСКУССТВУ В СФЕРЕ ГОСУДАРСТВЕННОГО УПРАВЛЕНИЯ

Аннотация. Учитывая то, что наша страна находится в достаточно сложном политико-экономическом положении, искусство отошло на второй план внимания государственного управления. Следовательно неудивительно, что глобализационные процессы поражают слабые, с управленческой точки зрения, государственные аспекты. Искусство является философско-духовным слоем общественного сознания, который не проявлен так четко, как, например, промышленные отрасли, но его значимость от этого не становится меньше. Доказательством важности развития государственного управления искусством является пример негативного влияния глобализации на современное украинское общество. Также актуально рассмотрение концептуальных подходов государственного управления к профессиональному и любительскому искусству, их трансформация в современных условиях развития общества. Трансформациям концептуальных подходов государственного управления посвящено немалое количество исследований ведущих украинских ученых. Каждый из них внес весомый вклад в разработку государственно-управленческих преобразований практически всех отраслей управления государством.

Рассмотрены трансформации концептуальных подходов государственного управления профессиональным и любительским искусством на основе анализа научных исследований современных украинских ученых.

В управлении одной из сторон всегда выступает орган публичной власти или его должностное лицо, другой стороной — гражданин или объединение граждан, предприятие, учреждение, организация. И если в публичном управлении гражданин является главным субъектом публично-правовых отношений, то в государственном управлении профессиональным и любительским искусством — все население страны.

В широком смысле государственное управление искусством должно пониматься как система управления общественным развитием. Это раскрывается благодаря деятельности органов государственного управления и местного самоуправления. Данные структуры полностью подотчетны обществу, и осу-

ществляют деятельность в его интересах, с помощью скоординированности решений по разработке и реализации государственной политики развития профессионального и любительского искусства.

Ключевые слова: системный, подход, любительское, профессиональное искусство, государственное управление, трансформация.

Target setting. Proceeding from the fact that our country is in a rather difficult political and economic situation, arts turned to the background of the attention of state administration. Therefore, it is not surprising that globalization processes affect the weakest, from a managerial point of view, state-forming aspects. Art is the philosophical and spiritual layer of social consciousness, which is not manifested as clearly as, for example, some industrial branches, but its significance does not become less. As a proof that the author's assumption of this scientific article about a great significance of developing state art management is important, one can cite the example of the negative global impact on modern Ukrainian society. Well-known Ukrainian scientist, Radmila Voytovych, believes that today globalization "leads to the redistribution of intellectual resources between states (more powerful in the socio-economic and political plans of the state use the potential of less developed countries to realize their own interests), the question arises about the development of effective mechanisms for the protection of their intellectual resources. One of such mechanisms should be the development of an appropriate regulatory framework that clearly regulates relations between states regarding the attitude not only to the intellectual but also to a human potential in general" [1,

p. 293]. Consequently, the relevance of considering the conceptual approaches of state administration to professional and amateur arts, their transformation to modern conditions, does not cause any doubt.

Analysis of recent research and publications. A large number of studies by leading Ukrainian scholars as for the transformation of conceptual approaches to state administration are dedicated. Each of scientists made a significant contribution to the development of state-management transformations of almost all branches of government. Candidate of Economic Sciences, Associate Professor G. S. Shevtsova investigated the transformation of conceptual approaches to the management of the chemical industry development in the context of neoindustrialization [2]. The conceptual foundations of the study of political regimes' transformation in terms of the transitological approach are described by Ukrainian researcher L. Priyamak [3]. The transformation of the approaches to the choice of regulatory models of foreign trade by the Professor L. P. Kudirko's scientific research is devoted [4]. Doctor of Philosophy, professor O. S. Tokovenko devoted his scientific research on the transformation of the conceptual foundations of political science in the cultural-historical context [5]. Under the influence of globalization, the trans-

formation of migration processes by the Ukrainian researcher M. Kurilich [6] was researched. Another scientist, V. P. Kozub, conducted a theoretical analysis of the social conditionality of the concepts of “new management”, “receptive administration” and analyzed the characteristics that distinguish the “networking society” from other forms of management activity in the field of public needs and interests [7].

The purpose of the article — based on the analysis of scientific research of contemporary Ukrainian scholars, to consider the transformation of conceptual approaches of state administration to professional and amateur arts.

The statement of basic materials. Ukrainian scientists L. G. Chernyuk and T. Pepa studied the conceptual foundations of the transformation and systematic organization of social infrastructure. Scientists emphasize that “the main driving force of the modern civilization process is the humanitarian factors — education, science, culture, health, personal qualities, values, and outlook of a person. Based on our European choice, our country has initiated the process of transformational change, laying the foundation for its further development of the interests of man, his desire to live in harmony with world values, with society and nature”. According to scientific point of view, such strategic priorities are embodied in the concept, the main idea of which is contained in the principle approach, which offers integration into a single system of all humanitarian factors of social development. They, in turn, act as factors for the integration and consolidation of Ukrainian society. “The task of the concept is to find the answers to the

demands of transformation facing the modern country. One of the priorities in the formation of a knowledge society is the creation of a developed national information space and an information society” [8, p. 19].

Ukrainian scientist V. P. Kozub notes that “the redefinition of the content and direction of public administration reform from the point of view of further democracy improvement and the development of the law state rule is facilitated by the fundamental changes in the external globalized world that take place at the beginning of the 21-st century, and in particular, the transformation of essence and role state in society, the development of information technology, dissatisfaction of citizens with fairly rigid bureaucratic forms of government” [7, p. 1].

The transformation of conceptual approaches to professional and amateur arts can be considered through the prism of public administration. Doctor of Sciences in Public Administration, Associate Professor and Professor of the Chair of Law and European Integration, Vitaliy Bashtannik, describes public administration as an extremely wide area of social management in regulated social relations. The author of this scientific article agrees with V. Bashtannik’s point of view that practically there is no such “sphere of public life, where the norms of public law and administration” would not operate [9, p. 6]. In public administration, always one of the parts is always a public authority or its official, the other is for the citizen, or an association of citizens, an enterprise, an institution, an organization. And if in public administration it is the citizen who is the main sub-

ject of public-legal relations, then the state administration of professional and amateur art aims wider, that is, on the population of the country. Under such conditions, in my opinion, the problem of humanization of public administration is being updated. Professor V. Bashtanyk also finds a similar view that there is “the humanization at the present stage of state formation, the establishment of peculiarities of the formation of organizational and legal mechanisms for its implementation of the humanization factor in the reform of public administration”. And it is necessary [10, p. 6].

Openness of the state administration system is a complex administrative system, where the principles, mechanisms, forms and methods of “territorial governance with the strengthening of tools and mechanisms of powers’ delegation, the construction of multilevel, vertically integrated management structures” are constantly being harmonized [9, p. 6].

According to V. A. Grigorieva, “the process of releasing from the conservative components that prevent the system from crisis, and the emergence of new mechanisms is characterized by an increase of the self-development and self-organization levels. It should be noted that the management strategy does not always coincide with the main tendencies of self-organization. There are many disagreements, contradictions and inconsistencies” [11, p. 4]. As in all other areas of state administration, such phenomena have historical roots, as in the processes of domestic organization and self-organization, the state has been a leading factor for a long time. The period of building society and

reforming the cultural industry during the years of independence was marked by a significant weakening of the state role, which led to the destruction and instability of the system” [11, p. 4].

The openness of the state administration system will determine a qualitatively new direction of research. Therefore, the study of theoretical and methodological foundations of the state administration transformation in the field of professional and amateur arts’ development acquires systemic constancy. The management by this system is basic, it will have a fundamental characteristic for the stable functioning of professional and amateur arts. “For this reason, the transformational process of public administration must be determined by studying the factors (regulators) that stabilize the system (both predicted and spontaneous). It is necessary to identify the areas of public interest (relations), achieve stability and isolate the sphere of social relations that meets the requirements of stability for all others” [9, p. 10].

In terms of the systematic approach, we believe that professional and amateur art is a flexible, open system of development. This is a complex, “the institutions of which are capable of rebuilding, change their structure in view of the processes of self-organization” [9, p. 4]. Management of the open system of professional and amateur arts can be considered as the interaction of self-regulatory capabilities of decentralized cultural management bodies with external state regulation, which will be limited to monitoring and evaluation of the system’s activities in order to achieve the expected result [9, p. 4].

Thus, the determination of the process of state art management, in my opinion, will be carried out through the improvement of financial and economic factors that will stabilize its development. The author of this scientific article defines the sphere of public interest in the management of professional and amateur art as a spiritual and patriotic resistance of the population of our country to globalization processes. As a result, stability of social relations in the population of the country is achieved, which will correspond to the stability of all other components of the state. Thus, the sphere of state administration of professional and amateur art reform should be based on the democratization of managerial relations in accordance with the principles of separation of powers, openness, society control, provided that social interaction as a result of reconciling the interests of the population. "The transformation of society in the direction of democratic transformation acts as a process of formation of democratic institutions, and democracy defined as a certain system of development and completion of inter-group conflicts in society" [10, p. 5].

According to the Ukrainian researcher O. Karmazin, the science of state administration is "practically oriented, closely related both to the direct activities of the authorities, and with the relevant branch of education, which provides the training of qualified specialists for work in these spheres, the concept of public administration appears extremely valuable, and the specification of the forms of publicity is really in demand, since public administration integrates social management, regulation of social relations and

the organization of state power" [12, p. 10]. Thus, the authorities, using education, are capable to influence the spiritual development of the population by means of forming a relation to the finished product of professional and amateur arts. As a result, the qualifications of specialists as bodies of power, state administration, and other branches will contribute to the patriotic population increase the country as a whole.

Conclusions. In the broad sense, state management of art, in our opinion, can be understood as a system of social development management. This is disclosed through the public administration and local government the activities. They are fully accountable to the public and operate in their interests, with the help of co-ordination of decisions on the development and implementation of state policy on the professional and amateur arts' development.

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EXPERIENCE OF ADVANCED COUNTRIES IN APPLICATION OF PRE-TRIAL SETTLEMENT IN CONSTRUCTION

Abstract. The paper highlights the practice of pre-trial settlements in the sphere of construction in advanced countries of the world. Specific features of scientific theoretical approaches to dispute settlement in construction works have been substantiated. The international experience of advanced countries in application of the mechanisms for alternative dispute resolution has been analyzed, and a comprehensive research into international legal acts has been conducted. The vector of priority directions and ways to introduce the alternative mechanisms in the conditions of the Ukrainian state are determined. It is proposed to achieve the desired results by applying the discussed forms under administrative system reform.

It is noted that today the Ukrainian state is only at the stage of creating an alternative dispute resolution model in construction. It is noted that the idea of introducing this practice in the domestic legal system is supported by a wide range

of specialists. Such an interest corresponds to the desire of Ukraine to harmonize national legislation. It is grounded that the definition of priority directions and ways of introducing alternative mechanisms in the field of construction in Ukraine is to apply foreign experience in the context of reforming the modern political system, namely decentralization. It is the application of the proposed model that should be implemented at the state, regional and local levels, legally consolidate it and solve urgent problems. Such a systematization, in my opinion, will lead to a more objective and perfect settlement of disputes over a short period of time. It is noted that nowadays there is a considerable scientific interest in this issue, the expediency of using alternative mechanisms in the Ukrainian state is solved. However, this is a rather controversial issue, so there is a need for a comprehensive study of experience in foreign countries and the identification of priority areas and ways of applying experience in modern conditions in Ukraine.

Keywords: pre-trial settlement, alternative dispute resolution, mediation, arbitration, Dispute Review Board, Dispute Adjudication Board.

ДОСВІД ЗАСТОСУВАННЯ ДОСУДОВОГО ВРЕГУЛЮВАННЯ СПОРІВ У СФЕРІ БУДІВНИЦТВА В РОЗВИНЕНИХ КРАЇНАХ

Анотація. Висвітлено досвід застосування досудового врегулювання спорів у сфері будівництва розвинених країн світу; обґрунтовано особливості науково-теоретичних підходів щодо врегулювання спорів у сфері будівництва; проаналізовано світовий досвід розвинених країн у застосуванні механізмів альтернативного вирішення спорів, а також здійснено комплексне дослідження міжнародно-правових актів зарубіжних країн; визначено вектор пріоритетних напрямів та шляхів впровадження альтернативних механізмів вирішення спорів в умовах української держави; запропоновано досягнення бажаних результатів шляхом застосування розглянутих форм в умовах реформування системи управління.

На сьогодні українська держава перебуває лише на етапі створення моделі альтернативного вирішення спорів у будівництві. Зазначено, що ідея запровадження даної практики у вітчизняній системі права підтримується широким колом спеціалістів. Подібне зацікавлення відповідає прагненню України до гармонізації національного законодавства. Обґрунтовано думку про те, що визначення пріоритетних напрямів та шляхів впровадження альтернативних механізмів у сфері будівництва в Україні полягає у застосуванні зарубіжного досвіду в умовах реформування сучасної політичної системи, а саме децентралізації. Саме запропоновану модель слід впроваджувати на державному, регіональному та місцевому рівнях, законодавчо закріпити її та вирішувати нагальні проблеми. Подібна систематизація, гадаємо, приведе до більш об'єктивного та досконалого врегулювання спорів за максимально короткий період часу. Зазначено, що нині спостерігається неабиякий науковий інтерес до даної проблематики, вирішується доцільність застосування альтернативних механізмів в українській державі. Однак, це досить дискусійне питання, тому

постає необхідність у комплексному дослідженні досвіду зарубіжних країн та визначенню пріоритетних напрямів, а також шляхів застосування досвіду в сучасних умовах в Україні.

Ключові слова: досудове врегулювання спорів, альтернативне вирішення спорів, медіація, арбітраж, колегія з розгляду спорів, рада з розгляду спорів, рада з врегулювання спорів, держава.

ОПЫТ ПРИМЕНЕНИЯ ДОСУДЕБНОГО УРЕГУЛИРОВАНИЯ СПОРОВ В СФЕРЕ СТРОИТЕЛЬСТВА В РАЗВИТЫХ СТРАНАХ

Аннотация. Отражен опыт применения досудебного урегулирования споров в сфере строительства развитых стран мира, обосновано особенности научно-теоретических подходов урегулирования споров в строительной деятельности; проанализирован мировой опыт развитых стран в применении механизмов альтернативного разрешения споров, а также осуществлено комплексное исследование международно-правовых актов зарубежных стран; определены вектор приоритетных направлений и пути внедрения альтернативных механизмов в условиях украинского государства; предложено достижения желаемых результатов путем применения рассмотренных форм в условиях реформирования системы управления.

Отмечено, что на сегодня украинское государство находится только на этапе создания модели альтернативного разрешения споров в строительстве. Отмечено, что идея введения данной практики в отечественной системе права поддерживается широким кругом специалистов. Подобный интерес отвечает стремлению Украины к гармонизации национального законодательства. Обосновано мнение о том, что определение приоритетных направлений и путей внедрения альтернативных механизмов в сфере строительства в Украине заключается в применении зарубежного опыта в условиях реформирования современной политической системы, а именно децентрализации. Именно применение предложенной модели следует внедрять на региональном и местном уровнях, законодательно закрепить ее и решать насущные проблемы. Подобная систематизация, по моему мнению, приведет к более объективному и совершенному урегулированию споров за максимально короткий период времени. Отмечено, что в настоящее время наблюдается большой научный интерес к данной проблематике, решается целесообразность применения альтернативных механизмов в украинском государстве. Однако, это достаточно дискуссионный вопрос, поэтому возникает необходимость в комплексном исследовании опыта в зарубежных странах и определении приоритетных направлений а также путей применения опыта в современных условиях в Украине.

Ключевые слова: досудебное урегулирование споров, альтернативное разрешение споров, медиация, арбитраж, колегия по рассмотрению споров, совет по рассмотрению споров, совет по урегулированию споров, государство.

Problem statement. Today there is an increasing number of necessary decisions to settle conflicts or to prevent them, as well as to develop a variety of private legal relations arising during the construction of new buildings. Therefore, improving the application of alternative means of dispute resolution, designed to ensure effective and efficient dispute settlement in the construction industry, is one of the priorities in the construction sector in the developed countries.

This question remains relevant to all countries of the world. In this regard, it is obvious that as of today the experience developed and accumulated in the developed and emerging countries is used to carry out certain reforms in the industry and use mechanisms for obtaining positive results. The experience can become the basis for similar reforms in Ukraine and significantly facilitate reforming process by avoiding the mistakes of others. It is true that at present the global trends of the use of pre-trial settlement of disputes in this field is a sort of guarantee of implementing the constitutional right of every citizen.

To be able to directly apply this experience in the territory of the Ukrainian state there is a need in comprehensive study of the guidelines and methodological features of the most effective ways of resolving disputes which are defined in the law of many countries. A thorough study of mediation, arbitration, application of amicable settlement and expert determination, and conducting a more detailed analysis of the main directions of functioning of the Dispute Review Board (DRB) and of the Dispute Adjudication Board (DAB) are seen as a direction of priority research.

Recent research and publications analysis. As of now, the ability of legal entities to set their own rules of conduct and to monitor their implementation are getting a particular importance in the regulation of social relations. Increasing responsibility of the parties and the growth of civil participants' activity allow the state to transfer a part of its powers in certain fields to the various civil society institutions. International experience clearly demonstrates that adjudication and resolution of legal disputes is one of such areas.

Forms of alternative dispute resolution, particularly negotiation, mediation, arbitration, and mixed forms, based on the theory combined with the strategies, ethics and laws are presented in "Resolving disputes. Theory, practice and law" by J. Folberg, D. Gollann, L. Kloppenberg, T. Stipanowich [1]. Among other foreign scientists who researched on alternative dispute resolution in their scientific works are M. Vitoria [2], L. Kleye, I. Nikiforov [3], K. Kovach K. [4], C. Moore [5]. Also, these issues are reflected in the works of the Ukrainian researchers as follows: N. Daraganova [6], Z. Krasilovska [7], O. Spektor [8] and other outstanding scientists and practitioners.

Purpose of the article lies in substantiation of the peculiarities of scientific and theoretical forms regarding the application of pre-trial settlement of disputes in the construction sphere, the implementation of a comprehensive study of international legal acts in foreign countries, as well as the application of experience and definition of priority directions and ways of implementation of alternative mechanisms in Ukraine.

Presentation of the basic material.

No doubt that pre-trial settlement of a dispute in the construction industry is an open question in the current situation. Unfortunately, today there is a growing number of cases concerning non-performance of financial obligations, which also leads to increasing of accounts receivable, where late penalty results in losses for construction companies. To overcome these conflicts there is a need in solving the problem through a system of alternative dispute resolution.

“The term “Alternative Dispute Resolution” (ADR) was first used in the USA to refer to the informal conflict resolution processes. The existence of separate legal regulations in the legislation of many developed countries and the European Union legislation provides the opportunity to consider the ADR as an interdisciplinary legal Institute” [ibid, p. 5].

Alternative dispute resolution is a wide range of dispute resolution mechanisms that are of priority compared to the judicial settlement of disputes. The term “alternative dispute resolution” can be used to refer to a variety of dispute resolution mechanisms, for instance, negotiating an amicable settlement where the parties to the dispute are encouraged to conduct direct negotiations before turning to other legal mechanisms for resolving disputes.

The system of alternative dispute resolution is a set of tools and mechanisms that make up the resolution and extra-judicial procedure for settlement of disputes arising between actors of legal relations. While the ultimate goal of ADR is conflict resolution at the lowest possible cost for all parties.

As one of the forms of actor rights protection, aimed at resolving arguable issues in legal matters before referring a claim to the court, pre-trial settlement can be both mandatory and voluntary. Some laws may oblige the parties to the dispute to conduct negotiations, to undergo conciliation or mediation before referring to court. As mandatory ADR may also include cases where the parties have agreed to negotiate, undergo conciliation or mediation in the contract. In voluntary ADR referring to alternative dispute resolution mechanisms is completely dependent on the will of the parties.

Extra-judicial dispute resolution in the field of construction can be implemented in various forms. In particular, scientists distinguish:

- mediation;
- reconciliation (amicable settlement);
- expert determination or expert evidence;
- Dispute Resolution Board (DRB);
- Dispute Adjudication Board (DAB);
- Arbitration.

It should be noted that in different countries the procedure of reconciliation is enshrined in the procedural law as a stage of the proceedings.

The first attempts to make mediation mandatory were made by the supreme judicial bodies of Great Britain, the United States and some other common law countries. However, the introduction of compulsory mediation has not brought the desired effect, since the parties and their representatives considered pre-trial settlement not as a means of resolving contradictions, but

as one of the mandatory bureaucratic procedures, which should be passed additionally for further referring the case.

Mediation came to Ukraine as a tried and tested technology in mid 90-ies. Mediation centers have started to operate since 1997 in Odessa, where mediation has been applied in civil proceedings [9]. It was piloted by public “Mediation Groups” of Donetsk, Luhansk, Odesa, Kyiv, Crimea, Kharkiv in various spheres – in labour, family disputes, disputes between neighbors, civil proceedings, etc [10].

The word “mediation” itself originates from Latin and means *mediatio* – intermediation; the word “*mediation*” (eng.), “*médiation*” (fr.) have similar meaning. Mediation is commonly understood as one of the alternative ways of solving the dispute by the parties with the participation of a third party – mediator, who, by carrying out the general procedural guidance helps the parties to reach the most effective decisions on their own [11].

In the European countries the definition of mediation is based mainly on the provisions of the EU Directive on mediation. Thus, according to the Standards of conduct for mediation adopted by the Social Council on alternative methods of resolving conflicts and disputes under the Ministry of justice of the Republic of Poland of 26 June 2006, “mediation” means a voluntary and confidential process where professionally trained independent third party assists the parties by their agreement in resolving the conflict” [12].

The essence of this approach lies in imposing court costs and the costs of the party that refused from mediation, even if the decision is in its favor. As a result

of activity of the Centre for effective dispute resolution as an average only one in ten cases received for settlement were referred to the court. The result of other procedures is the conclusion of an amicable settlement agreement.

Starting from the beginning of the XXI century English courts began to apply new procedural rules. Innovations were introduced to encourage parties to resort to any alternative procedure for the resolution of their disputes, as a rule, to the assistance of a mediator. In some cases, such stimulation takes the form of punitive sanctions.

The term “mediation” is commonly used for the resolution of disputes at the conclusion of an agreement with a third, neutral party that takes up an obligation to facilitate in resolving the conflict [13].

The parties are entitled to resort to the mediator at any stage up to the court's decision. Until then, with the consensus not being reached and an amicable settlement agreement not being signed, the parties are completely free in regard to conciliation procedures with the participation of a mediator. They may terminate it at any time by referring the matter to court, refuse the services of a specific mediator by entering into an agreement with another one, suspend the negotiations.

The amicable settlement in the context of judicial proceeding acts as a mechanism, the functioning of which is possible only within a judicial process, that is, in this case we are not talking about a pre-trial resolving of the situation, but about the conflict settlement at the preparatory stage of the trial.

It is important to keep in mind that the order of entry into force is single – a

text developed by the parties is submitted for the approval of the court, then a decision is made, by which the court either approves the agreement, or rejects it and continues the hearing under the general procedure.

However, in the framework of pre-trial conclusion of the so-called amicable settlement agreement, the provisions of the FIDIC contracts expressly provide for an obligation of the parties to attempt to settle the dispute amicably (by concluding settlement agreement) not only prior to referring it to the authorised Dispute Review Board, but also after obtaining the decision of this Board.

It is true that the Dispute Review Board (DRB) implements the objectives and principles of legal proceedings operating in arbitration courts, as well as it forms the judicial practice of reviewing disputes arising in the construction sector. It is in this area where quite often there are irreconcilable contradictions and conflicts observed, which then have to be resolved during the arbitration. Parties to the arbitration agreement should be capable to act as a party to the arbitration agreement, to act in the arbitration agreement *sui juris* or on behalf of and by order of an individual or entity. These requirements can be collectively called “subjective arbitrability” [14, p. 8].

Conditions of arbitrability in foreign countries include:

- the possibility of monetary evaluation of the dispute, the availability of monetary or commercial interest (Switzerland, Germany, Greece, etc.);

- no connection of a dispute with personal and family or testamentary

relations (Italy, China, Taiwan, France, Latvia, etc.);

- no connection of a dispute with corruption or “fraud” (Hong Kong, the USA, etc.)

Formation of the Dispute Adjudication Board (DAB) as a procedure for the dispute settlement which arises out of relations relating to performance of construction works, is settled by FIDIC standard forms of contract and other construction contracts. Early editions of FIDIC standard forms of contract published before 1995 provided that authority to resolve disputes between the parties to the contract is given to the Engineer – an independent specialist or organization that not just monitors but manages the process of performance of works under the contract. Providing the Engineer with this authority was not entirely successful decision, as the Engineer, in view of his functions, is unable to act as an impartial person in resolving the dispute.

However, some scientists have different opinion regarding the appropriateness of granting the Engineer the authority in resolving the dispute. Thus, according to L. Kleye and I. Nikiforov, the Engineer is considered by the so-called FIDIC “Red” and “Yellow” Books as the first instance, which considers the dispute, makes the decision on the basis of demands (claims) of one of the parties to the contract. And the second instance is the Dispute Adjudication Board. The party dissatisfied with the engineer’s determination in accordance with the provisions of the contract may refer the dispute to the Dispute Adjudication Board [5, p. 205].

Results of law-making of some national law systems, as well as decisions

of international organizations contributed to strengthening of the role of the DAB among rights protection in the field of investment and construction activities. In mid 90^{ies} of the last century Great Britain adopted the Housing Subsidies Act and The Scheme for Construction Contracts (England and Wales) Regulations 1998 which introduced the DAB as an officially recognized procedure for the resolution of disputes arising from construction contracts. A huge contribution to promoting this procedure was also made by its recognition by the World Bank, which indicated that the use of the DAB is mandatory for the parties to the contract where construction work is financed by the Bank and its affiliates.

So, since mid 90^{ies} of the last century DAB has become a regular procedure of dispute resolution under FIDIC Standard Forms of Contract. The possibility of referring to the DAB is essential for any such contract.

The DAB is formed by agreement of the parties to the contract and may comprise from one to three members who are elected from among the most qualified professionals in the field of engineering, design and construction, and are experienced in interpreting contractual documents. Depending on the time of its formation, there is a Standing and Ad-Hoc (temporary) Board: the first one is formed by the parties to the contract at the stage of its conclusion, the second one – after a dispute arises in the course of the contract.

The choice of a particular type of Board depends on the financial situation of the parties, implementation conditions of investment construction project, the chosen Contract form and

other factors. However, foreign experts give preference to “standing DAB”. Firstly, if the Board is formed in the beginning of the investment construction project, in the event of a dispute the Board will be duly informed of the whole background of the dispute, which will result in resolving the dispute faster and more efficiently. Secondly, DAB functions are not limited to the consideration of disputes: in the implementation of the Contract the Board holds regular meetings to assess the progress of work under the contract, resulting in recommendations to the parties to the contract. Thus, DAB preventive function is basic and is aimed at preventing disputes.

Among the drawbacks associated with the creation of “standing DAB” is that considerable costs for its functioning are born by the parties.

DAB as the procedure for dispute resolution consists of several stages. In the event of a dispute, a party shall give a notice to the other party of its intention to submit the dispute for a decision of the DAB. In case the parties did not appoint the DAB at contract negotiation (standing DAB), they must do so within 28 days after a Party gives notice to the other Party of its intention to initiate the dispute resolution procedure. At this stage the parties by mutual agreement choose one specialist or shape the composition of the Board in the following order: if the parties have agreed that the Dispute Adjudication Board is to comprise three persons, each Party shall nominate one member for the approval of the other Party. The Parties shall consult both these members and shall agree upon the third member, who shall be appointed to act as chair-

man. When appointing members of the Board, the parties may use the list of experts, established by FIDIC or by the parties themselves in the contract. However, if a list of potential members is included in the Contract, the members shall be selected from those on the list, other than anyone who is unable or unwilling to accept appointment to the DAB. The dispute shall be settled on the merits within 84 days from the date of its submission for the decision of the DAB.

According to the results of the dispute DAB makes the decision. By its nature the decision is a set of recommendations addressed to the parties of the dispute. The decision must be made unanimously; in the absence of unanimity in the decision the detailed substantiation of the opinion of a relevant Board member shall be given.

According to some foreign authors, the parties to the contract can determine that the expiry of the term to submit the notice of dissatisfaction with the DAB's decision terminates a party's right to submit to litigation or arbitration. The specified aspect is opposed to the view of the World Bank experts in the field of alternative dispute resolution procedures: the Board's decision is not final, i.e. it can be disputed regardless of conditions of the contract.

Thus, the analysis indicates the absence of barriers to the use of the DAB to resolve disputes in the form of restrictions and prohibitions enshrined in legislation. However, problems may exist at the level of law enforcement.

In general, the DAB is one of the procedures of pre-judicial dispute settlement that is applied in the sphere of investment and construction acti-

vity, which is implemented through the formation and functioning of the Board consisting of experts in the field of engineering, design and construction, which accompanies the implementation of the project since the contract conclusion and until Taking over (standing DAB) or can be formed upon occurrence of the dispute for its resolution. Having examined the issue of possibility for applying the procedures for dispute resolution specified in this article in Russia, the authors came to the conclusion about availability of such possibility due to the absence of direct legislative prohibitions on its use. However, the application of the procedure may run into obstacles that exist in law enforcement. Consequently, pre-trial dispute settlement in construction starts with the quality of drafting provisions of the Contract, their interconsistency, elimination of ambiguities in its provisions, and is not limited to drafting a legally competent and valid claim under the contract.

For today the Ukrainian state is only at the stage of creating models of alternative dispute resolution in construction. It should be noted that the idea of introducing this practice in the domestic system of law is supported by a wide range of specialists. Such interest meets the aspirations of Ukraine to harmonize the national legislation.

Determining priority directions and ways of implementation of alternative mechanisms in the sphere of construction in Ukraine lies in the use of foreign experience in the conditions of reforming of the current political system, namely in decentralization. It is the application of the proposed model that should be implemented at the na-

tional, regional and local levels, should be enshrined on the statutory level and to solve urgent problems. Such systematization, in my opinion, will lead to a more objective and complete settlement of the disputes in the shortest possible period of time.

Conclusion. The analysis of research regarding the use of alternative dispute resolution has shown that conflict resolution in the construction industry contributes to the discharge of the judicial systems of foreign countries from a significant number of cases that can be successfully solved in a more efficient and effective manner. Appropriate fixing in the current legislation of such mechanisms in Ukraine will be a decisive step towards the formation of solutions to conflicts in the sphere of construction and will certify on the formation of a new strategy of our state in the direction of improving the legislation by applying the experience of foreign countries and of compliance with the international standard at the appropriate level. It is proposed to achieve the desired results by the application of the considered forms in the conditions of administration system reform.

Prospects for further research include more detailed analysis of the introduction of dispute settlement mechanisms in the system of public administration of Ukraine in the conditions of administration system reform.

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STATE REGULATION AND SELF-REGULATION IN CONSTRUCTION

Abstract. Issues of self-regulation in the field of construction industry are considered. The necessity of ensuring and controlling the construction production, which is closely connected not only with economic but also social factors in terms of ensuring safe conditions for living or work, minimizing technical and technological risks, shaping a transparent system of pricing and investment in the construction industry has been updated. Feasibility of introducing a self-regulation system in Ukraine, which has a number of advantages over the existing hierarchical structure of state regulation in construction, are determined, as follows: exemption of state authorities from performing unusual for them functions, application of a liberal approach to openness in the construction market, ensuring high quality regulation and supervision, possibility of combining the efforts of government and society with the aim of achieving a brand new level of functioning of the construction industry. In Ukraine, there are significant prerequisites for the development of a self-regulating system of the construction industry caused by liberalization of the economy, the European vector of integration and processes of power decentralization.

The international experience is analyzed, on the basis of what priority directions of cooperation with the leading international organizations providing

technical supervision and rendering the advisory help are defined. The role of self-regulation of the technical component of construction in conditions of decentralization of power in Ukraine is defined as symbiosis of a mutually agreed system of cooperation of government-business-consumers, where the first set “rules of the game” by establishing an effective legal framework, the second ensure the quality of finished construction products, and the third — carry out “natural selection” of quality products, ensuring competitiveness of only socially responsible business.

Keywords: self-regulation, technical supervision, technical audit, state regulation, deregulation, decentralization, engineering, construction industry.

ДЕРЖАВНЕ РЕГУЛЮВАННЯ І САМОРЕГУЛЮВАННЯ У БУДІВНИЦТВІ

Анотація. Розглядаються питання саморегулювання у будівельній галузі. Актуалізовано необхідність забезпечення та контролю якості будівельного виробництва, що тісно пов'язано не лише з економічними, а й соціальними факторами щодо створення безпечних умов для проживання чи роботи людей, мінімізації технічних та технологічних ризиків, формування прозорої системи ціноутворення та залучення інвестицій у галузь будівництва. Доведено доцільність впровадження в Україні системи саморегулювання, що має низку переваг над існуючою ієрархічною структурою державного регулювання у будівництві, серед яких: звільнення органів державної влади від невластивих для них функцій, застосування ліберальних підходів до відкритості будівельного ринку, забезпечення високої якості регулювання і нагляду, можливість об'єднання зусиль влади та суспільства з метою забезпечення якісно нового рівня функціонування будівельної галузі. Встановлено, що в Україні є суттєві передумови для розвитку системи саморегулювання будівельної галузі, викликані лібералізацією економіки, європейським вектором інтеграції та процесами децентралізації влади. Проаналізовано міжнародний досвід, на основі чого визначено пріоритетні напрями співпраці з провідними міжнародними організаціями, що забезпечують технічний нагляд та надають консультативну допомогу. Визначено роль саморегулювання технічної складової будівництва в умовах децентралізації влади в Україні як симбіоз взаємоузгодженої системи співпраці влади — бізнесу — споживачів, де перші встановлюють “правила гри” шляхом створення ефективної законодавчої бази, другі — забезпечують якість готової будівельної продукції, треті — здійснюють “природний відбір” якісної продукції, забезпечуючи конкурентоздатність лише соціально відповідальному бізнесу.

Ключові слова: саморегулювання, технічний нагляд, технічний аудит, державне регулювання, дерегуляція, децентралізація, інжиніринг, будівельна галузь.

ГОСУДАРСТВЕННОЕ РЕГУЛИРОВАНИЕ И САМОРЕГУЛИРОВАНИЕ В СТРОИТЕЛЬСТВЕ

Аннотация. Рассматриваются вопросы саморегулирования в строительной отрасли. Актуализирована необходимость обеспечения и контроля каче-

ства строительного производства, которая тесно связана не только с экономическими, но и социальными факторами по созданию безопасных условий для проживания или работы людей, минимизации технических и технологических рисков, формирования прозрачной системы ценообразования и привлечения инвестиций в отрасль строительства. Доказана целесообразность внедрения в Украине системы саморегулирования, имеющая ряд преимуществ перед существующей, иерархической структурой государственного регулирования в строительстве среди которых: освобождение органов государственной власти от несвойственных для них функций, применение либеральных подходов к открытости строительного рынка, обеспечение высокого качества регулирования и надзора, возможность объединения усилий власти и общества с целью обеспечения качественно нового уровня функционирования строительной отрасли. Установлено, что в Украине есть существенные предпосылки для развития системы саморегулирования строительной отрасли, вызванные либерализацией экономики, европейским вектором интеграции и процессами децентрализации власти. Проанализирован международный опыт, на основе чего определены приоритетные направления сотрудничества с ведущими международными организациями, обеспечивающими технический надзор и оказывающими консультативную помощь. Определена роль саморегулирования технической составляющей строительства в условиях децентрализации власти в Украине как симбиоз взаимосогласованной системы сотрудничества власти – бизнеса – потребителей, где первые устанавливают “правила игры” путем создания эффективной законодательной базы, вторые – обеспечивают качество готовой строительной продукции, третьи – осуществляют “естественный отбор” качественной продукции, обеспечивая конкурентоспособность только социально ответственному бизнесу.

Ключевые слова: саморегулирование, технический надзор, технический аудит, государственное регулирование, дерегуляция, децентрализация, инжиниринг, строительная отрасль.

Target setting. The modern development of the Ukrainian economy is closely linked with the revision of mechanisms of ensuring the functions of regulation and control in order to improve the efficiency of management activities in different areas of business. Administrative economic system assumed a clear hierarchical structure for providing technical and financial control of production activities, which is

possible only under the command management. Transition to market-based development vectors requires from the state to search for new forms of providing regulatory mechanisms that would meet the requirements of the state for quality control, cancel out the corruption or bureaucracy element at different stages of project implementation, provide professional and impartial audit of technical and financial scope of

its implementation. One of the most effective ways to ensure the implementation of these requirements is the process of self-regulation of economic and professional activities by applying the expertise of international organizations and forming their own agencies which could, through adopting the best international experience, ensure the functioning of such self-regulatory system within the framework of the Ukrainian economy. Ensuring and controlling the construction production requires special attention, it is closely connected not only with economic but also social factors in terms of creating safe conditions for living or work, minimizing technical and technological risks, shaping a transparent system of pricing and investment in the construction industry.

Recent research and publications analysis. A number of authors have dedicated their works to issues of self-regulation as a mechanism of innovative market regulation in various sectors of the economy, in particular A. R. Serykh [1], I. Aronov, V. Versan, A. Terkel [2], N. Sliusarevskiy [3], V. T. Tolstoukhov, N. T. Honcharuk [4], O. Nepomnyashchyy [6], I. Lavrynenko, K. Feychak [5].

Thus, the purpose of this article is to find ways of introducing effective system of control and construction supervision through the mechanisms of state deregulation and implementation of approaches of self-regulation of the industry.

According to the purpose, a number of tasks have been outlined as follows:

- to overview background of deregulation in the construction industry in Ukraine;

- to analyze international experience of applying self-regulatory mechanisms in the construction industry;

- to identify the benefits of deregulation for the national construction industry;

- to identify the legislative basis for ensuring the processes of self-regulation in the construction industry.

Presentation of the basic material.

Transition of the national economy to an open market has identified priorities that will contribute to the development of various industries and economic systems in particular. One of the main problems of transition to a market economy was the change of conditions of ensuring public administration in the area of monitoring and auditing the technical, economic, financial, environmental and other aspects of functioning of the construction industry. The bureaucracy of regulatory authorities, the congestion of document management in business reporting and verification of its capability to execute projects and the quality of the net result, corruption schemes, lobbying of particular enterprises result in low efficiency of state regulatory policy in the sphere of ensuring quality and safety of construction products, as well as adversely affect the pricing policy of construction companies, forcing them to consider inappropriate expenses in the cost of construction products. The result of this situation is postponing the implementation of construction projects [1, p. 20].

Introducing an efficient self-regulating system through the involvement of civil society resources and expertise of the international institutions is one of the ways out of the crisis.

Regulation system in the field of construction seeks to ensure that the interests of different range of stakeholders – can be represented in the form of a diagram – Fig. 1.

Under intensification of globalization processes, internationalization of production and “elimination” of the boundaries for business the absence of effective regulatory mechanisms in the construction industry becomes the obstacle for the entry of construction companies into the international market. The European vector of reforming the Ukrainian economy determines the necessity to implement European norms and quality standards, as well as regulatory mechanisms of their securing which are generally accepted by the global economic community. In a free global market only the effectiveness of regulatory policy can provide Ukrainian enterprises with competitive strengths. In turn, the processes of economic integration contribute to

unification of efforts of enterprises for the production of high quality competitive products. Integration of the Ukrainian enterprises in the European space of globalization is impossible without ensuring transparent and open business environment, including rational regulatory policy in relation to companies and stakeholders of the construction market. In turn, integration contributes to changing the traditional hierarchical relations of subordination (inherent in administrative economy) on the horizontal ties that harmonise and operate with additional synergies by establishing their clear interaction [2].

Using achievements of technological advances and applying innovative technologies is impossible without the exchange of technological expertise with other countries. The development of the construction industry is characterized by the intensification of scientific research, use of new construction materials, development of innovative

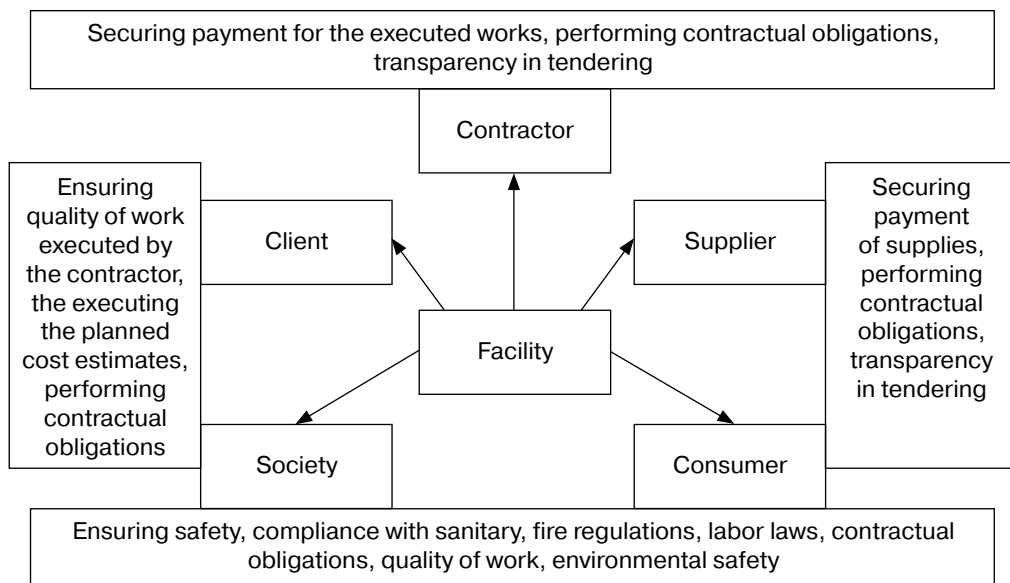


Fig. 1. Interests of stakeholders in the regulatory process of the construction industry

technical solutions and technological innovations, which are aimed at securing a number of factors [3–4]:

- improving the quality of construction products,
- providing flexible pricing policy,
- automation of labor processes,
- reducing labor costs by minimizing manual labor,
- durability and reliability of construction products,
- rationalizing resources,
- energy efficiency of construction,
- environmental safety during construction works.

It is reasonable to associate powerful intellectual and scientific and technical potential of the Ukrainian construction market with the European standard effective regulatory systems which, on the one hand, create the conditions for intellectual creativity, break boundaries of research cooperation and provide opportunities for scientific research, and on the other hand, make bureaucracy and corruption risks impossible.

An important element of construction operations is namely provision of a high level of intellectual potential of the construction industry related to the complexity of the construction operations, which covers a set of functions, each of which has its own specifics and requires certain competencies. Therefore, there are objective economic and social reasons for the privatization process of the regulation of the construction activities [1, p. 21, 22].

Public authorities are not always able to provide a competent evaluation of the process of construction operations, and it is related to its complexity. The specificity of the construction industry requires from individuals, who

can conduct the examination, technical and financial audit, relevant knowledge and skills in construction, engineering, elements of financial literacy, knowledge on design, tendering, contract management etc. That is why the experience of the European countries indicates the effectiveness of involvement of specialized organizations with the appropriate professionals, not only for the evaluation and audit procedures, but also to participate in the regulation of relevant markets at the level of voluntary nonprofit associations of such organizations or professionals. These organizations can act as an association of private companies, international organizations with offices and branches in the country, and NGOs that can also provide specialized consultations and advice regarding the organization of regulatory mechanisms in the field of construction, adopt from the state regulatory functions traditionally belonging to it.

Thus, the main reasons that make actual an issue of changing the state regulatory policy in the field of construction are as follows – Fig. 2.

This background which affects the deregulation processes in construction can provide a significant impulse for brand new changes in the field of construction which, in particular, was observed in countries that have adopted international experience and applied deregulatory policy.

International experience demonstrates the effectiveness of transferring functions of regulation and supervision to private entities, which provides for a number of advantages:

- exemption of state authorities from performing unusual for them functions,

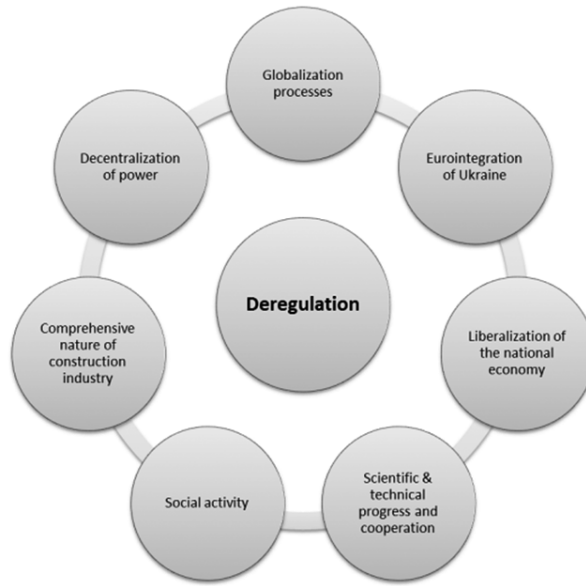


Fig. 2. Deregulation background in the construction industry

- application of a liberal approach to openness in the construction market,
- ensuring high quality regulation and supervision,
- possibility of combining the efforts of government and society with the aim of achieving a brand new level of functioning of the construction industry.

Therefore, for instance, the system of technical audit of construction projects in the United States of America is aimed at ensuring the needs and interests of consumers-clients-contractors. The state regulation of the system is reduced to coordinating the client and contractor, and representing the interests of consumers (society). The interests of society are in the heart of the system and satisfaction of social needs of consumers is the most important task as the ultimate goal of the construction project.

The European Union countries actively use the mechanisms of self-regulation in the construction industry.

For example, there are professional self-government organizations of civil engineers, architects, designers, urbanists in Europe (e. g., the Bavarian Chamber of Civil Engineers and the Bavarian Chamber of Architects, the Berlin Chamber of Architects and Builders, Polish Chamber of Civil Engineers, the National Chamber of Polish Architects, the Chamber of Urban Planners, Poland etc.). Such organizations have been entrusted with the regulation of activities related to construction, carrying out professional certification of architects, design engineers, engineers of construction supervision and experts, the access of these categories of experts to the market and so on. That is, the organizations of professional self-government are endowed with a certain amount of power, which as a rule are included in the scope of the exclusive state powers.

External institutions, which are aimed at regulation in construction, are normally represented by interna-

tional non-governmental organizations and non-governmental standardization bodies, such as ICC, ASCE, NFPA, and the like. The state reserves the right to develop “rules of the game” – legislative and legal acts, with which facilities must comply, and development of technical documents and regulations, while performance of supervision over their implementation rests with non-governmental agencies and organizations. The dual interaction of public administration and non-governmental bodies has a significant effect.

International experience indicates a high efficiency of self-regulation in the construction industry. For the Ukrainian construction market, we can identify several advantages of using such approaches to ensure state regulatory policy in construction, namely [6]:

- formation of an effective regulatory system by involving highly qualified specialists to the processes of evaluation and audit;

- unloading state and local authorities to allow reorientation of public policy from regulation and control to the sphere of ensuring strategic growth of the industry;

- application of the principles of subsidiarity and taking account of the possibilities of decentralization of power to provide additional conditions for the development of the construction industry;

- improving the quality of construction works, efficiency of construction operations;

- integration of the construction industry of Ukraine in the international economic space;

- ensuring European standards of construction;

- increasing the responsibility of all participants of the construction market, such as construction companies and stakeholders;

- ensuring the balance of interests of participants of the construction market: client-contractor-supplier-consumer.

Ukraine begins to adopt the best international practice. Today there are 20 organizations in Ukraine that are officially recognized as self-regulating in five types of activities. In general, the formation of self-regulatory organizations is allowed in 15 types of activities, and the regulatory framework in this area comprises of 39 by-laws of different judicial force [5, p. 8]. Therewith, 4 self-regulatory organizations were created in the construction industry, which will contribute, in particular, to:

- distributing the application of European construction standards, which will allow to take the construction market in Ukraine to a qualitatively new level and ensure the European vector of development;

- improving the quality of construction products by means of application of rules and standards of professional activities and internationally recognised indemnification mechanisms;

- solving technological problems in the construction industry: compliance with sanitary and fire regulations, occupational safety rules, safety regulations;

- complying with business code of ethics.

An issue of providing a self-regulating system of the construction industry becomes especially relevant in the context of carrying out power decentralization processes in Ukraine. In the framework of decentralization, the authorities are trying to combine the

relations of government, business and society in self-regulation. Schematically this model of interaction can be presented through outlining directions of power decentralization in Ukraine – Fig. 3 [7].

One of the priority directions for the development of decentralization and the introduction of self-regulating mechanisms to replace the hierarchical public administration is to conduct inventory, analysis and revision of legislation in urban planning in order to determine prospective directions of further development of construction as a driving force of development of other sectors of the economy.

Conclusions from this study and perspectives for further research in this direction. To sum it up, we can draw some conclusions. In Ukraine, there are significant prerequisites for the development of a self-regulating system of the construction industry caused by liberalization of the economy, the European vector of integration and processes of power decentralisation.

International experience of the leading countries testifies to the effectiveness of a self-regulating system in construction, determining the self-regulation not in terms of a deregulation of public administration, but as symbiosis of a mutually agreed system of cooperation of government-business-consumers, where the first set “rules of the game” by establishing an effective legal framework, the second ensure the quality of finished construction products, and the third – carry out “natural selection” of quality products, ensuring competitiveness of only socially responsible business. Therefore, the system of self-regulation in the construction industry is a mechanism of taking the construction market to a qualitatively new level that will correspond to the European norms and standards.

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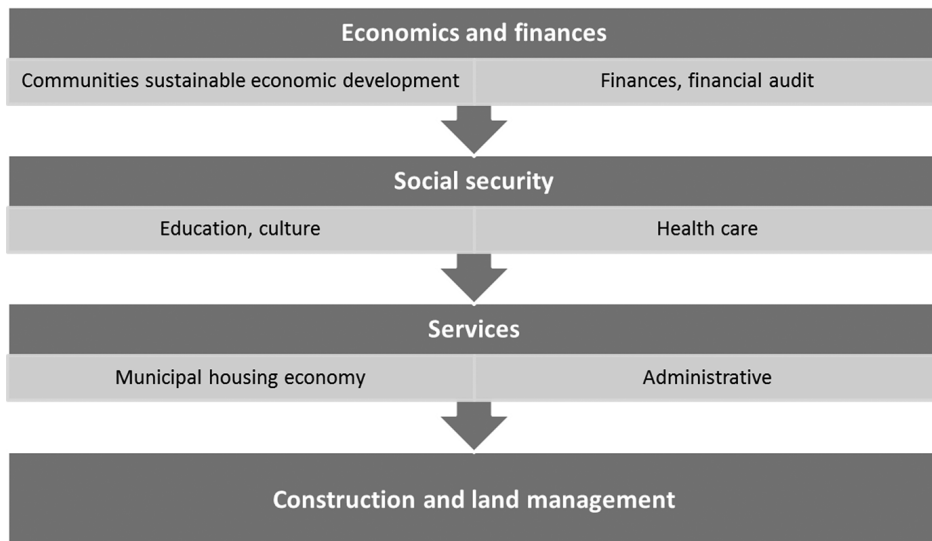


Fig. 3. Main areas of power decentralization in Ukraine [7]

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MECHANISMS FOR IMPLEMENTATION OF ENVIRONMENTAL TAXES AND INSURANCE

Abstract. It is noted that from the standpoint of sociology, “management — a function of organized systems of various nature — (technical, biological, social), which ensures the preservation of their structure, maintaining a certain state or transfer to another state, in accordance with the objective laws of the existence of this system, which implemented by a program or deliberately set aside”. Management is carried out through the influence of one subsystem-controlling, on the other-controlled, on the processes taking place in it with the help of information signals or administrative actions.

It is proved that self-government allows all members of society or a separate association to fully express their will and interests, overcome alienation, effectively combat bureaucracy, and promote public self-realization of the individual. At the

same time, wide direct participation in the management of insufficiently competent participants who are not responsible for their decisions, contradicts the social division of labor, reduces the effectiveness of management, complicates the rationalization of production. This can lead to the dominance of short-term interests over promising interests. Therefore, it is always important for society to find the optimal measure of a combination of self-management and professional management.

It is determined that social representation acts, on the one hand, as the most important intermediary between the state and the population, the protection of social interests in a politically heterogeneous environment. On the other hand, it ensures the operation of a mechanism for correcting the political system, which makes it possible to correct previously adopted decisions in a legitimate way, without resorting to violence. It is proved that the system of social representation influences the most important political relations, promotes social integration, that is, the inclusion of various social groups and public associations in the political system.

It is proposed to use the term “self-government” in relation to several levels of people’s association: the whole community – public self-government or self-government of the people, to individual regions or communities – local, to production management – production self-government. Traditionally, self-government is seen as an alternative to public administration. Ideology and practice of self-government originate from the primitive, communal-tribal democracy.

It is established that, in practice, centralization has become a “natural form of government”. In its pure form, centralization does not recognize the autonomy of places and even local life. It is characteristic of authoritarian regimes, but it is also widely used by democratic regimes, where they believe that political freedoms should be fixed only at the national level.

It is determined that since the state has achieved certain sizes, it is impossible to abandon the admission of the existence of local authorities. Thus, deconcentration appears as one of the forms of centralization and as a cure for the excesses of the latter. Deconcentration assumes the presence of local bodies, which depend on the government functionally and in the order of subordination of their officials. The dependency of officials means that the leadership of local authorities is appointed by the central government and may be displaced.

Keywords: Self-government, public administration, deconcentration, democracy, local authorities, society, civil society, state policy, public authorities, public control, social structuring.

ПАРТНЕРСЬКІ ВІДНОСИНИ МІЖ ДЕРЖАВОЮ І ГРОМАДСЬКІСТЮ НА РІЗНИХ РІВНЯХ ЇХ СОЦІАЛЬНОЇ СТРУКТУРИЗАЦІЇ

Анотація. Зазначено, що з позиції соціології, “управління – функція організованих систем різної природи – технічних, біологічних, соціальних, що забезпечує збереження їх структури, підтримання певного стану або переведення в інший стан, відповідно до об’єктивних закономірностей існування

даної системи, що реалізується програмою або свідомо поставленою метою”. Управління здійснюється шляхом впливу однієї підсистеми — керуючої, на іншу — керовану, на процеси, що протікають в ній, за допомогою інформаційних сигналів або управлінських дій.

Доведено, що самоврядування дозволяє всім членам суспільства або окремого об’єднання найбільш повно висловлювати свою волю й інтереси, долати відчуження, ефективно боротися з бюрократизмом, сприяє громадській самореалізації особистості. Водночас, широка безпосередня участь в управлінні недостатньо компетентних учасників, які не несуть відповідальності за свої рішення, суперечить суспільному поділу праці, знижує ефективність управління, ускладнює раціоналізацію виробництва. Це може призвести до домінування короткострокових інтересів над інтересами перспективними. Тому для суспільства завжди важливо знайти оптимальну міру поєднання самоврядування та професійного управління.

Визначено, що соціальне представництво виступає, з одного боку, найважливішим посередником між державою і населенням, захищає соціальні інтереси в політично неоднорідному середовищі. З іншого боку, воно забезпечує дію механізму корекції політичної системи, що дає можливість виправити раніше прийняті рішення законним чином, не вдаючись до насильства. Доведено, що система соціального представництва впливає на найважливіші політичні зв’язки, сприяє соціальній інтеграції, тобто включенню різних соціальних груп, громадських об’єднань в політичну систему.

Запропоновано термін “самоврядування” живити відповідно до кількох рівнів об’єднань людей: до всієї громади — громадське самоврядування або самоврядування народу, до окремих регіонів або громад — місцеве, до управління виробництвом — виробниче самоврядування. Самоврядування розглядається як альтернатива державного управління. Ідеологія і практика самоврядування ведуть свій початок від первісної, общинно-родової демократії.

Встановлено, що на практиці централізація стала всюди “природною формою управління”. У чистому вигляді, централізація не визнає автономії місць і навіть місцевого життя. Вона властива авторитарним режимам, але широко використовується також і режимами демократичними, де вважають, що політичні свободи повинні бути закріплені тільки на загальнонаціональному рівні.

Визначено, що з моменту досягнення державою певних розмірів відмовитися від існування місцевих органів стає неможливо. Таким чином, деконцентрація постає однією з форм централізації і як ліки від надмірностей останньої. Деконцентрація передбачає наявність місцевих органів, що залежать від уряду функціонально і в порядку підлеглості їх посадових осіб. Залежність посадових осіб означає, що керівництво місцевих органів призначається центральним урядом і може бути їм заміщена.

Ключові слова: самоврядування, державне управління, деконцентрація, демократія, місцеві органи влади, суспільство, громадянське суспільство, державна політика, органи публічної влади, громадський контроль, соціальна структуризація.

ПАРТНЕРСКИЕ ОТНОШЕНИЯ МЕЖДУ ГОСУДАРСТВОМ И ОБЩЕСТВЕННОСТЬЮ НА РАЗНЫХ УРОВНЯХ ИХ СОЦИАЛЬНОЙ СТРУКТУРИЗАЦИИ

Аннотация. Указано, что с позиции социологии, “управление — функция организованных систем различной природы — (технических, биологических, социальных), обеспечивающая сохранение их структуры, поддержание определенного состояния или перевода в другое состояние, в соответствии с объективными закономерностями существования данной системы, реализуется программой или сознательно поставленной целью”. Управление осуществляется путем воздействия одной подсистемы — управляющей, на другую — управляемую, на протекающие в ней процессы с помощью информационных сигналов или управленческих действий.

Доказано, что самоуправление позволяет всем членам общества или отдельному объединению наиболее полно выразить свою волю и интересы, преодолевать отчуждение, эффективно бороться с бюрократизмом, способствует общественной самореализации личности. В то же время, широкое непосредственное участие в управлении недостаточно компетентных участников, которые не несут ответственности за свои решения, противоречит общественному разделению труда, снижает эффективность управления, усложняет рационализацию производства. Это может привести к доминированию краткосрочных интересов над интересами перспективными. Поэтому для общества всегда важно найти оптимальную меру сочетания самоуправления и профессионального управления.

Определено, что социальное представительство выступает, с одной стороны, важнейшим посредником между государством и населением, защитой социальных интересов в политически неоднородной среде. С другой стороны, оно обеспечивает действие механизма коррекции политической системы, что дает возможность исправить ранее принятые решения законным образом, не прибегая к насилию. Доказано, что система социального представительства влияет на важнейшие политические связи, способствует социальной интеграции, то есть включению различных социальных групп, общественных объединений в политическую систему.

Предложен термин “самоуправление” использовать относительно нескольких уровней объединения людей: всему обществу — общественное самоуправление или самоуправление народа, к отдельным регионам или общинам — местное, к управлению производством — производственное самоуправление. Традиционно самоуправление рассматривается как альтернатива государственного управления. Идеология и практика самоуправления ведут свое начало от первоначальной, общинно-родовой демократии.

Установлено, что на практике централизация стала “естественной формой управления”. В чистом виде, централизация не признает автономии мест и даже местной жизни. Она свойственна авторитарным режимам, но широко используется также и режимами демократическими, где считают,

что политические свободы должны быть закреплены только на общенациональном уровне.

Определено, что с момента достижения государством определенных размеров отказаться от допущения существования местных органов становится невозможно. Таким образом, деконцентрация выступает одной из форм централизации и как лекарство от излишеств последней. Деконцентрация предусматривает наличие местных органов, зависящих от правительства функционально и в порядке подчиненности их должностных лиц. Зависимость должностных лиц означает, что руководство местных органов назначается центральным правительством и может быть им смещено.

Ключевые слова: самоуправление, государственное управление, деконцентрация, демократия, местные органы власти, общество, гражданское общество, государственная политика, органы публичной власти, общественный контроль, социальная структуризация.

Thesis statement. One of the important features of the dynamics of modern Ukrainian society is the civic initiative as awareness and proactive activities for the benefit of society. In combination with moral categories such as civic duty, civil conscience, it serves as a reliable means for the further progressive development of civil society in Ukraine. In accordance with the Law of Ukraine “On the Principles of Internal and Foreign Policy” of July 1, 2010, the establishment of civil society as a guarantee of democratic development is defined as one of the directions of the internal policy of Ukraine. State policy in the field of formation of institutions and civil society organizations envisages strengthening of their interaction with public authorities, introduction of public control over the activity of the authorities, regular consultations with the public. In order to create favorable conditions for the further development of civil society in Ukraine, to establish an effective mechanism

for the interaction of its institutions with executive authorities and local self-government bodies on the basis of partnership and mutual responsibility, to ensure the implementation and protection of human and citizen’s rights and freedoms, the Strategy of the state policy of promoting the development of civil society was approved by the Decree of the President of Ukraine № 212/2012 of March 24, 2012.

From the standpoint of sociology, “management is the function of organized systems of various nature — (technical, biological, social) that ensures the preservation of their structure, maintaining a certain condition or transfer to another condition, in accordance with the objective laws of the existence of this system, implemented by the program or deliberately put aim”. Management is carried out through the influence of one controlling subsystem on the other — controlled one — with the processes taking place in it with the help of information signals or administrative actions.

Analysis of recent research and publications. The relevance of the topic of the article indicates that Ukrainian scientists are actively studying this issue. V. Kovalenko is one of the first ones in the field of science who proved the necessity of the transition to a democratically self-organized society based on the partnership relations between the state and the public (society) at various levels of their social structuring. The following scientists, such as V. Bakumenko, V. Bilorus, M. Boichuk, N. Lypovska, O. Obolenskyi, L. Pashko, I. Pismennyi, S. Seriogin, D. Rusyn, Yu. Sharov, O. Yuldashev and others consider the effectively functioning civil society to be the basis of the transition to public administration.

However, the question of finding an optimal model for the interaction of government bodies and civil society institutions, in which the state and people will act as a whole and their efforts will be aimed at establishing an atmosphere of trust and symbiotic interaction between them, needs further scientific research.

Objective of the article. The objective of the article is to develop theoretical foundations and practical approaches to improving the partnership between the state and the public at different levels of their social structuring.

Results. Scientists in the field of political science believe that the term “self-government” is a type of management in which the object and subject of management coincide and as one of the forms of organization of human coexistence is based on the principles of freedom, equality and direct participation in management. According to the the-

ory of management, “management is a purposeful, systematic influence on the groups of people in the process of their activities” [1]. The concept of “management” has its derivatives: “governance”, “manager”, “administrator”, “government”, “self-government”. The latter term is particularly important, as local self-government is now one of the most important political tasks.

The term “self-government” is usually used in relation to several levels of people’s association: to the whole community – public self-government or self-government of the people, to separate regions or communities – local self-government, to production management – production self-government [5]. Traditionally, self-government is seen as an alternative to public administration. Ideology and practice of self-government originate from the primitive, communal-tribal democracy. V. Kovalenko, O. Yuldashev made great contribution to the development of the theory of self-government [2, p. 102]. The essence of their concept is in denying the institution of coercion and building society from the bottom to the top through the voluntary association of free individuals and communities. In Marxism, the concept of public self-government is used to characterize the future of a classless communist society, which must be based on the self-government of the masses.

Self-government allows all members of a society or a separate association to fully express their will and interests, to overcome alienation, to effectively combat bureaucracy, and to promote the social self-realization of the individual.

At the same time, wide direct involvement in the management of insufficiently competent participants who are not responsible for their decisions contradicts the social division of labour, reduces the efficiency of management, and complicates the rationalization of production. This may lead to the domination of short-term momentary interests over prospective ones. Therefore, it is always important for a society to find the optimal combination of self-government and professional management.

Politics of self-government, according to political scientists, can be realized through the system of social representation in the state. Social representation refers to the interconnected and contradictory unity of institutions, through which the will of the citizens transfers to the sphere of political decision-making.

The system of social representation includes a party system and a system of civil voluntary associations. Through the system of social representation, society shapes and sets issues that need to be addressed on the agenda. Thus, the social representation is, on the one hand, the most important mediator between the state and the population as to the protection of social interests in a politically heterogeneous environment. On the other hand, it provides the mechanism for the correction of the political system, which makes it possible to correct the previously adopted decisions in a lawful manner, without resorting to violence. Political requirements that are formed within the system of social representation can be aggravated or rejected, acting as a component of party politics

or detailed recommendations of civil associations.

The joining of efforts at the level of civil associations becomes an organized support for certain political decisions. In addition, through the system of social representation, information communication is carried out, trust in power is formed, that is, political legitimacy.

Thus, the system of social representation influences the most important political relations, promotes social integration, that is, the inclusion of different social groups and civil associations in the political system.

It should be borne in mind that the term “policy” is widely used in management, but it is very specific: it is a general direction for decision-making and activities. The following statement of D. Rusyn is important as well: “The real profession of a genuine official should not be a policy”. He must “manage”, first of all, impartially [4]. This requirement can be applied even to so-called “political” officials.

Administrative law usually examines the competence of local authorities, their vertical relationship, and the administrative structure. In analysing specific situations, it usually follows from the fact that the system of public administration is excessively centralised, so it is expedient to separate local self-government. A. Krasnosilka considers it wrong, from the point of view of the science of state administration, the regions, which are part of the state, are characterised by three main features: the independence of administrative bodies; availability of autonomous competence; legal entity status, including financial resources and autonomous budget [3].

Self-government is certainly in family relations with federalism in the sense that here and there local authorities are formed based on elections and have the rights of a legal entity. Self-government differs from federalism in that it is carried out within the state and, above all, the autonomy of local entities is neither constitutional nor legislative, but only administrative. But local associations have a full set of administrative functions, that is, their autonomy is complete. It is difficult to disagree with this opinion of A. Krasnosilka. Further, she emphasizes, "We have to state that in practice "self-government" has been repeatedly limited, and although it looks like an attractive myth, in fact the Anglo-American model of self-government develops in the direction of simple decentralization of the French type" [3].

Local self-government implies decentralization of governance. Local authorities in this case, are of a dual nature. They remain free self-governing bodies, but at the same time act as geographically separate subdivisions of the state, that is, the local authorities provide the interests of the local population themselves and, at the same time, are representatives of the state in the constituency.

Despite the limitations, decentralization, like the previous forms of governance, determines the existence of "local freedoms". "Communal institutions", writes O. Yuldashev, "make for freedom the same thing like elementary school for science does; they make it accessible to the people, allow to use its benefits, and get used to consuming it [2, p. 136]. A nation can introduce free administration without communal

institutions as well, but it will not have the spirit of freedom". In other words, decentralization, despite its limited capacity, is a stabilizing factor in public life. According to Lamennais, it allows to get rid of the Centre's apoplexy and paralysis of limbs.

In practice, centralization has become everywhere a "natural form of administration". In its pure form, centralization does not recognize the autonomy of regions and even local life. It is common for authoritarian regimes, but is also widely used by democratic regimes, which believe that political freedoms should be consolidated only at the national level.

However, since the state has achieved a certain size, it is impossible to refuse to admit the existence of local authorities. Thus, deconcentration appears as one of the forms of centralization and as a cure for the excesses of the latter. Deconcentration assumes the presence of local authorities, which depend on the government functionally and in the order of subordination of their officials. The dependency of officials means that the officials in local authorities are appointed by the central government and may be displaced [4].

Summary. Functional dependence means that the central authority can recognize the very broad competences of local authorities, but at any time, it can review their powers, change or cancel their decisions, both because of the violation of law and for reasons of expediency. These provisions, expressed by the French scientist, have not lost their relevance today.

In such a way:

- the development of civil society and the rule of law cannot do without

broad participation in state and public affairs of citizens themselves;

- self-government is the highest form of democracy. That is why issues of formation and development of local self-government, deepening of the democratization of all social life, involvement of non-profit non-governmental organizations in social partnership with local self-government become of particular importance;

- local self-government is a socio-political institution in which the population, directly or through elected authorities, takes part in solving everyday local problems;

- local self-government, as one of the forms of representative and direct democracy, is expressed in the fact that it represents the most optimal of the known forms of democracy, which is most capable of solving the issues of local importance quickly, promptly and efficiently;

- local self-government is a form of social organization with all the characteristic features and, on the other hand, this public organization is endowed with the rights of public authorities in a strictly defined legislative area. Both local self-government and non-governmental organizations are elements of a democratic society. Both of these institutions relate to self-governing organizational forms;

- the public and self-governing nature of local self-government and the non-profit sector is the basis that unites them and promotes their interaction.

In its most widespread sense “self-government” is targeted self-regulation of social system as well as any other one. In this sense, self-government is inherent to any society, be-

cause it has mechanisms of internal regulation. Often, self-government interprets as independence from the centre, the ability of the administrative unit to solve its own internal problems independently. In this sense, the term “local self-government” is commonly used.

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CONSIDERATION OF MODELS AND MECHANISMS OF PUBLIC ADMINISTRATION OF PROCUREMENT OF GOODS, WORKS AND SERVICES IN CONSTRUCTION IN UKRAINE

Abstract. The article presents the questions of reviewing models and mechanisms of public administration in the procurement of goods, works and services in the field of construction. A comparative analysis of the types of public procurement mechanisms in construction, based on a set of features, has shown the superiority of a centralized type of mechanism that facilitates the introduction of efficient and flexible procurement methods, for example, the conclusion of framework agreements. The author's vision of the mechanism of state building purchases, in the form of a conceptual model and system differences, is proposed.

It is determined that a decentralized model of public procurement management involves the independent implementation by purchasers of procurement, that is, allows each customer to procure goods, works and services in the field of construction. The centralized model of public administration is characterized by the implementation of public procurement in order to provide the general needs of a

single body on public procurement, that is, customers commission the implementation of public procurement on their behalf, a centralized body. According to the combined model of management, public procurement in the construction industry takes place under contracts implemented under the centralized model, and the direct ordering and receipt of goods, works, or services takes place according to the rules of a decentralized model.

It is noted that according to the system-wide understanding of the mechanism of public administration in the procurement of goods, works and services in the field of construction, it represents a set of specialized management technologies (methods, techniques and tools) that ensure the organization of the process of public procurement of construction products by authorized agents. The direction of this process is determined by the need to implement the principles of validity and innovation, fair choice of the best bidding, prevention of corruption and ensuring the high efficiency of the implementation of public public procurement.

Keywords: mechanisms of public administration, public procurement, construction, public-private partnership.

РОЗГЛЯД МОДЕЛЕЙ ТА МЕХАНІЗМІВ ПУБЛІЧНОГО УПРАВЛІННЯ ЗАКУПІВЛЯМИ ТОВАРІВ, РОБІТ ТА ПОСЛУГ У СФЕРІ БУДІВНИЦТВА В УКРАЇНІ

Анотація. Представлено питання розгляду моделей та механізмів державного управління закупівлями товарів, робіт та послуг у сфері будівництва. Здійснено порівняльний аналіз типів механізмів публічних закупівель у будівництві, за сукупністю ознак, що показав перевагу централізованого типу механізму, що сприяє запровадженню ефективних та гнучких методів закупівлі, наприклад, укладенню рамкових угод. Запропоновано авторське бачення механізму державних будівельних закупівель, у формі концептуальної моделі і системних відмінностей.

Визначено, що децентралізована модель управління публічними закупівлями передбачає самостійне здійснення замовниками закупівель, тобто надає змогу кожному замовнику здійснювати закупівлі товарів, робіт і послуг у сфері будівництва. Централізована модель державного управління характеризується здійсненням публічних закупівель з метою забезпечення загальних потреб єдиним органом з питань державних закупівель, тобто замовники доручають здійснення державних закупівель від їхнього імені централізованому органу. Згідно з комбінованою моделлю управління, публічні закупівлі у будівельній галузі відбуваються за контрактами, що реалізуються за централізованою моделлю, а безпосереднє замовлення та отримання товарів, робіт, чи послуг відбувається за правилами децентралізованої моделі.

Зазначено, що відповідно до загальносистемного розуміння механізму державного управління закупівлями товарів, робіт та послуг у сфері будівництва, він являє собою сукупність спеціалізованих управлінських технологій (методів, прийомів та інструментів), що забезпечують організацію проце-

су публічних закупівель будівельної продукції уповноваженими суб'єктами. Спрямованість зазначеного процесу визначається необхідністю реалізації принципів обґрунтованості та інноваційної спрямованості, справедливого вибору кращої конкурсної пропозиції, запобігання корупції та забезпечення високої ефективності реалізації державних публічних закупівель.

Ключові слова: механізми державного управління, державні закупівлі, будівництво, державно-приватне партнерство.

РАССМОТРЕНИЕ МОДЕЛЕЙ И МЕХАНИЗМОВ ПУБЛИЧНОГО УПРАВЛЕНИЯ ЗАКУПКИ ТОВАРОВ, РАБОТ И УСЛУГ В СФЕРЕ СТРОИТЕЛЬСТВА В УКРАИНЕ

Аннотация. Представлены вопросы рассмотрения моделей и механизмов государственного управления закупками товаров, работ и услуг в сфере строительства. Проведен сравнительный анализ типов механизмов публичных закупок в строительстве, по совокупности признаков, что показал преимущество централизованного типа механизма, способствующего внедрению эффективных и гибких методов закупок, например, заключению рамочных соглашений. Предложено авторское видение механизма государственных строительных закупок, в форме концептуальной модели и системных различий.

Определено, что децентрализованная модель управления публичными закупками предусматривает самостоятельное осуществление заказчиками закупок, то есть дает возможность каждому заказчику осуществлять закупки товаров, работ и услуг в сфере строительства. Централизованная модель государственного управления характеризуется осуществлением публичных закупок с целью обеспечения общих потребностей единственным органом по вопросам государственных закупок, то есть заказчики поручают осуществление государственных закупок от их имени централизованному органу. Согласно комбинированной модели управления, публичные закупки в строительной отрасли происходят по контрактам, реализуются централизованной моделью, а непосредственный заказ и получение товаров, работ или услуг происходит по правилам децентрализованной модели.

Отмечено, что в соответствии с общесистемным пониманием механизма государственного управления закупками товаров, работ и услуг в сфере строительства, он представляет собой совокупность специализированных управленческих технологий (методов, приемов и инструментов), обеспечивающих организацию процесса публичных закупок строительной продукции уполномоченными субъектами. Направленность указанного процесса определяется необходимостью реализации принципов обоснованности и инновационной направленности, справедливого выбора лучшего конкурсного предложения, предотвращения коррупции и обеспечения высокой эффективности реализации государственных публичных закупок.

Ключевые слова: механизмы государственного управления, государственные закупки, строительство, государственно-частное партнерство.

Statement of the problem. In recent years, the main challenge that Ukraine's leaders are facing is the restoration and further socio-economic development of the destroyed economy of the country in certain regions. Government purchases constitute a significant portion of state spending directed by the state administration bodies and authorities to ensure public needs and private activities. That is why the consistency of rules and procedures for public procurement in the construction industry contribute to providing society with goods, works and services in the right quantity, of appropriate quality, in a timely manner and on acceptable contractual terms.

Analysis of recent researches and publications. The theoretical foundations of public procurement regulations and their effective organization are studied in the scientific works of such local and foreign researchers, as Ye. Aheshin, H. Verian, M. Gorbunov-Posadov, M. Gupta, V. Zubar, R. Kalakota, G. Kauffman, P. Klemperer, D. Knudsen, R. Meyerson, D. Nif, B. Panshyn, B. Peleg, I. Shoham, A. Yurasov, etc. However, the strategic connection between public procurement regulation and the general regulatory policy of the state has received less attention.

The article goals. The article examines the types of mechanisms of public procurement of construction and presents a comparative analysis of their main characteristics according to the criteria of system-wide principles.

Presentation of the basic material. Government or public procurement (government procurement, public procurement) is the procurement of goods,

works and services commissioned by the state to meet social needs [1–16]. In Ukraine, these two terms usually are used as synonyms. In states with a federal government structure, public procurement is sometimes understood as procurement activity only of the central government, but under public procurement procurement of all constituents public authorities is meant.

The law of Ukraine “On public procurement” dated 25.12.2015 № 922-VIII defines public procurement as “acquisition by the customer of goods, works and services in the manner prescribed by law” [10]. It is possible to distinguish three general stages of the process of public procurement: identification of needs, decision making on what goods, works or services must be purchased and when (procurement planning); the process of placing ads on the purchase of appropriate goods, works or services, the qualified of the provider (including the auction for competitive procedures) and the signing of the contract; the administering of the contract.

According to a system-wide understanding of the mechanism of state procurement of goods, works and services in the field of construction, it is a set of specialized management technologies (methods, techniques and tools), providing the organization of public procurement of construction products by authorized entities. The focus of this process is determined by the necessity of implementing the principles of reasonableness and innovative orientation, selection of the best proposals to prevent corruption and ensure high efficiency of implementation of the state of public procurement.

We have proposed the mechanism of public construction procurement in the form of conceptual models and systematic differences (Figure).

Therefore, the type of mechanism depends on whether the subject is dispersed and is represented by structural subdivisions of the ministries, departments and economic entities, state-owned, or represented by a centralized specialized body [5]. Fundamentally a combination of centralized and specialized implementations of the functions of government construction procurement is possible.

While considering the general investment-building sphere in Ukraine as a control object, we can distinguish 4 main types of management models for different economic subjects:

- model of the rational bureaucracy;
- model of the complex hierarchies;
- model of an enterprise group characterized by division of labor;
- enterprise model – illustration of the concept of interest groups.

However, in reality there are no examples of implementation of any particular management model. At the same time it is obvious that the dynamism of the modern economy requires a competitive model that would be transparent and consistent system with the performance, which is determined by the system effect.

The main idea of this approach to the functioning model of the investment and construction sphere in Ukraine is the recognition of three basic rules:

1. Regional investment-construction sector – an open complex system with stochastic nature;
2. System, its elements and subsystems are interrelated and interdepen-



A model of the mechanism of public procurement of construction

Source: own research of the author

dent from the unstable external economic environment;

3. The purpose of the control system of this type is to ensure its stability, reliability, and strengthen the adaptive qualities in the market.

Conceptual model of state regulation of innovative activity in the construction industry of Ukraine in

conditions of European integration is determined on the basis of three models that represent the following regularities:

– it was determined that in order to fit the whole set of principles of public procurement in construction, function and process content of the mechanism should cover the main stages of implementation of the state public order;

– functionality of public procurement in the construction industry is characterized by a logically related combination of planning, organization, coordination, promotion and control over execution of the state public order;

– the performance of the implementation processes as a part of the mechanism of public procurement is directly dependent on the used instruments.

Today the Law of Ukraine “On public procurement” dated December 25, 2015 № 922-VIII identifies three ways to organize procurement activities, including in the construction sector: 1) establishment of tender committees; 2) introduction of authorized persons to the stuff; 3) the transfer of the right on the conduct of procurement procedures to centralized purchasing organizations [12].

Thus, there are three working models of control according to which public procurement and supply of goods, works and services in the construction industry take place:

- decentralized model.
- centralized model.
- hybrid model, which is a combination of two basic models.

Decentralized management model of public procurement involves the implementation of procurements by

customers, that is, it allows each customer to carry out procurement of goods, works and services in the field of construction. The centralized model of public administration is characterized by the implementation of public procurement to ensure the overall needs of the unified authority for public procurement, which means that customers charge public procurement on their behalf to a centralized authority. According to the combined management model, public procurement in the construction industry occurs according to the contracts that are implemented with the centralized model, and direct ordering and receipt of goods, works and services takes place according to the rules of the decentralized model.

An important step of Ukraine towards European integration is the approval of the Strategy for reforming the public procurement system (“road map”) (hereinafter – the Strategy) and the approval of the Plan of measures on realization of this Strategy [11]. One of the areas of reform of public procurement is ensuring predictability and stability of the regulatory framework in this field on the basis of harmonization of national legislation with European Union rules, and the enforcement of procurement procedures in line with international standards. Another important step in improving procurement at public expense is the reform of the institutional structure. And it’s not just the elimination of duplicating functions of controlling bodies of the sphere of public procurement, but also procurement centralization (Table).

Comparative analysis of the types of mechanisms of public procurement in construction, according to a set of at-

Comparative characteristics of the types of mechanisms of public construction procurement according to the criteria of system-wide principles

General system principles	Centralized specialized subject of the management of public procurement	Subject dispersed in affiliation	The subject of management of public procurement of the combined type
Legality	Direct passage of available harmonised regulatory framework	The incompatibility of departmental rules. Compliance with general requirements	Difficulties of observance of the set of norms and regulations
Controllability	Compliance with the liability regime (including personal). The reservation mechanism and compensation	The difficulty of establishing boundaries of responsibility. Exclusively judicial dispute resolution	The heterogeneity of the norms of responsibility. The complexity of the control regime
Competitiveness	Analytical professional capacity of market research	The high scatter level of professionalism and competence of the state customer	The possibility of complex market research
Efficiency	The possibility of integrating accounting of the total final effect of the implementation of public procurement	Bureaucratic approach to the assessment of the effectiveness of state public procurement	The potential objective integrated assessment of the effectiveness of government public procurement
Being resilient to corruption	The presence of corruption risks (medium scale)	The presence of corruption risks (above the average of the scale)	The presence of corruption risks (above the average of the scale)

Source: own research of the author

tributes showed the advantage of the centralized mechanism type. In contemporary international practice the mechanism of centralized procurement is effectively used, because this model is characterized by reduction of total costs in the procurement system. Along with this, centralized procurement, in practice, contributes to the implementation of effective and flexible procurement practices, such as framework agreements. It is therefore not surprising that one of the objectives of the reform of the public procurement is the introduction of a mechanism of centralized procurement. However, the introduction of such a procurement

model should preserve the advantages of decentralized procurement mechanism that operates in this area nowadays.

Thus, the Strategy for reforming the public procurement system provides a transition from the decentralized model of implementation of public procurement in Ukraine, which is currently used, and provides the opportunity to consider the needs of local communities, end users of goods and services purchased, and to support local producers and to attract them to participate in public procurement, centralized procurement, which is characterized by a decrease in the overall costs of the

system and is effectively used in contemporary international practice [13].

According to the Action Plan to implement the Strategy, the Government planned by 2020 not only to create a centralized body to organize centralized purchasing, but also to make a mandatory fully functioning centralized procurement [11]. The objects of attention from the societies around the world are the issues of procurement of goods, works and services for public funds and monitoring their effective and efficient use. In this case, the buyer, that is, the state should be interested in maximum efficiency of the process. After all, a form of economic relations between the government and suppliers of goods, works and services has significant advantages for both parties. The public procurement market is large enough and the problems encountered on it, will affect the level of development of many spheres of social and economic life of society [6].

Among e-government services an important position is taken by electronic public procurement. Creation and complex support of the system of "Electronic government" will allow a wide use of information technology in the management of public procurement, will help to form a unified mechanism of interdepartmental coordination of procurement and implementation of projects of creation of state information systems and resources [1–4].

The mechanism of electronic public procurement in Ukraine is quite laborious and time-consuming process which needed a phased implementation, namely:

- coordination and definition at the legislative level, responsible for the for-

mation of information systems in the Internet;

- state support and support for accessibility of electronic information;

- creation of electronic registers of suppliers, contracts, unfair participants;

- integration of electronic information on public procurement in the common database;

- creation of a subsystem of electronic document management for the organization and implementation of public procurement.

The main advantages of the electronic system is saving the state time and money (buyers do not need to analyze all the vendors, they consider only the one that made the best offer), transparency, mobility, the ability to access the system from anywhere in the country without too much red tape. Today all purchases of the state (state companies, institutions and authorities) are conducted exclusively through electronic platform ProZorro. Operation procedure of the e-procurement system "ProZorro" involves several stages [14]:

- I. Submission on an electronic platform on the Internet of an ad of what the customer wants to buy, or what services are necessary;

- II. Conduct of electronic auctions;

- III. Determination by the customer of the winning bidder;

- IV. Conclusion of contract, delivery of goods, performance of works and services and payment.

The market of the open data, started by ProZorro, it is, in fact, the model of public-private partnership, which has already well proven in other European countries. The state here acts as the

data owner, configures access and work rules with them, determines the rules of participation in tenders and monitors the quality of services, and determines suppliers based on the results of the tenders [8–9]. Thus, Ukraine was able to save on startup technologies and now provides a highly competitive service for public companies and businesses.

The next step of the Government to implement the “road map” of the Strategy was approval on November 23, 2016 of the Implementation Order of the pilot project on organization of activities of a centralized purchasing organization [15]. The Ministry of Economic Development and trade of Ukraine has already determined the state institution “Professional purchasing” to be a legal entity responsible for performing the functions of a Centralized purchasing organization, namely responsible for the organization and conduct of procurement procedures and procurement framework agreements.

Experts now, summing up the first purchases under the centralized management model, report significant savings (estimated to 15 %) and a large enough competition (7 participants on each lot) [12]. These results of the first procurement under the framework of the pilot project activities of Central bodies give reason to hope for improving the efficiency of procurement management in construction and ensure the economic attractiveness for business in this area.

For government organizations in the construction industry benefits from the introduction of centralized public procurement system are in risk reduction, simplification of the proce-

dures of procurement and disposal of non-core functions. For business there are advantages too: the professionalization of the purchaser, the concentration of quantities of goods in one place, the possibility of long-term strategic relationship, considering the use of framework agreements [16]. So, as you can see, the reforms in public procurement are confidently implemented. I have hope that the procurement activities of the customers will get easier, and the purchases will be more efficient and economical.

Conclusions. In result of the conducted research the presence of three existing models of governance of public procurement in the construction industry was detected, as defined by the Law of Ukraine “On public procurement” dated December 25, 2015 № 922-VIII: decentralized, centralized and combined models. It was found that a combination of two systems is most prevalent, because the management of public procurement in the construction industry occurs based on contracts that are implemented with the centralized model, and direct ordering and receipt of goods, works or services takes place according to the rules of the decentralized model.

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SCIENTIFIC SCHOOL OF MANAGEMENT OF RISKS TO THE REAL PROPERTY UNDER CONSTRUCTION AND IN USE: PURSUIT AND ACHIEVEMENTS

Abstract. The article is devoted to the actual issues of the introduction of European standards in the construction industry. One of the most important areas is the development of a system of engineer consultants that works efficiently abroad and can contribute to the development of the construction industry in Ukraine. At the current stage of economic development, the construction industry requires the creation of effective integrated management systems that can ensure its competitiveness not only within the framework of Ukraine but also in European markets. In conditions of transformation of the economic system to European standards of business, special attention is needed to create scientifically grounded prerequisites for the development of the construction industry. In this aspect, the development of a scientific risk management school in the construction and operation of real estate is of particular relevance. The article gives a theoretical definition of the concept “scientific school”, conducted a retrospective analysis of the definition of the conceptual foundations of the development of scientific schools in Ukraine and abroad. On the basis of the analysis carried out, the main characteristics of scientific schools and the prospects for further development of research and development in the field of construction and operation of buildings and structures are indicated. The purpose of the article is to determine the further ways of developing the school of science, to provide effective practical solutions to the actual problems of risk management at the macro level and macro levels. The Scientific School of Risk Management in the construction and operation of real estate objects is an analysis of the processes of risk management of construction projects and the operation of real estate objects throughout the life cycle of the construction project (pre-investment stage, design, construction, commissioning, operation, repair, reconstruction, demolition and utilization of materials and waste). That is, approaches to the research work of the School of Risk Management in the construction and operation of real estate objects are complex and systemic, and the issues that it considers may be relevant to solving problems of various stages of the implementation of construction projects, which emphasizes the great

importance of the development of scientific areas school. In order to ensure the further development of a scientific risk management school in the construction and operation of real estate objects, priority tasks and future directions of further development have been identified.

Keywords: public administration, construction, risk management, scientific school, eurointegration.

НАУКОВА ШКОЛА УПРАВЛІННЯ РИЗИКАМИ В ГАЛУЗІ БУДІВНИЦТВА ТА ЕКСПЛУАТАЦІЇ ОБ'ЄКТІВ НЕРУХОМОСТІ: ПОШУКИ ТА ЗДОБУТКИ

Анотація. Розглядаються актуальні питання впровадження європейських стандартів у будівельній галузі. Одним з найважливіших напрямів є розроблення системи інженерів-консультантів, яка ефективно працює за кордоном та може сприяти розвитку будівельної галузі в Україні. На сучасному етапі економічного розвитку будівельна галузь вимагає створення ефективних інтегрованих систем управління, які можуть забезпечити її конкурентоспроможність не тільки в межах України, а й на європейських ринках. В умовах трансформації економічної системи до європейських стандартів бізнесу необхідно приділяти особливу увагу створенню науково обґрунтованих передумов для розвитку будівельної галузі. У цьому аспекті особливо значення набуває розвиток наукової школи з управління ризиками при будівництві та експлуатації нерухомості. Викладено теоретичне визначення поняття “наукова школа”, проведено ретроспективний аналіз визначення концептуальних основ розвитку наукових шкіл в Україні та за кордоном. На основі проведеного аналізу визначені основні характеристики наукових шкіл та перспективи подальшого розвитку досліджень та розробок у галузі будівництва та експлуатації будівель та споруд, з подальшим забезпеченням ефективного практичного вирішення актуальних проблем управління ризиками на макро- та мікрорівні. Наукова школа управління ризиками при будівництві та експлуатації об'єктів нерухомості — це аналіз процесів управління ризиками будівельних проектів та експлуатації об'єктів нерухомості протягом життєвого циклу будівельного проекту (стадія попередінвестування, проектування, будівництво, введення в експлуатацію, експлуатація, ремонт, реконструкція, знесення та утилізація матеріалів та відходів). Тобто підходи до дослідницької роботи Школи ризик-менеджменту при будівництві та експлуатації об'єктів нерухомості є складними та системними, а питання, які вона вирішує, можуть бути актуальними для вирішення проблем різних етапів реалізації будівельних проектів, що підкреслює важливість розвитку наукових напрямів школи. Для забезпечення подальшого розвитку наукової школи управління ризиками при будівництві та експлуатації об'єктів нерухомості визначені пріоритетні завдання та майбутні напрями подальшого розвитку.

Ключові слова: державне управління, будівництво, управління ризиками, наукова школа, євроінтеграція.

НАУЧНАЯ ШКОЛА УПРАВЛЕНИЯ РИСКАМИ В СФЕРЕ СТРОИТЕЛЬСТВА И ЭКСПЛУАТАЦИИ ОБЪЕКТОВ НЕДВИЖИМОСТИ: ПОИСКИ И ДОСТИЖЕНИЯ

Аннотация. Рассмотрены актуальные вопросы внедрения европейских стандартов в строительной отрасли. Одним из важнейших направлений является разработка системы инженеров-консультантов, которая эффективно работает за границей и может способствовать развитию строительной отрасли в Украине. На современном этапе экономического развития строительная отрасль требует создания эффективных интегрированных систем управления, которые могут обеспечить ее конкурентоспособность не только в рамках Украины, но и на европейских рынках. В условиях трансформации экономической системы к европейским стандартам бизнеса необходимо уделять особое внимание созданию научно обоснованных предпосылок для развития строительной отрасли. В этом аспекте особое значение имеет развитие научной школы по управлению рисками при строительстве и эксплуатации недвижимости. Изложено теоретическое определение понятия “научная школа”, проведен ретроспективный анализ определения концептуальных основ развития научных школ в Украине и за рубежом. На основе проведенного анализа указаны основные характеристики научных школ и перспективы дальнейшего развития исследований и разработок в области строительства и эксплуатации зданий и сооружений с дальнейшим обеспечением эффективного практического решения актуальных проблем управления рисками на макро- и микроуровне. Научная школа управления рисками в сфере строительства и эксплуатации объектов недвижимости — это анализ процессов управления рисками строительных проектов и эксплуатации объектов недвижимости в течение жизненного цикла строительного проекта (стадия преинвестиционная, проектирование, строительство, ввод в эксплуатацию, эксплуатация, ремонт, реконструкция, снос и утилизация материалов и отходов). То есть подходы к исследовательской работе Школы риск-менеджмента в сфере строительства и эксплуатации объектов недвижимости являются сложными и системными, а вопросы, которые она решает, могут быть актуальными для решения проблем различных этапов реализации строительных проектов, подчеркивает важность развития научных направлений школы. Для обеспечения дальнейшего развития научной школы управления рисками при строительстве и эксплуатации объектов недвижимости определены приоритетные задачи и будущие направления дальнейшего развития.

Ключевые слова: государственное управление, строительство, управление рисками, научная школа, евроинтеграция.

Problem setting. An issue of risk management in conditions of an unstable financial and economic situation and the growth of mobility and operational efficiency of managerial decision-making in conditions of uncertainty is

one of relevant directions of modern research. One of the sectors of developing economy in conditions of a large number of risks is the construction industry. Background for the unstable development of the construction industry is its specific characteristics: a significant time gap between an investment and its reward, the timing of commissioning of the finished building products, high technological effectiveness of the industry, risk of injury for its workers, the need for establishing cooperation with the authorities and local governments, which often involves bureaucracy and corruption in administrative agencies. Consequently, an issue regarding development of ways of effective risk management in the construction and operation of real estate has its relevance and requires more detailed study. With the aim of solving the urgent problems of risk management in construction the Scientific School of Management of Risks to the Real Property under Construction and in Use was established and has been operating at the Interregional Academy of Personnel Management.

Analysis of recent researches and publications which initiated solving this problem. Problems of providing effective public management of risks to the real property under construction and in use were studied in the works of many foreign and national scientists. In particular, the financial mechanisms of risk management in implementation of construction projects with due account taken to the specifics of housing were identified in the works of A. Rybak, I. Azarova [1]. Amid need for transforming the risk management system and adopting international standards, the

industry requires highly skilled specialists with new approaches to management, which has been considered in the works of E. Romanenko, I. Chaplai [2]. The communicative component of risk management in construction projects is defined in the work of I. Chaplina [3]. Mills A. proposed creating a risk management system taking into account specifics of the construction industry [4]. Y. Yashchenko, and S. Neizvestnyi dedicated several scientific papers to the issues of implementing design activity goals and developing ways to achieve them under the conditions of risks [5]. An issue of state regulation of risk management in construction projects was smoothed out in the monograph of A. Diegtiar, O. Diegtiar, O. Kaliuga, O. Nepomnyashchyy, R. Sobol [6]. Ways of risk identification are presented in the work of M. Cohen [7]. The priorities of the state regulation of communication schemes of risk management in business projects were a subject of works written by V. Kazakov, A. Rashkovska, V. Rebkalo, E. Romanenko, I. Chaplai [8]. Y. Teslia, O. Danchenko considered the synergistic effect of the complex of actions regarding the risk management of construction projects [9]. A great contribution to the development of the issue of risk management in construction projects and operation of real estate was made by the previously mentioned Scientific School.

Selection of the parts of general problem unsolved before which are the subject of the Article. However, professional management and independent control in construction, the development of effective training methods to obtain highly qualified personnel and continuous research work in the

field of support of construction development remain topical issues. Urgent problems of construction and addressing them is a priority for the Scientific School of Management of Risks to the Real Property under Construction and in Use. Thus, the purpose of the article is to identify further ways of development of the Scientific School, provide effective practical solutions to urgent problems of risk management at the micro and macro level.

To meet the purpose, there is a number of tasks outlined as follows:

- to give a theoretical definition of the term “Scientific School”;
- to describe current research directions of the Scientific School;
- to consider the results of the Scientific School research work;
- to determine functions implemented by the Scientific School;
- to define perspective directions of further development of the Scientific School.

Presentation of the main research material with full substantiation of obtained results. One of the areas of systematization of integrated scientific research is performance of research by a group of experts in the related subject area within association into a single Scientific School [10].

The history of formation of scientific schools reaches the XIX century. At this time research work carried out in scientific laboratories that just began to operate became widespread. The practice of scientific research was actively introduced in the academic environment. A great potential was identified in the framework of scientific societies and communities that published research results in scientific periodi-

icals — scientific journals, which began to appear in the nineteenth century.

Development of the scientific community was connected with the existing demands of social and economic development. Further development of production was closely associated with its provision with the latest technologies that could allow for intensive development. Further progress of science was shaped using a form of integrated work of not one scientist but a group of them, which contributed to making the research results more systematic, complete and consistent. The effectiveness of this joint work was determined by the effectiveness of its implementation.

At the same time, scientific leaders appeared one by one in the system of group studies, namely specialists of the corresponding profile with high results in the development of a particular theme, which was evidenced by extensive experience and a deepening in the development of the proposed issue. Creative teams were formed around the scientific leaders, they brought together not only scientists engaged in this subject, but also students of the scientific school who continued, multiplied and developed the achievements of their predecessors in exploring a range of issues. In these conditions not only the group complex work appeared on the foreground, but also the personality of a scientific leader, around whom a scientific school was formed. Scientific leaders of the new formation were not just explorers then, they were talented teachers who passed on their knowledge and experience to future professionals who multiplied their achievements, continued development of scientific research and broadened the range of

research, covering new aspects of the scientific school. So, a talented scientist and a leader became the basis of the scientific school, this person defined the scientific school development program, as well as developed the methodology of research and training of its followers.

Intersecting and complementing each other, scientific schools formed new research teams and ensured the success of work of new scientific leaders, who determined the relevance of innovative techniques of research work for society and were engaged in solving new topical problems of production, economy, social development so on.

Therefore, having analyzed the development retrospective of the concept of “scientific school”, its functions can be determined. Firstly, it is the work of a team of scientists on conducting research on topical issues of economic development. Secondly, it is the training and education of practitioners and scholars who will continue the work of the school and address new challenges set to the science by the society.

It is possible to allocate the peculiarities of functioning for scientific schools as follows [11]:

- teamwork;
- organized research: planning, organization, monitoring execution of work;
- presence of a leader of the scientific school;
- a single research program;
- the availability of research methodology;
- common scientific views of the participants;
- informality of the creative team.

Among the functions of the Scientific School it is possible to allocate as follows [12]:

- carrying out research work on topical issues on development of society, economy, production, public administration etc.;

- producing knowledge and innovative products — intellectual property;

- training new generation of experts on topical development issues;

- spreading results of research work to improve the efficiency of social development.

The Scientific School of Management of Risks to the Real Property under Construction and in Use corresponds to the implementation of all abovementioned functions.

The Scientific School of Management of Risks to the Real Property under Construction and in Use was established in June 2017 by the decision of the Academic Council of the Interregional Academy of Personnel Management in accordance with the Regulations of the Scientific schools of the Academy, approved by the Rector’s Order of October 20, 2016 № 162-0. The Scientific School is headed by Oleksandr Mykhaylovykh Nepomnyashchyy, Doctor of Sciences in Public Administration, Professor of the Public Administration Department of the Interregional Academy of Personnel Management.

In the framework of the Scientific School a comprehensive research topic “Methodological and practical bases of forming public management policies of risks in industrial relations and social processes to the real property under construction and in use” [13].

The work of the Scientific School of Management of Risks to the Real Property under Construction and in Use is focused on finding effective ways

of minimizing and preventing risks in the course of construction projects at all stages of the life cycle based on international practice and practical risk management, in particular on the basis of scientific analysis of the conceptual framework for the use of FIDIC standard forms – the International Federation of Consulting Engineers, and other international construction contracts.

Achievements of the school have created conditions and identified the scientific substantiation of practical tasks of establishing an effective mechanism of public risk management of construction projects and risk management during operation of facilities through establishment of independent monitoring and control that meets the international standards and best practices of engineering institutes in the world. One of the proposals of the Scientific school regarding minimization of risks of construction projects is the establishment of a position of a consulting engineer that has exclusive designed job description, the rights and obligations of such specialists. On the basis of these studies a new profession of “consulting engineer (construction)” was included in the National Occupational Classification DK 003:2010, the Dictionary of Occupational Titles (Issue 64 “Construction, assembly and repair work”) defines qualification characteristics of the profession, which became the start of a new, more efficient state policy in the sphere of risk management in construction projects.

In the framework of Scientific School of Management of Risks to the Real Property under Construction and in Use the following works in approbation have been published:

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In total, representatives of the Scientific School of Management of Risks to the Real Property under Construction and in Use published more than 180 monographs, articles, made presentations and published abstracts at international and national scientific conferences only throughout 2017.

These works are dedicated to problem aspects of risk management in construction projects in the conditions of transformational processes in economy of Ukraine, aimed at ensuring the integration vector of development of the national economy. The transition of construction to European standards and system of risk management in construction projects will ensure the competitiveness of domestic companies on the European markets. However, the introduction of European regulations and standards should take into account the nature of the domestic construction industry, and scientists and skilled specialists of the construction industry should ensure the implementation of the European approaches to construction taking into account the specifics of the domestic market of construction

services. This process must be accompanied by the development of innovative models of risk management in construction projects based on in-depth scientific analysis and be proved empirically. Because errors in the risk management system lead to large financial losses and can cause the crisis in the framework of activities both in a single enterprise and in the construction industry as a whole.

The Scientific School of Management of Risks to the Real Property under Construction and in Use carries out an analysis of the risk management processes of construction projects and operation of real estate units throughout their life cycle (pre-investment stage, design, construction, commissioning, operation, repair, renovation, demolition and disposal of materials and wastes). That is, approaches to scientific research of the School are complex and systemic, and the issues under consideration may be relevant for the solving of tasks of the various stages of construction projects, which underlines the great practical importance of development of scientific directions of the School.

The Scientific School consists of talented scientists, practitioners, representatives of state bodies and local authorities, postgraduate and doctoral students involved in the development of the mainstreaming of risk management in the construction industry.

The participants of the Scientific School of Management of Risks to the Real Property under Construction and in Use have been carrying out scientific and technological cooperation with the following institutions:

- Interstate Consultants Engineers Guild (ICEG);

- UNCITRAL, The UN Commission;
- FIDIC;
- FEANI;
- MDB;
- ICC.

Among the most urgent problems, considered by representatives of the School within the framework of comprehensive research work are as follows [13]:

- implementation of self-regulation of town planning activities in Ukraine;
- study of solutions to the problems of the Chernobyl Nuclear Power Plant Zone of Alienation;
- work to improve legislation in the field of risk management in construction to bring it into line with European regulations and standards;
- scientific rationale for reforming town planning legislation through the deregulation of the construction activities;
- elaboration of a methodology for the study and improvement of legislation in the field of construction with the aim to ensure effective cooperation with international financial institutions to reach investment attractiveness of the construction complex;
- formation of the housing market infrastructure;
- improvement of the state policy in the part of providing urban amenities and public service;
- participation in the USAID Municipal Energy Reform Project in Ukraine;
- implementation of international educational projects on ecology and environmental protection, national and regional programmes for the reform and development of construction, housing and communal services, provision of

urban amenities, waste management, and so on.

In the framework of the Scientific School of Management of Risks to the Real Property under Construction and in Use management there are twenty-nine doctoral and doctor of philosophy's theses prepared and defended.

The rapid development of the Scientific School of Management of Risks to the Real Property under Construction and in Use proves the relevance of the research work chosen for conduct. In the conditions of transformation processes in the state economy and putting it on the track of European integration changes, the process of ensuring competitiveness of Ukrainian enterprises on the European markets is getting a particular relevance. Development of practical recommendations of the Scientific School of Management of Risks to the Real Property under Construction and in Use is proven not only by a high qualification of the professionals but also by a broad international collaboration with leading international public institutions, foreign exchange funds and government and municipal authorities, whose experience is studied and adapted to the realities of the Ukrainian construction market.

Among the promising focus areas of the Scientific School of Management of Risks to the Real Property under Construction and in Use there are the following:

- development of the international cooperation for the exchange of progressive experience in risk management of construction projects;
- more active involvement of young scientists to research work within the theme of the School;

- ensuring interaction with business to improve the effectiveness of risk management processes in construction enterprises;

- ensuring cooperation with public authorities for the implementation of risk management standards in construction and to create conditions for further development of the construction industry.

Conclusions. A retrospective analysis of the development of the concept of scientific school was carried out in the study. The article defines that a scientific school is a hierarchical organizational structure of the creative team of associates who are engaged in research development within the related topic. The key characteristics of scientific schools were highlighted. The work of the Scientific School of Management of Risks to the Real Property under Construction and in Use was presented, which is engaged in the issues of the construction industry development. Its functions and the main results were specified. In particular, the results of the research work of the School for 2017 were published in more than 180 issues, and total scientific background of its representatives is more than 330 monographs, articles, works in approbation, which proves the relevance and importance of the chosen theme. To ensure further development of the Scientific School of Management of Risks to the Real Property under Construction and in Use the priorities and prospective directions of further development were set .

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DEVELOPMENT OF SIGNALS OF SUCCESS OF CAREERS OF THE FACTOR SOCIO-CULTURAL SPHERE

Abstract. The article analyzes the state and problems of the development of the synergy of the career success of a specialist in the socio-cultural sphere. The main aspects of career development formation are highlighted, attention is paid to the definition of “career specialist’s success” as a process of development, implementation and decision making on the basis of human-centeredness, motivation, self-development and self-realization, a system of professional knowledge, skills and skills that provides professional development, achievement of goals and satisfaction with professional activity.

The synergy of career success of a specialist as a targeted activity of a specialist in the socio-cultural sphere in relation to the achievement of the goals and objectives of professional activity was characterized. The preconditions for the career success of a specialist in the socio-cultural sphere have been argued and outlined. In particular, the presence of special features of the cognitive and intellectual spheres, providing a reflection of the activity; developed intellect; high ability to goal-setting; wide horizons; morality; personal maturity, supporting the desire for constant self-development, self-improvement; ability to self-control, self-control and self-realization.

Factors, factors, indicators, criteria, components are analyzed. Functions of the career success of specialists in the socio-cultural sphere. The relevance of the management of the success of a career in a specialist in the socio-cultural environment has been substantiated through the implementation of the relevant cycles: professional definition → professional education → selection for the position → professional adaptation → career development planning → professional development → professional development → evaluation of the results of professional activity. It is proved that the success of the career of specialists of the socio-cultural sphere is formed, in accordance with the general laws of development, which contain creative and innovative principles of professional and personal growth.

The corresponding subsystems of career success of the specialist of socio-cultural activity, namely: personnel, organizational, personal, and cultural-ethical subsystems, are determined. It is noted that due to the functions of the involved subsystems and associated career orientations, the specialist of the socio-cultural environment, given their interaction and interrelationship taking over the nature of the mutual perception of the activities of these elements, you can get the programmed result – the success of a career.

It is substantiated that in order to achieve the success of a career, a specialist in the socio-cultural sphere must possess the appropriate complex of competencies. Namely: the definition of the direction of activity and vision; effective communication; decency and justice; delegation of authority; strategic thinking; making managerial decisions; analytical thinking; skills of working with information; innovation; leadership; professional experience; improvement of activity; change management; demanding possession of knowledge and skills of self-management; ability to make the most of their own abilities; stress management; self-confidence, decisions taken; ability to work in a team; creativity (the ability to creatively approach the decision of managerial tasks, the tendency to improvisation); responsibility; self-improvement; organizational skills; trust; conflict management; rational resource management; criticality; orientation to the result.

The conclusion is made that the synergy of the career success of specialists in the socio-cultural sphere can be presented in the form of such a structural process: a successful specialist → self-improvement and self-realization of a specialist → creative and innovative principles of professional development of a specialist → human centered dimension of the socio-cultural sphere → achievement of the de-

terminated goals and goals of the specialist → measure of goals and goals → synergy of success and career specialist socio-cultural environment.

Keywords: success, career, specialist, human resources, innovative technologies, synergy, competency approach, motivation, self-realization, socio-cultural sphere.

РОЗВИТОК СИНЕРГІЇ УСПІШНОСТІ КАР'ЄРИ ФАХІВЦЯ СОЦІОКУЛЬТУРНОЇ СФЕРИ

Анотація. Проаналізовано стан та проблеми розвитку синергії успішності кар'єри фахівця соціокультурної сфери. Розкрито основні аспекти формування успішності кар'єри, зацентровано увагу на визначенні “успішність кар'єри фахівця” як процесу розроблення, реалізації та прийняття рішень на засадах людиноцентризму, мотивації, саморозвитку і самореалізації, системи професійних знань, умінь і навичок, що забезпечує професійний розвиток, досягнення цілей і задоволення професійною діяльністю.

Схарактеризовано синергію успішності кар'єри фахівця як цілеспрямовану діяльність фахівця соціокультурної сфери щодо досягнення мети та цілей професійної діяльності. Аргументовано та виокремлено передумови успішності кар'єри фахівця соціокультурної сфери. Зокрема, наявність спеціальних особливостей пізнавальної та інтелектуальної сфер, що забезпечує відображення діяльності; розвинутий інтелект; високі здібності до цілепокладання; широкий кругозір; моральність; особистісна зрілість, що підтримує прагнення до постійного саморозвитку, самовдосконалення; здібності до саморегуляції, самоконтролю та самореалізації.

Проаналізовано чинники, фактори, показники, критерії, складові, функції успішності кар'єри фахівців соціокультурної сфери. Обґрунтовано актуальність управління успішністю кар'єри фахівця соціокультурного середовища через реалізацію відповідних циклів: професійне визначення → професійна освіта → відбір на посаду → професійна адаптація → планування кар'єрного зростання → професійне становлення → професійний розвиток → оцінювання результатів професійної діяльності. Доведено, що успішність кар'єри фахівців соціокультурної сфери формується відповідно до загальних законів розвитку, які містять творчі та інноваційні засади професійного й особистісного зростання.

Визначено, відповідні підсистеми успішності кар'єри фахівця соціокультурної діяльності, а саме: кадрова, організаційна, особистісна та культурно-етична підсистеми. Доведено, що завдяки виконанню функцій залучених підсистем та пов'язаних із ними кар'єрних орієнтацій фахівця соціокультурного середовища з огляду на їхню взаємодію та взаємовідносини, що набувають характеру взаємсприйняття діяльності цих елементів, можна отримати запрограмований результат — успішність кар'єри.

Обґрунтовано, що для досягнення успішності кар'єри фахівець соціокультурної сфери повинен володіти відповідним комплексом компетентностей, а саме: визначення напряму діяльності і бачення; ефективна комуні-

кація; порядність і справедливість; делегування повноважень; стратегічне мислення; прийняття управлінських рішень; аналітичне мислення; навички роботи з інформацією; інноваційність; лідерство; професійний досвід; удосконалення діяльності; управління змінами; вимогливість; володіння знаннями і навичками самоменеджменту; вміння максимально використовувати власні можливості; керувати стресами; впевненість у собі, прийняття рішень; вміння працювати в команді; креативність (уміння творчо підходити до рішення управлінських завдань, схильність до імпровізації); відповідальність; самовдосконалення; організаторські здібності; довіра; управління конфліктами; раціональне управління ресурсами; критичність; орієнтація на результат.

Зроблено висновок про те, що синергію успішності кар'єри фахівців соціокультурної сфери, можна подати у вигляді такого структурного процесу: успішний фахівець → самовдосконалення й самореалізація фахівця → творчі та інноваційні засади професійного розвитку фахівця → людиноцентристський вимір соціокультурної сфери → досягнення визначених цілей і мети фахівцем → ступінь реалізації цілей і мети → синергія успішності і кар'єри фахівця соціокультурного середовища.

Ключові слова: успішність, кар'єра, фахівець, людські ресурси, інноваційні технології, синергія, компетентнісний підхід, мотивація, самореалізація, соціокультурна сфера.

РАЗВИТИЕ СИНЕРГИИ УСПЕВАЕМОСТИ КАРЬЕРЫ СПЕЦИАЛИСТА СОЦИОКУЛЬТУРНОЙ СФЕРЫ

Аннотация. Проанализированы состояние и проблемы развития синергии успешности карьеры специалиста социокультурной сферы. Раскрыты основные аспекты формирования успешности карьеры, акцентировано внимание на определении “успешность карьеры специалиста” как процесса разработки, реализации и принятия решений на основе человекоцентризма, мотивации, саморазвития и самореализации, системы профессиональных знаний, умений и навыков, обеспечение профессионального развития, достижения целей и удовлетворения профессиональной деятельностью.

Охарактеризована синергия успешности карьеры специалиста как целенаправленной деятельности специалиста социокультурной сферы по достижению цели и целей профессиональной деятельности. Аргументировано и выделены предпосылки успешности карьеры специалиста социокультурной сферы. В частности, наличие специальных особенностей познавательной и интеллектуальной сфер, обеспечивает отображение деятельности; развитый интеллект; высокие способности к целеполаганию; широкий кругозор; нравственность; личностная зрелость, которая поддерживает стремление к постоянному саморазвитию, самосовершенствованию; способности к саморегуляции, самоконтроля и самореализации.

Проанализированы факторы, показатели, критерии, составляющие, функции успешности карьеры специалистов социокультурной сферы. Обо-

снована актуальность управления успешностью карьеры специалиста социокультурной среды рассматривать через реализацию соответствующих циклов: профессиональное определение → профессиональное образование → отбор на должность → профессиональная адаптация → планирование карьерного роста → профессиональное становление → профессиональное развитие → оценки результатов профессиональной деятельности. Доказано, что успешность карьеры специалистов социокультурной сферы формируется в соответствии с общими законами развития, содержащих творческие и инновационные основы профессионального и личностного роста.

Определены соответствующие подсистемы успешности карьеры специалиста социокультурной деятельности, а именно: кадровая, организационная, личностная и культурно-этическая подсистемы. Отмечено, что благодаря выполнению функций привлеченных подсистем и связанных с ними карьерных ориентаций специалиста социокультурной среды, учитывая их взаимодействие и взаимоотношения, приобретающие характер взаимного восприятия деятельности этих элементов, можно получить запрограммированный результат — успешность карьеры.

Обосновано, что для достижения успешности карьеры специалист социокультурной сферы должен обладать соответствующим комплексом компетентностей, а именно: определение направления деятельности и видения; эффективная коммуникация; порядочность и справедливость; делегирования полномочий; стратегическое мышление; принятие управленческих решений; аналитическое мышление; навыки работы с информацией; инновационность; лидерство; профессиональный опыт; совершенствование деятельности; управление изменениями; требовательность; владение знаниями и навыками самодисциплины; умение максимально использовать собственные возможности; управление стрессами; уверенность в себе, принятие решений; умение работать в команде; креативность (умение творчески подходить к решению управленческих задач, склонность к импровизации); ответственность; самосовершенствование; организаторские способности; доверие; управление конфликтами; рациональное управление ресурсами; критичность; ориентация на результат.

Сделан вывод о том, что синергию успешности карьеры специалистов социокультурной сферы можно представить в виде такого структурного процесса: успешный специалист → самосовершенствование и самореализация специалиста → творческие и инновационные основы профессионального развития специалиста → человекоцентристские измерения социокультурной сферы → достижение определенных целей и целей специалистом → степень реализации целей и цели → синергия успешности и карьеры специалиста социокультурной среды.

Ключевые слова: успешность, карьера, специалист, человеческие ресурсы, инновационные технологии, синергия, компетентностный подход, мотивация, самореализация, социокультурная сфера.

Challenge problem. The dynamics of the development of society and the tendencies of the labor market require changes in the management principles of the use of human resources of the socio-cultural sphere for the realization of interests taking into account the needs of development and stabilization of the economy, guaranteeing the competitiveness of specialists in the international arena, which can ensure successful professional activity, which is the basis of a successful career of specialists. socio-cultural sphere.

Today, practice shows that modern Ukrainian society is characterized by a complex and controversial change in the models of human potential. That is why the most important strategic goals of the personnel policy development of the socio-cultural environment are the restoration of human resources, intellectual potential and maximum realization that ensures the achievement of career success.

Analysis of recent researches and publications. Theoretical and theoretical basis of the article are works on the theory and practice of management, psychology, sociology, etc. Among them is the research by M. Armstrong, V. Badrak, S. Ivanov, I. Yermakova, I. Kalkmova, A. Kolot, L. Knodel, N. Stepanets, E. Zier, J. Ilyina, J. Morgensterna, V. Milyaeva, L. Mitin, O. Moskalenko, N. Samokin, T. Tkachenko, Y. Hammer, I. Shkogoleva, V. Fedorchenko, G. Chaika, V. Shepel, E. Shein, F. Shcherbak and others. The work of these scholars enabled the systematic consideration of the overwhelming majority of issues related to the development of human resources management, the systematic integrated

analysis of management development, and the synergy of the career success of a specialist.

The analysis of scientific works gives grounds to assert that the problems of the career success of a specialist in the socio-cultural sphere have not yet been sufficiently studied, and some issues are covered in a fragmentary way. There are no publications that comprehensively examine the success of the career of specialists in the socio-cultural sphere. Insufficient level of scientific development of theoretical and practical principles and determined the relevance of the choice of the topic of scientific research.

The purpose of this article is to provide scientific and practical comprehension and substantiation of the effective development of the synergy of the career success of a specialist in the socio-cultural environment.

Presentation of the basic material. Modern conceptions of a career are the conceptual base that gives impetus to the construction of a successful individual and personal self-realization of a specialist in the socio-cultural sphere, which is formed on the basis of theoretical-methodological and practical principles.

In general, the concept of “career” in the modern world of management is widely used in different interpretations and approaches. In particular, the great explanatory dictionary of contemporary Ukrainian language treats career as a quick advancement in professional activity [3, p. 525]. The sociological-pedagogical vocabulary of a specialist career defines as “deliberately chosen way of official promotion, the desire to achieve a certain status” [8, p. 194]. Thus, one

can consider a career as an important aspect of professional development and implementation of a specialist in the socio-cultural sphere. In turn, under the career process, we will understand the career orientations and career settings of a specialist, his professional activity in the process of achieving success through the prism of the interaction of planning mechanisms, professional development, selection, innovative technologies, motivational processes and evaluation of the results of professional activity.

On the basis of the analysis of scientific literature, "the success of a career specialist" can be interpreted as a process of development, implementation and acceptance of the search on the basis of human-centeredness, motivation, self-development and self-realization, a system of professional knowledge, skills and skills that provides professional development, achievement of goals and professional satisfaction. Activity we are convinced that the synergetic aspect of career and success is to clearly define the interdependence and interdependence of these two processes.

Thus, the synergy of the career success of a specialist is the deliberate activity of a specialist in the socio-cultural sphere in pursuit of the goal and objectives of professional activity. In turn, the system for managing the success of a career in a specialist in the socio-cultural environment will be considered through the implementation of the relevant cycles: professional definition → vocational education → selection for a position → professional adaptation → career development planning → professional development → professional development → evaluation of the results

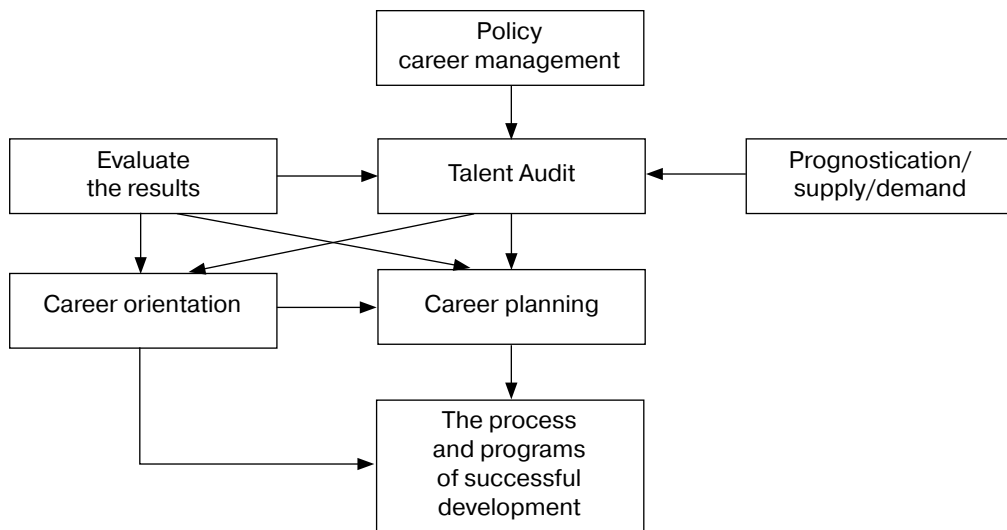
of professional activity. The success of the career of specialists in the socio-cultural sphere is formed in accordance with the general laws of development, which contain creative and innovative principles of professional and personal growth.

In the context of the above-mentioned, it is appropriate to point out that the basis for the success of a career in a specialist in the socio-cultural sphere is the following prerequisites: the presence of special features of the cognitive and intellectual spheres, providing a reflection of the activity; developed intellect; high ability to goal-setting; wide horizons; morality; personal maturity, supporting the desire for constant self-development, self-improvement; ability to self-control, self-control and self-realization.

Interesting for our study is the vision of M. Armstrong's career management system and achievement success [1, p. 384], as shown in Figure.

Proceeding from this, in the system of constructing a successful career specialist in the socio-cultural sphere, at the present stage, we select the appropriate subsystems for the implementation of the professional purpose. In particular, such as: human resources, organizational, personal and cultural-ethical subsystems. Due to the functions of the subsystems attracted and their associated career orientation, a specialist in the socio-cultural environment, given their interaction and interrelationship that takes on the nature of the mutual cooperation of these elements, one can get the programmed result of a career success.

The analysis of scientific and practical literature enables the expert's career



Model of management of the career success of M. Armstrong

orientation to be defined as the basic social settings of a specialist, reflecting the importance of a career, is the basis for choosing a career type and expressing readiness for self-realization in the process of professional activity. In general, the following types of career orientations are distinguished: career advancement, aspiration for independence (autonomy), professional competence, stability (security), managerial competence, challenge, integration of lifestyles, entrepreneurship. At the same time, the tendencies of development and the change of the paradigm of the socio-cultural environment help to update the new vision and update the career orientations of the specialist.

However, we emphasize that the specialist socio-cultural sphere, defining the specifics of their professional work constructively to overcome the problem of solving conflict of interest, promptly acting in unusual situations, successfully using their own creativity, has a real chance to achieve successful

careers. Thus, the basic principles of the career success of specialists in the socio-cultural sphere are the general laws of development, which contain creative and innovative principles of professional and personal growth.

It should be noted that the basic principles of successful career professionals sociocultural environment are: perception and reality that determines how satisfied their expert personal and professional activities; recognition and variability, which is that when a person does not want to recognize a problem or circumstance, then she can not influence and change her; behavior and effectiveness, which indicates that when a person changes his behavior, then he may change the outcome of his activity; perseverance and patience; image and reputation. Compliance and implementation of the proposed principles and legality, professionalism, integrity, of strategy, openness, initiative, creativity, promote professional and career development professionals is, in our view, the

foundation of becoming successful career professionals socio-cultural sphere.

On the basis of theoretical investigations, we believe that the components of the career success of specialists in the socio-cultural sphere should be determined: objective — success, efficiency, performance, performance and subjective — needs, motivation, personal satisfaction with the process and result. In this case, every specialist should know his “field of success”, that is, to have an idea of what he can achieve as a result of his professional activities.

On our deep conviction, understanding of the success of the career of specialists in the socio-cultural sphere, first of all, should be determined by professionalism, communicative qualities and competence, which makes it possible to skillfully build a strategy for self-development of a successful specialist. We emphasize that the success of the career of experts in the socio-cultural environment characterizes the features of their self-awareness, self-improvement, self-realization and the fact that the priority directions of the socio-cultural environment can be identified as an important aspect of the ability of professionals to realize themselves as a professional. In general, in the socio-cultural sphere, the success of a career is a universal need for realizing the potential of a specialist, a belief in oneself, achievement of the goal and high results.

Understanding the scientific literature on the problems of success allows one to distinguish the main factors (external and internal, biological, social-psychological, objective and subjective) that influence the formation and implementation of the career success of specialists. They will also include

adaptation to professional activity, professional competence, professional competence, activity, socio-psychological factors, individual and personal qualities of a specialist, organizational culture, career orientation, managerial skills, leadership, intelligence, orientation, success.

Also, according to the results of the express survey, we have the opportunity to distinguish the criteria for the career success of specialists in the socio-cultural sphere. In particular, professional development; career advancement; realization of personal, professional and leadership potential of a specialist.

Taking into account these positions, the indicators of career success should be considered social progress, purposefulness, professionalism, responsibility, creativity, innovative potential, acceptance and implementation of professional decisions, sense of time, productivity of communicative abilities, performance of professional activity, competitiveness, the possibility of self-realization and development, possession of innovative technologies, level of satisfaction with professional activity.

Important importance should be given to the competency and motivational components as the basis for the specialist's pursuit of success. The key is the desire to achieve high results, the purposeful pursuit of professional competence, effective fulfillment of functional duties, “lifelong learning” and personal and professional self-realization.

Consider the motives of specialists in the socio-cultural sphere, who seek to succeed: taking into account the needs and prospects of development; opportunities for versatile development and implementation; promotion of professio-

nal and career growth; pay; stimulation; promotion of a high level of professional development; conformity of expectations of specialists to the realities of socio-economic conditions; ensuring transparent mobility, staffing and advanced training; self-development opportunity; a favorable professional environment; encouraging and taking into account the results of the evaluation of professional activity; prestige and satisfaction of needs. Motivated to the success of the specialists of the socio-cultural sphere persistently, step by step achieve certain goals, using professionally important qualities that influence the formation of career success.

The sociological survey conducted by us made it possible to roam the complex of competencies necessary for a modern specialist in the socio-cultural sphere, namely: definition of the direction of activity and vision; effective communication; decency and justice; delegation of authority; strategic thinking; making managerial decisions; analytical thinking; skills of working with information; innovation; leadership; professional experience; improvement of activity; change management; demanding possession of knowledge and skills of self-management; ability to make the most of their own abilities; stress management; self-confidence, decisions taken; ability to work in a team; creativity (the ability to creatively approach the decision of managerial tasks, the tendency to improvisation); responsibility; self improvement; organizational skills; trust; conflict management; rational resource management; criticality; orientation to the result.

Particular attention in the process of implementation of the career success of

specialists in the socio-cultural sphere should be given priority to the specialist's possession of such personal qualities as: active life position, ability to self-improvement, high ability to work, ability to manage conflicts, initiative, sociability, creativity, professionalism, responsibility, creativity, tolerance, confidence, activity, optimism, innovation, leadership, purposefulness and professional skills of time management, control, leads negotiation, preparation of commercial offers, solution of strategic problems, promptness in decision making and implementation, ability to work in a team, etc.

It is conceptually important to note that the technology of planning and implementing a successful career of a specialist in the socio-cultural sphere will include: goal-setting, motivational tools, career development portfolios, career graphs, career paths, career optimization technology and career development plans. careers, systems for evaluating the results of professional activity.

The main goal of career planning is to realize the potential of specialists in the socio-cultural sphere, to create conditions for self-realization and achievement of success. It should be noted that in planning professional activities, besides focusing on the final result — the success of a specialist must take into account the functional tasks and goals of the organization. An important role is played by coordinating the goals of the specialist and the organization, setting clear goals and objectives for achieving them, an agreement on the results of the activities between the manager and the specialist, determining the training needs, increasing the level of compe-

tence, determining the results of evaluation, planning career success.

In our opinion, in our opinion, during the planning of the career development of a specialist in the socio-cultural sphere, it is useful to use the following technologies: the technology of developing a personal life plan for career A. Kibanov; W. Sanders Career Planning Technology; Career Planning Technology S. Raznik, G. Zaitseva, N. Karr-Rufino; recommendations on career planning at organizational level, etc. What will contribute to the formation of a new type of specialists who are interested in continuing education, self-development and self-realization, professional and career growth, as a result – the establishment of success.

The key to successful career professionals is to identify and achieve goals. We believe that the priority objective of professional activity of specialists in the socio-cultural environment is professional self-realization and professional growth, which will promote the competitiveness and success of the modern labor market in the labor market.

In turn, the internal basis for the success of a specialist is professional competence, such as the readiness to perform qualitatively functional duties (the range of powers, competencies), provided by a combination of relevant professional knowledge and skills gained during continuous training, practical experience, motivation and personal qualities, which is formed in the “portfolio of career growth”. Analyzing the purpose of the specialist portfolio, let us note that this, above all, determines the dynamics of significant results in general, as well as the diagnosis of personal professional development, demon-

stration of the most significant results of practical activities for the assessment of their professional competence.

The use of a portfolio allows to solve a number of tasks of professional activity, namely: to form and constantly support motivation, readiness of the expert to consciously effective purposeful self-education; develop reflexive and self-evaluation activities, expand the possibilities of self-education; accelerate the evaluation process by defining a range of professional opportunities for a specialist; fix changes and professional growth at the appropriate time; to ensure the continuity of self-education [5, p. 35–50]. Thus, the “career growth portfolio” can be interpreted as an instrument of self-organization, self-knowledge, self-esteem, self-development and self-presentation through human-centeredness, which allows a specialist in the socio-cultural sphere to analyze their activities, carry out a qualitative assessment of the results and plan further actions to achieve the success of kar’specialist.

Currently, practice shows that “career development portfolio” is also a technology of authentic assessment (assessment of personal achievements), which should be characterized as an individual, personally selected package of materials, which, on the one hand, demonstrate the result of the work of a specialist, and on the other, contain information, which characterizes ways to analyze and plan a career. Taking into account the above, we can say that the “career development portfolio” of a socio-cultural specialist can be considered in various functional aspects, in particular as an alternative way of evaluating professional achievements and as a tool

for self-analysis, self-development and self-improvement. We are convinced that the “career development portfolio” of the socio-cultural specialist is an appropriate result of professional development and a new stage for self-improvement.

Of great importance in shaping the career success of specialists in the socio-cultural sphere is the evaluation as a confirmation or denial of success. We believe that in order to assess the success of a career it is expedient to borrow a single assessment system of the Commodity Assessment Frameworks (SAF), which helps to measure the quality and effectiveness of services, to solve the above problems by criteria and indicators, among which:

- the criterion for evaluating the “result” – the evaluation of a specialist for an individual contribution to the effectiveness of the organization;

- criterion of evaluation “professionalism” – evaluation of a specialist for demonstrating his professional competence in daily work. Indicators of this criterion are: strategic and critical thinking; strategic planning; informational-analytical, organizational-executive, representative, planning, innovation-research, expert-consulting, management training; ability to adjust activity, control;

- the criterion for evaluating the “potential of development” – the assessment of a specialist and his ability to self-development and professional development, professional growth. Indicators of this criterion are: professional self-improvement (ability to self-development, systematic, continuous improvement, management of own professional activity), innovative po-

tential (ability to find new solutions to problems, openness to new knowledge and experience). The typical process of optimizing professional activities on the CAF model is realized through the appropriate stages, such as: the beginning of perfection with the CAF, the process of self-evaluation, the plan of improvement [6, p. 5–23]. The above-mentioned evaluation criteria foresee a feedback that determines the development of human potential, economic growth and competitiveness of specialists in the process of forming a successful career.

Conclusions. Consequently, the conclusions obtained during the research will promote competitiveness and the formation of the career success of specialists in the socio-cultural sphere, which can be submitted in the form of such a structural process: a successful specialist → self-improvement and self-realization of a specialist → creative and innovative principles of professional development of a specialist → human centered dimension of the socio-cultural sphere → achievements defined goals and goals of the specialist → measure of goals and goals → synergy of success and career specialist socio-cultural environment.

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CONCEPTUAL PRINCIPLES OF PUBLIC ADMINISTRATION OF THE INTEGRATED RURAL AREA DEVELOPMENT BY ACTIVATING SERVICE COOPERATIVES

Abstract. The content of the concepts of “public administration”, “rural area”, “integrated rural area development” and “public administration of integrated rural areas development” are determined. The conceptual principles of public administration of the integrated rural area development are substantiated due to the activation of servicing cooperatives to solve the most actual problems of territorial communities. It is determined that its essence consists in administrative decisions by the administrative management through introduction of effective mechanisms, tools and levers of state and regional policy. It is summarized that public administration should be carried out taking into account the project-targeted approach to increase the level of social and economic development of rural communities, rational use of natural resources and preservation of the environment. It is proved

that servicing cooperatives are the effective tool for self-organization of community representatives and serve as a unifying center for rural population. Their capabilities are not only in combining of commodity producers to meet economic interests in harvesting, processing and marketing of agricultural products, but they could be engaged also in providing quality services in the spheres of housing and communal services, servicing of communal property, the carry out and utilization of solid household waste, organization of civilized landfills, provision of landscaping. Due to the public-private partnership the local self-government bodies could be delegate some of their powers to cooperatives and support them through financing of measures of social and economic programs of integrated development of rural areas.

Keywords: public administration, rural area, integrated rural area development, agricultural servicing cooperative, servicing cooperation.

КОНЦЕПТУАЛЬНІ ЗАСАДИ ПУБЛІЧНОГО УПРАВЛІННЯ КОМПЛЕКСНИМ РОЗВИТКОМ СІЛЬСЬКИХ ТЕРИТОРІЙ ЧЕРЕЗ АКТИВІЗАЦІЮ ДІЯЛЬНОСТІ ОБСЛУГОВУЮЧИХ КООПЕРАТИВІВ

Анотація. Визначено зміст понять “публічне управління”, “сільська територія”, “комплексний розвиток сільських територій” та “публічне управління комплексним розвитком сільських територій”. Обґрунтовано концептуальні засади публічного управління комплексним розвитком сільських територій через активізацію діяльності обслуговуючих кооперативів з метою вирішення найбільш актуальних проблем територіальних громад. Аргументовано, що його суть полягає у реалізації публічною адміністрацією управлінських рішень через запровадження ефективних механізмів, інструментів і важелів державної та регіональної політики. Резюмовано, що публічне управління має здійснюватися з урахуванням проектно-цільового підходу для підвищення рівня соціально-економічного розвитку сільських територіальних громад, раціонального використання природних ресурсів та збереження довкілля. Доведено, що обслуговуючі кооперативи є дієвим інструментом самоорганізації представників громад та виступають об’єднуючим центром сільського населення. Їх можливості полягають не тільки в об’єднанні товаровиробників задля задоволення економічних інтересів у заготівлі, переробці і збуті сільськогосподарської продукції, а й у наданні якісних послуг у сферах житлово-комунального господарства, обслуговування об’єктів комунальної власності, вивезення й утилізації твердих побутових відходів, організації цивілізованих полігонів для сміттєзвалищ, забезпечення благоустрою. Завдяки державно-приватному партнерству органам місцевого самоврядування запропоновано делегувати частину своїх повноважень кооперативам і здійснювати їх підтримку через фінансування заходів соціально-економічних програм комплексного розвитку сільських територій.

Ключові слова: публічне управління, публічна адміністрація, сільська територія, комплексний розвиток сільських територій, сільськогосподарський обслуговуючий кооператив, обслуговуюча кооперація.

КОНЦЕПТУАЛЬНЫЕ ОСНОВЫ ПУБЛИЧНОГО УПРАВЛЕНИЯ КОМПЛЕКСНЫМ РАЗВИТИЕМ СЕЛЬСКИХ ТЕРРИТОРИЙ ЧЕРЕЗ АКТИВИЗАЦИЮ ДЕЯТЕЛЬНОСТИ ОБСЛУЖИВАЮЩИХ КООПЕРАТИВОВ

Аннотация. Определено содержание понятий “публичное управление”, “сельская территория”, “комплексное развитие сельских территорий” и “публичное управление комплексным развитием сельских территорий”. Обоснованы концептуальные основы публичного управления комплексным развитием сельских территорий через активизацию деятельности обслуживающих кооперативов с целью решения наиболее актуальных проблем территориальных общин. Аргументировано, что его суть заключается в реализации публичной администрацией управленческих решений через внедрение эффективных механизмов, инструментов и рычагов государственной и региональной политики. Резюмировано, что публичное управление должно осуществляться с учетом проектно-целевого подхода для повышения уровня социально-экономического развития сельских территориальных общин, рационального использования природных ресурсов и охраны окружающей среды. Доказано, что обслуживающие кооперативы являются действенным инструментом самоорганизации представителей общин и выступают объединяющим центром сельского населения. Их возможности заключаются не только в объединении товаропроизводителей для удовлетворения экономических интересов в заготовке, переработке и сбыте сельскохозяйственной продукции, но и в предоставлении качественных услуг в сферах жилищно-коммунального хозяйства, обслуживания объектов коммунальной собственности, вывоза и утилизации твердых бытовых отходов, организации цивилизованных полигонов для свалок, обеспечения благоустройства. Благодаря государственно-частному партнерству органам местного самоуправления предложено делегировать часть своих полномочий кооперативам и осуществлять их поддержку через финансирование мероприятий социально-экономических программ комплексного развития сельских территорий.

Ключевые слова: публичное управление, публичная администрация, сельская территория, комплексное развитие сельских территорий, сельскохозяйственный обслуживающий кооператив, обслуживающая кооперация.

Problem statement. An important task of the modern agrarian policy in Ukraine is the administrative provision of the integrated development of territorial communities in rural areas. To do this, there is a need to coordinate efforts of ministries and departments, ter-

ritorial bodies of state power, local self-government bodies, public institutions and business representatives capable of creating the necessary conditions for working and living the rural population through appropriate mechanisms of cooperation. In accordance with the plans

for the implementation of the Concept of Rural Development, the Concept for the Reform of Local Self-Government and Territorial Organization of Power in Ukraine, the State Target Program for the Development of the Ukrainian Village until 2015, the Concept for the Development of Farmers and Agricultural Cooperatives in 2018–2020 [1] the public authorities pay considerable attention to the development of state and regional programs aimed at ensuring the effective activity of agricultural producers and creating the proper living conditions for inhabitants of rural areas.

At present, territorial communities are the weakest link in the spatial development which is undergoing a systemic crisis [2, p. 86]. One of the most effective ways of overcoming it is the use of fundamentally innovative elements of public administration of territorial development at the regional level with the involvement of the cooperative relation subjects capable of ensuring the integrated development of rural areas. As the basis of sustainable development, cooperation is an institution of self-organization of the population. It is the unifying center of the rural population in solving the most pressing problems and is able to satisfy its members in different quality services.

Under the conditions of power decentralization, not all territorial communities have the opportunity to form a full budget which will cover the cost of maintenance of communal production and social infrastructure. It is through public and private partnerships that local authorities can delegate some of their powers to servicing cooperatives and support them through financing of

social and economic programs for the integrated rural area development, including targeted programs of development and support of cooperative relation entities in the village. Therefore, the study of theoretical, methodological and practical aspects of conceptual principles of public administration of rural communities on the basis of cooperation is an urgent problem of the present.

Actual scientific researches and issue analysis. Theoretical and methodological provisions of sustainable development management of regions and rural areas are shown in the works of F. A. Vazhynsky [3], O. V. Kovalenko, V. P. Slavov [4], Y. O. Lupenko, M. K. Orlaty [5], M. F. Kropyvko [6], O. I. Pavlov [7, 8], P. T. Sabluk [9], V. V. Yurchyshyn [10] and others. The issue on the specificity of public management and regulation of territorial development is shown in the works of N. V. and O. I. Vasiliev [11, 12], P. I. Haidutsky [2], Y. V. Kovbasiuk [13], O. Y. Obolensky [14], V. I. Tiotkin [15] and others. Detailed study of issues on public administration of rural communities is possible with consideration of all components of regional development, further analysis of the theoretical and methodological base and development of measures of state and regional administrative and economic policy on this basis. The research on the above issues requires further theoretical and methodological developments and is especially important in the process of decentralization and evaluation of activities of public authorities.

The purpose of the article is to justify conceptual principles of public administration of the integrated rural

area development through activating cooperative relation entities which is aimed at solving urgent problems of territorial communities.

Statement of basic materials. Before considering the issues of public administration for the integrated rural area development and their effectiveness through the intensification of the cooperative movement, it should be focused on defining the content of such concepts as “public administration”, “rural area”, “integrated rural area development” and “public administration of the integrated rural area development”.

According to J. M. Sharits, public administration focuses on solving such issues as planning, organizational and information provision, management, personnel management, performance evaluation and control. According to D. Keeling, it is the best use of resources in order to achieve the state policy priorities [16, p.8]. By definition of O. Y. Obolensky, public administration is to implement a set of rational influences on functioning and development of the collective of people to achieve predetermined goals. Conceptual principles of public management include provision of the common good, social values, interests and needs, integrity of the management process, systemic and institutional character, openness, solidarity, rationalism, effectiveness, efficiency, expediency, timeliness, consolidation of the community and society around the vision of its future and state based on modern management methods [14, p. 5].

Indeed, under the conditions of globalization and the process of the Ukrainian integration into European

space, the domestic system of regional governance needs substantial modernization and improvement, and local self-government should be based on the interests of human development and the territorial community. Public administration should be carried out by the administration which includes a system of executive bodies, local self-government bodies, enterprises, institutions and organizations in the case of delegation of some their powers by the executive bodies and local self-government bodies, as well as any entities that carry out public administration functions, organizational actions and measures [12, p. 21].

It should be noted that in the context of the administrative reform of rural areas, all the characteristic features of classical public administration should be considered from the standpoint of the integrated approach to their development. In our opinion, the administration must take into account the public opinion of the inhabitants of rural areas for the effectiveness of managerial decisions. One of the tools of influence on public authorities and immediate implementers of planned activities may be unifying population organizations, for example, service cooperatives. They are able to influence the officials in the territorial communities and formulate a well-considered policy for the integrated development of rural areas through activation of their activities.

According to V. P. Slavov and O. V. Kovalenko “the rural area is an economic and ecological category, a regional and territorial formation with specific climatic, social and economic conditions where economically and ecologically balanced and energetically in-

terconnected resources (natural, labor, material, energy, information, financial ones, etc.) in order to create a cumulative social product of a specific territory and a valuable living environment for present and future generations” [4, p. 69]. V. V. Yurchyshyn notes that “the rural area in the modern sense is a complex and multifunctional natural, social and economic and production and economic structure and is characterized by peculiar features” [10, p. 7]. O. I. Pavlov uses the term “rural areas” to designate rural areas of specific parts of the country, namely, natural and economic, administrative and territorial entities and others. [8, p. 28]. The draft law “On the Planning of Territorial Infrastructure of the Countryside” states that the area is rural which share of rural population in the total number exceeds 15–50 %. Article 1 of the draft law “On the ordering of village settlement network, deepening the principles of local self-government in rural areas and promoting population de-urbanization” in rural areas refers to the territory in which there are rural settlements (villages and urban villages), agricultural and other lands, forests, reservoirs, transport and other infrastructures serviced by inhabitants of rural settlements [1].

In accordance with the Concept of Rural Area Development, the integrated approach to solving their development problems involves foundations for sustainable development principles. Ensuring integration is the rational formation of competitive multi-sector and mixed agriculture, a diversified rural economy, a favorable living environment based on the growth of human and social capital and the development

of state and business partnerships. The integrated development of areas is considered as a system of developing organizational and legal, social and economic conditions for approximation and equalization of the living conditions of urban and rural population in State Target Program for the Development of Ukrainian Village up to 2015 [1]. The integrated rural development is facilitated by all program activities, including support both for agricultural production and for the social sphere.

M. M. Chornobay and L. M. Chornobay define the integrated development of rural areas as a process of stable functioning of territorial communities on the basis of ensuring the effective development of economic, social and ecological settlement components and reproduction of labor potential. They attribute the efficiency indicators to the growth of agricultural production, diversification of the rural economy, food security of the country, the number of rural population, the level and quality of life in the countryside and the environmental situation in rural areas [17, p. 104]. Public administration of the integrated development of rural areas should be based on the application of the program-target method in solving social problems of rural area development within the framework of the implementation of the Concept of Rural Area Development [15, p. 33]. In our opinion, the integrated development of the area is also the establishment of a permanent, balanced, harmonious relationship between a man, society and nature.

We believe that service cooperatives can be an effective tool for self-organization of representatives of territorial

communities, capable of dialogue with public authorities and defending the interests of its members. They provide broad opportunities for the sustainable development of rural settlements. Local self-government bodies can solve the most problematic issues of social and economic development, rational use of natural resources and ensuring environmental protection through promotion of their activities and delegation of part of their powers. In particular, this concerns not only the association of commodity producers in order to satisfy their economic interests in harvesting, processing and marketing of agricultural products but also provision of quality services in the spheres of housing and communal services, maintenance of communal property objects (buildings, water pipes, roads and others engineering networks and structures), transportation and utilization of solid household wastes, organization of civilized landfills for disposal sites, providing amenities, etc. which are the most pressing problems of our time. The mechanism of cooperation of service cooperatives with public authorities should be clearly stated in the Statute of the Territorial Community, as well as in the Statute and Rules of the Internal Economic Activity of Cooperative Organizations. Particular attention should be paid to such services, for which local governments delegate part of their powers to cooperatives through the implementation of public and private partnership agreements. On the one hand, representatives of public authorities at the state, regional and local levels will contribute to the comprehensive attraction of investments, including grants from international technical assistance pro-

jects to rural communities through the adoption of comprehensive targeted social and economic development programs. On the other hand, service cooperatives on the basis of competitive selection will carry out planned activities in rural settlements, assuming the responsibility for the quality of services to their members who are residents of the territorial communities. Since multifunctional agricultural service cooperatives predominate in territorial communities, we believe that at the first stage they can be the subject of cooperative relations for the provision of services for the integrated development of rural territorial communities in public and private partnership agreements.

Above all, promotion of activities of service cooperatives in rural areas depends on conducting a well-considered public administration policy and effective tools for its implementation. The policy of local and regional development should focus on generally accepted European standards and principles: decentralization of public administration, deconcentration of authorities, partnership and cooperation efforts of local executive authorities and local self-government bodies. It is based on the concentration and rational utilization of resource support, subsidiarity in providing services to the population and the best possible servicing of the territorial community [11, p. 303].

Public agricultural policy should be aimed at the development of rural areas and the effectiveness of its implementation depends on effective mechanisms for its implementation. P.I. Gaidutskyi notes that lack of differentiation in measures to support agriculture and rural areas distort the real picture of the

support of the agrarian sector [2, p. 86]. Academician P. T. Sabluk believes that the functioning of each rural settlement, development of its infrastructure and incomes of its inhabitants should be ensured through the mechanisms of agrarian policy [9, p. 5]. This opinion is supported by M. F. Kropyvko, arguing that sectoral and regional programs should be differentiated and the development of rural areas is the prerogative of local self-government [6, p. 121].

As noted by O. I. Pavlov, tools of state policy of the integrated development of rural areas are embodied in the corresponding schemes of planning areas, general plans for the development of settlements, strategies, targeted programs and their implementation is the process of management activities [7, p. 13]. At the same time, he stresses that the management of rural development belongs to the horizontal type of governance where partners are dominated by partnerships. All directions of the state policy within the framework of their interaction must synergize with each other, forming a certain development environment. Cooperation in areas of the agrarian and rural development is extremely important in addressing key issues related to poverty reduction and economic development. In the process of such interaction it is necessary to identify clearly functions of the rural and agricultural development and therefore the differentiation of concepts of the agricultural development and the development of rural areas is important [3, p. 145].

Effectiveness of public administration policy depends on the cooperation, mutual understanding and the desire of bodies of state executive and local

self-government to solve the important problems of territorial communities in the village through the activation of service cooperatives in territorial communities. At the same time, it is necessary to involve civil society institutions, population, business representatives and other business entities whose activities are directly related to the functioning of the settlement for the adoption of managerial decisions and development of local programs. Rural area development programs should include rural development support measures that meet the needs of the territorial communities of villages, settlements, districts and regions.

In our opinion, promotion of activities of service cooperatives is an important component of public administration of the integrated development of rural areas. Cooperation of public authorities with cooperative relation subjects on the basis of public and private partnership consists in the introduction of effective mechanisms, tools and instruments of state and regional policy. They are aimed at raising the level of social and economic development of rural communities, rational use of natural resources and preservation of the environment, taking into account the project-targeted approach. The combination of a balanced system of economic, social and environmental indicators in managerial decisions to achieve the result indicates the sustainable development of areas as the basis for their balanced functioning.

Conclusions and directions for future research. Public administration of the integrated development of rural areas plays an important role in the formation of the state agrarian policy. A service cooperative is a powerful tool

for the self-organization of territorial communities. Taking into account the project-targeted approach, promotion of its activities will contribute to the solution of the most important problems in the village by public authorities through the introduction of mechanisms and tools of public and private partnership. In order to make managerial decisions and develop local programs, local self-government bodies with representatives of service cooperatives should be closely involved with civil society institutions, population, business representatives and other business entities whose activities are directly related to the functioning of the rural settlement. Directions for future research are to find effective mechanisms for cooperation between public authorities and cooperative organizations in order to ensure the integrated development of rural areas.

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SECOND STAGE OF JUDICIARY REFORM IN UKRAINE

Abstract. The paper shows changes in the judiciary, in connection with the liquidation and creation of local courts in Ukraine. The necessity of creating more convenient access to the cases through the Internet is described, so that they will be solved more quickly, and the burden on the court specialists will be reduced. The positive changes and changes were analyzed, with the beginning of the second stage of judicial reform in 2018. The urgency of creating a separate electronic cabinet, for each case, where the court and participants in the trial process will be able to review all documents at any time, is substantiated. This minimizes the probability of delaying the cases when the parties challenge all decisions of the courts without exception.

It has been determined that judicial reform involves the need for access to cases through the Internet. In the same way, different documents must be translated to higher authorities. Due to electronic circulation, they will be solved more quickly, the burden on the court experts will be reduced, and public money will be saved. In order for this innovation to work in full, amendments will be made to the legislation.

It is noted that an important step forward: a court session can be held in a video conference. For example, the lawyer, from his e-office, can represent the interests of the company: send documents, get video communications during meetings. It is substantiated that a separate electronic cabinet should be created for each case, where the court and trial participants will be able to review all documents at any time. Of course, to use this technology, you need to register in the system email and digital signature. This minimizes the probability of delaying cases when the parties challenge all, without exception, court decisions. Now the electronic review will be not only possible, but also mandatory. If, within five days, the court will not be able to provide electronic proceedings, documents will be translated into paper form. In order for these provisions to work, the State Judicial Administration should publish an instruction on the website of the Verkhovna Rada, solve the issue of setting up electronic cabinets, registering electronic addresses and video fixing.

Keywords: judicial system, judicial reform, reorganization of local courts, increase of remuneration of employees, reformatting of the Supreme Court, electronic courts, review of sentences, costs for lawsuits, procedural sabotage.

ДРУГИЙ ЕТАП СУДОВОЇ РЕФОРМИ В УКРАЇНІ

Анотація. Показано зміни в судовій системі у зв'язку з ліквідацією та створенням місцевих судів в Україні. Схарактеризовано необхідність у формуванні зручнішого доступу до справ через Інтернет, завдяки чому вони вирішуватимуться скоріше, а навантаження на спеціалістів суду зменшиться. Проаналізовано позитивні зрушення та зміни з початком другого етапу судової реформи у 2018 р. Обґрунтовано актуальність створення окремого електронного кабінету, для кожної справи, де суд і учасники судового процесу зможуть, у будь-який момент, переглянути усі документи. Це мінімізує ймовірність затягування розгляду справ, коли сторони оскаржують усі без винятку рішення судів.

Визначено, що судова реформа передбачає необхідність доступу до справ через Інтернет. Таким самим шляхом різні документи мають переводитися до вищих інстанцій. Завдяки електронному обігу вони вирішуватимуться скоріше, навантаження на спеціалістів суду зменшиться, економитимуться державні кошти. Аби це нововведення запрацювало в повному обсязі, ще прийматимуться поправки до законодавства.

Відзначено, що важливий крок уперед: судові засідання можна проводити в режимі відеоконференції. Наприклад, адвокат зі свого електронного кабінету може представляти інтереси підприємства: надіслати документи,

вийти на відеозв'язок під час засідань. Обґрунтовано, що має бути створено окремий електронний кабінет для кожної справи, де суд і учасники судового процесу зможуть, у будь-який момент, переглянути всі документи. Зрозуміло, щоб скористатися цією технологією, потрібно зареєструвати в системі електронну адресу і цифровий підпис. Це мінімізує ймовірність затягування розгляду справ, коли сторони оскаржують усі, без винятку, рішення судів. Тепер електронний розгляд буде не тільки можливим, але й обов'язковим. У разі якщо, протягом п'яти днів, суд не зможе забезпечити електронне провадження, документи переводять у паперову форму. Щоб ці положення запрацювали, Державна судова адміністрація повинна опублікувати на сайті Верховної Ради України інструкцію, вирішити питання створення електронних кабінетів, реєстрації електронних адрес і проведення відеофіксації.

Ключові слова: судова система, судова реформа, реорганізація місцевих судів, підвищення оплати праці працівникам, реформатування складу Верховного Суду, електронні суди, перегляд вироків, витрати на судові позови, процесуальні диверсії.

ВТОРОЙ ЭТАП СУДЕБНОЙ РЕФОРМЫ В УКРАИНЕ

Аннотация. Показаны изменения в судебной системе в связи с ликвидацией и созданием местных судов в Украине. Охарактеризована необходимость формирования удобного доступа к делам через Интернет, благодаря чему они будут решаться быстрее, а нагрузка на специалистов суда уменьшится. Проанализированы положительные сдвиги и изменения с началом второго этапа судебной реформы в 2018 г. Обоснована актуальность создания отдельного электронного кабинета, для каждого дела, где суд и участники судебного процесса смогут, в любой момент, пересмотреть все документы. Это минимизирует вероятность затягивания рассмотрения дел, когда стороны оспаривают все без исключения решения судов.

Определено, что судебная реформа предусматривает необходимость доступа к делам через Интернет. Таким же путем различные документы должны переводиться в вышестоящие инстанции. Благодаря электронному обращению они будут решаться скорее, нагрузка на специалистов суда уменьшится, экономятся государственные средства. Чтобы это нововведение заработало в полном объеме, еще будут приниматься поправки в законодательство.

Отмечено, что важный шаг вперед: судебное заседание можно проводить в режиме видеоконференции. Например, адвокат со своего электронного кабинета может представлять интересы предприятия: прислать документы, выйти на видеосвязь во время заседаний. Обосновано, что должен быть создан отдельный электронный кабинет для каждого дела, где суд и участники судебного процесса смогут, в любой момент, просмотреть все документы. Разумеется, чтобы воспользоваться этой технологией, нужно зарегистрировать в системе электронной почты и цифровой подписи. Это минимизирует вероятность затягивания рассмотрения дел, когда стороны оспаривают все без

исключения решения судов. Теперь электронное рассмотрение будет не только возможным, но и обязательным. В случае если в течение пяти дней, суд не сможет обеспечить электронное производство, документы переводят в бумажную форму. Чтобы эти положения заработали, Государственная судебная администрация должна опубликовать на сайте Верховной Рады инструкцию, решить вопрос создания электронных кабинетов, регистрации электронных адресов и проведение видеофиксации.

Ключевые слова: судебная система, судебная реформа, реорганизация местных судов, повышение оплаты труда работникам, реформирование состава Верховного Суда, электронные суды, пересмотр приговоров, расходы на судебные иски, процессуальные диверсии.

Challenge problem. The revolution of dignity has become a powerful catalyst for the introduction of priority emergency measures that would ensure the necessary improvements and changes in the functioning of judiciary and law enforcement agencies of our state. With the aim of setting priorities and streamlining of this process by the presidential decree of Ukraine from may 20, 2015, the Strategy of reforming the judicial system, legal proceedings and related legal institutions for 2015–2020 was approved [1]. The strategy included the implementation of the reform in two stages. The first is to update the legislation aimed at restoring confidence in the judiciary and related legal institutions, and the second – on the system changes to the Constitution of Ukraine and the complex construction of institutional capacities of relevant legal institutions.

Original run of changes in the judicial system can be considered the amendments to the “Justice” of the Constitution in June 2016 and the adoption of the Law of Ukraine “On judicial system and status of judges” [2] and “On the High Council of justice”

[3]. The act provided for changes not only in the judiciary but also radically changed the approaches to the appointment of judges. Final and transitional provisions of the law have become a road map of further changes in the judicial system, implementation of which occurred during 2017.

Analysis of recent researches and publications. The adoption by the President of Ukraine in December 2017 a series of Decrees gave at the beginning of 2018, the start of the second stage of judicial reform, which resulted in a reduction of courts and judges, improved their financial situation, has introduced a remote procedure, has strengthened the responsibility of lawyers and applicants, etc. Because since the start it took only a few months, there are no deep publications of known lawyers on this subject.

The purpose of this article is to describe the Decrees of the President about dissolution and creation of local courts in Ukraine, to analyze the main directions of the second stage of the judicial reform in Ukraine.

Presentation of the basic material. 29 December 2017, the president Petro

Poroshenko, in the presence of the Deputy Head of the presidential administration of Ukraine Oleksiy Filatov and the Chairman of the High Council of justice Igor Benedisuk signed Decrees on the elimination and creation of local courts in Ukraine and on the reorganization of the local courts, and urged legal scholars and lawyers to actively participate in competitions for posts as judges. “In fact, this is the second phase of judicial reform. The first stage is completed, as I promised, the formation of a new Supreme Court, which was created through an unprecedented transparent competition, thanks to the great work of the High qualification Commission of judges High Council of justice and with the active participation of the public”, the President said.

“Today is the second stage, which aims at two very distinct positions: we need to bring the courts and justice to the people. We could not have districts with no courts and courts without judges”, — said Petro Poroshenko. The head of state stressed that there is a big problem, which occurs in humans — “find the truth and protect their rights”. He expressed the hope that those Decrees, which came to him for signature, give the answer to these questions [4].

29 December 2017 the President of Ukraine signed a decree on the reorganization of the local courts [5–11]. In the tests of these decrees is determined that they are accepted in accordance with subparagraph 6 of paragraph 16-1 of section XV “Transitional provisions” of the Constitution, part three of article 19, article 21, paragraph 40 of section XII “Final and transitional provisions” law of Ukraine “On judicial system and

status of judges”. The paragraph 6 of the paragraph 16-1 of the section XV “Transitional provisions” of the Constitution of Ukraine established that the implementation of the new administrative-territorial structure of Ukraine according to the amendments to the Constitution of Ukraine concerning decentralization of power, but not longer than until 31 December 2017, the establishment, reorganization and liquidation of courts is vested by the President of Ukraine on the basis and in the manner established by law. According to the transitional provisions of the Constitution of Ukraine, these powers belong to the Parliament from 1 January 2018.

The courts of General jurisdiction, as well as economic, appeal, administrative appeal and appeal economic courts are fallen within the scope of the Decrees of the President.

Liquidation of courts of General jurisdiction. According to the State judicial administration, the country is now operating by 663 courts of General jurisdiction. And now there will be 280, and they will be called district courts. In Kiev now, only 6 district courts from 10 will operate: The first district court of Kiev The second district court of Kiev The third district court of Kiev also. The reorganization through consolidation. For example, the courts of Desnyanskiy and the Dneprovskiy districts unite in the First district court of Kiev.

Liquidation of the economic courts. As in the case of courts of general jurisdiction, all economic courts will now have the prefix “district”. But their number remains the same — 27 district economic courts.

Liquidation of the appeal courts. All 27 regional courts of appeal, including the courts of appeal of Kiev and Sevastopol will be liquidated, and instead of it, the appeal courts in appellate districts will be created. But now it will be 26, because the court of appeal of Kiev region and Kiev unite together in one court of appeal of Kiev in the appellate district.

Administrative courts of appeal. It will remain 8 administrative courts of appeal instead of 9. They will be numbered from 1 to 8. For example, the third administrative court of appeal in the appellate district will include the Dnepropetrovsk, Zaporozhye and Kirovograd regions.

Economic courts of appeal. It will remain 7 economic courts of appeal instead of 8. But in this case will not be binding either to the territorial jurisdiction of the region, nor the number, nor the name. Appellate economic courts will be called on the principle of the cardinal points. For example, there will be the southwest economic court of appeal in the appellate district, which will include the Vinnytsia, Volyn, Zhytomyr, Rivne and Khmelnytsky regions.

Rise of wages. According to the law a large number of courts will cease to exist. Instead of them, the new posts that will be given to those professionals who pass certification and will be selected on a competitive basis will be created. The reorganization of institutions provides not only for evaluation of the qualification, but also a significant increase wages for their employees. In the local body, the wage of judge will be equal to 30 minimum income, in the high court is 50, in the Supreme court – 75.

In addition, these professionals will receive raises. Such a raising of wages will be implement on the step by step manner. The process started in 2017 and will continue in the future. As well as accreditation. The budget of the Supreme body, in which only two hundred experts will work, will be one billion hryvnias per year.

Experience of specialist in the judge position, who will confirm qualification is not required. The exception is only for those that will deal with appeals cases. Candidate may be a person who graduated from higher educational institutions of law and worked for 5 years in the profession. Age of the candidate has limitations and begins with 30 and ends with 65 years. But now the judges, who are elected by competition, will not have any probation period.

Supreme court. Earlier we had four cassation instance, which had existed separately. Now there is a single Supreme Court with separate chambers. It is under the scrutiny of professionals and civil society.

The Supreme Court was significantly reformatted. First of all, only 60 % of the judges of the Supreme Court had previously held positions. That is 40 % – a new person in judicial system, and this is optimistic. Second, judges became less. If in one only Supreme economic court worked 70 people, even more in the higher specialized courts and the Supreme administrative court, now the membership of each chamber – 30 people. In the near future promise to get about 80 person, in other words, there will be about 50 judges in each chamber, which is significantly less than it was.

New Supreme court should consist of not only specialists of this profile, it is allowed for scientists and lawyers who possess the necessary category to apply for posts. Verification of candidates included in the competence of the board of integrity, which was organized by renowned public associations. Its findings are considered by the members of Higher qualification commission.

The law on judicial reform in 2018 pinned great hopes, because the Supreme authority should ensure decent performance standards throughout the system, using the appeal authority, not only to replace existing and to abolish the courts that specialize in certain industries. Then decisions will be made sooner, because they will not need to attend all four instances, which existed prior to the start of the reform, which is very important for society.

If only the Supreme body did not handle cases which were previously reported in the three highest courts, and began to work with a new appellate cases, the planned adoption of amendments to the law.

According to the amendments of the Constitution, there will be assessment of the judges. It foresees verification of qualifications, ethics and integrity. Not compliance of one of these criteria is grounds to dismiss such a specialist.

The number of professionals who hold such positions, is large, so the process will take years. In 2017 and 2018 will evaluate only those employees who have been appointed on a 5-year period, will be tested in court, doing appellate cases. These professionals must prove that the property in their ownership, was obtain by legitimate means. The

results of the procedure should be available to the public.

Judicial reform in 2018 in Ukraine aims to oblige the courts to apply not only to the Declaration about personal income, but to indicate the conditions of the family members.

E-courts. Now, it is possible to pay different fees online, the questioner received a letter and copies of the decisions not by regular mail, which is very inconvenient, but on e-mail, by the help of SMS messages, a video conference from the boardroom is conducted.

However, judicial reform involves the need for access to cases via the Internet. In the same way, various documents must be transmitted to the supreme body. Thanks to the electronic treatment they will be resolved quickly, the load on the experts of the court will decrease, the public funds will be saved. To make this innovation earned in full, it is needed to make amendments to the legislation.

An important step forward: the hearing may be held in the video conference. For example, the lawyer from your electronic account, can represent the interests of enterprises: send the documents, come on the video conferencing during meetings.

A separate electronic cabinet for each case, where the court and the participants in the trial will be able at any time to view all documents should be created. Of course, to use this technology, it is needed to register the e-mail and the digital signature in the system.

This minimizes the chance of delaying consideration of cases, where the parties are contesting without exception, all the decisions of the courts.

Now, e-consideration is not only possible, but mandatory. But if within five days the court will not be able to provide electronic implementation, documents are transferred in paper form. In order these provisions have earned, the State court administration shall post a manual on the website of the Verkhovna Rada, to solve questions of creation of electronic offices, check e-mail addresses and conducting video surveillance.

Revision of sentences. According to lawyers, in Ukraine there are dozens, if not hundreds of people who are deprived of freedom for crimes they did not commit. The courts made decisions based on improper evidence or confessions were obtained under torture. The acquittals are not submitted almost.

The contents of the judicial reform in Ukraine of 2018 year still be interpreted in more detail. But now there is a need to introduce a new mechanism to review the cases on the persons who received a sentence for a long time, despite the fact that some are no longer in this world. They did not wait for justice, receiving an acquittal.

The costs of lawsuits will grow. At the level of first instance, in principle, nothing will change. For filing a statement of claim of property character, the legal entity, as before, will pay the court fee of 1,5 % of the amount, but not less than 1762 hryvnias and no more than 616 700 hryvnias. (previously, the upper threshold did not exist); private person – 1 % of the size of the claim but not less than 704,80 hryvnias and not more than 8810 hryvnias.

The appeal and cassation will be more expensive. The earlier for appeal we had to pay 110 % of the amount

of court fees in first instance, now is 150 %; for cassation was 120 %, become 200 %. That is, the applicant need to think twice, to go to court or not. On the one hand, this is good, because there will be no general appeal, but it's bad because of difficult access to justice. There is one positive moment: if the dispute will be resolved peacefully, a half fee can be returned to the applicant.

Reimbursement of costs, now is not necessarily the responsibility of the losing party. If there were cases of delay in the proceedings, obstruction of justice, the court is entitled to divide the duty, and impose it, in particular, on the side that won. This will encourage the parties to the settlement agreement.

Only the lawyer can represent the applicant before the court. Previously, anyone could represent the person in court, now – only a specialist with the status of lawyer. And from 2020 this rule will affect state agencies. In the cases provided by law, this assistance is provided free of charge. Everyone is free to choose the defender of its own rights”). However, both then and now, the man has a right to represent yourself in court itself.

The introduction of monopoly of advocate will lead to the fact that lawyers in large quantities will go to obtain the lawyer's testimony. And that's fine. For example, in Germany there are 150 thousand lawyers. But we only have about 30 thousand.

A category of cases where there is no need in license of lawyer – the labor and the so-called minor disputes, when the amount of the claim does not exceed 10 living wages. Because of this,

all qualified lawyers can find place in the new reformed system.

The procedural diversion will be fined. The concept of “abuse of right” is entered into circulation. Earlier, to delay the case, a party to a dispute may submit baseless petitions for disqualification and appeals (even if they are not feeding on these or other definitions), and the court was obliged to refer the case to the court of appeals. The month has passed. Then there was the court of cassation – another month has passed. And such actions could be repeated several times.

Now, if the court will interpret the petition as an abuse of rights, it is entitled to leave it without consideration. For such procedural diversions it is possible to prosecute and impose penalties. Thanks to this innovation on some of the hearings, the terms of consideration may be reduced by two to three years.

Introduce the concept of “exemplary cases”. Another important innovation – exemplary or typical cases. Now during the appearance of a series of such cases, one of them will be considered by the Supreme Court. When it makes a decision, the Grand chamber will announce the case as exemplary, and on its basis will instantly make a decision in all other similar cases.

If decisions will be well written by the Supreme Court and will become mandatory to use, this is improve the entire judicial system. But I will make a reservation: it is important that cases which require full consideration will not subsequently fall under “exemplary cases” [12, 13].

Conclusions. Adopted decrees by the President of Ukraine on 29 December 2017 on the elimination and cre-

ation of local courts in Ukraine and on the reorganization of local courts have launched a second phase of judicial reform in Ukraine. The positive shifts and changes in the organization of proceedings, which began in 2018 was analyzed.

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FORMATION OF PROFESSIONAL QUALIFICATION REQUIREMENTS FOR PERSONNEL IN THE PUBLIC ADMINISTRATION SYSTEM: THEORETICAL ANALYSIS

Abstract. The article analyzed the main approaches to the concept of “professional-qualification requirements for a public servant” by systematized approaches to professional qualification requirements. The proposed systematization of the specified requirements, in particular, the following blocks are allocated: requirements to the person; communication qualities; professional qualities; social qualities; ethical qualities. The analysis of literature on the issues gave grounds to determine that the professional qualification requirements of a public servant are a set of qualities, knowledge, skills, skills directly related to the process of performing a public service (performed in the performance of their official duties) and affect the effectiveness and performance of activity. The normative-legal documents on the issues of formation of professional qualification requirements for public servants are analyzed. It is emphasized that there are only typical requirements for civil servants of the categories “A”, “B”, “B” and there are no such requirements for officials of local self-government. It is grounded that the main qualities for the category “B”, that is, the performers, are the understanding of the mission of the state body, where it operates, the ability to perform qualitatively the tasks assigned to

it by the direct leader, to understand the importance of this work, the focus on the result, the ability to work with people, understanding the needs of the population in services, the ability to find contact with the population, etc.

It is determined that one of the basic factors of development of personnel of the public administration system is the definition and strict regulation of the professional qualification requirements of specialists. Since such requirements outline the mechanisms of personnel development, focus on the formation of professionally significant qualities for a public servant, they provide an opportunity to see the “way” of forming a qualitative staff of public administration.

It is noted that there are such approaches to distinguishing requirements for public administration personnel: firstly, a competent approach — when a set of competencies is determined, which should be characteristic of the employee in a certain position. Secondly, the set of qualities of the employee (listed qualities of the employee, which should be inherent in a specialist). Thirdly, the list of specialist’s powers in the system of public administration.

Keywords: public service, public servant, professional qualification requirements, position, leadership, managerial competence, social competence, information competence, communication competence, psychological competence.

ФОРМУВАННЯ ПРОФЕСІЙНО-КВАЛІФІКАЦІЙНИХ ВИМОГ ДО КАДРІВ СИСТЕМИ ПУБЛІЧНОГО УПРАВЛІННЯ: ТЕОРЕТИЧНИЙ АНАЛІЗ

Анотація. Проаналізовано основні підходи до поняття “професійно-кваліфікаційні вимоги до публічного службовця”. Запропоновано систематизацію зазначених вимог, зокрема виділено такі блоки: вимоги до особистості; комунікаційних якостей; професійних якостей; соціальних якостей; етичних якостей. Аналіз літератури з проблематики дав підстави визначити, що професійно-кваліфікаційні вимоги публічного службовця — це сукупність якостей, знань, вмінь, навичок, які безпосередньо стосуються процесу виконання посади публічної служби (здійснюються під час виконання своїх посадових обов’язків) і впливають на ефективність та результативність діяльності. Проаналізовано нормативно-правові документи з питань формування професійно-кваліфікаційних вимог до публічних службовців. Акцентовано увагу, що типові вимоги висуваються лише до державних службовців категорій “А”, “Б”, “В” і відсутні до посадових осіб місцевого самоврядування. Обґрунтовано думку про те, що головними якостями для категорії “В”, тобто виконавців, є розуміння місії державного органу, де він працює, вміння якісно виконувати завдання, які ставить перед ним безпосередній керівник, розуміти важливість цієї діяльності, спрямованість на результат, вміння працювати з людьми, розуміння потреб населення у послугах, вміння знайти контакт з населенням тощо.

Визначено, що одним з базових факторів розвитку персоналу системи публічного управління є визначення та чітка регламентація професійно-кваліфікаційних вимог фахівців. Саме такі вимоги окреслюють механіз-

ми розвитку кадрів, фокусують увагу на формуванні професійно значущих якостей публічного службовця, дають можливість побачити “шлях” формування якісного складу кадрів публічного управління.

Зазначено, що існують такі підходи до виокремлення вимог до кадрів публічного управління: по-перше, компетентнісний підхід — коли визначається набір компетенцій службовця на певній посаді; по-друге, набір якостей службовця (перелічуються якості службовця, притаманних фахівцю); по-третє, перелік повноважень фахівця в системі публічного управління.

Ключові слова: публічна служба, публічний службовець, професійно-кваліфікаційні вимоги, посада, лідерство, управлінська компетентність, соціальна компетентність, інформаційна компетентність, комунікаційна компетентність, психологічна компетентність.

ФОРМИРОВАНИЕ ПРОФЕССИОНАЛЬНО- КВАЛИФИКАЦИОННЫХ ТРЕБОВАНИЙ К КАДРАМ СИСТЕМЫ ПУБЛИЧНОГО УПРАВЛЕНИЯ: ТЕОРЕТИЧЕСКИЙ АНАЛИЗ

Аннотация. Проанализированы основные подходы к понятию “профессионально-квалификационные требования к публичному служащему”. Предложена систематизация указанных требований, в частности выделены следующие блоки: требования к личности; коммуникационные качества; профессиональные качества; социальные качества; этические качества. Анализ литературы по проблематике дал основания определить, профессионально-квалификационные требования публичного служащего — это совокупность качеств, знаний, умений, навыков, которые непосредственно касаются процесса исполнения должности публичной службы (осуществляются при выполнении своих должностных обязанностей) и влияют на эффективность и результативность деятельности. Проанализированы нормативно-правовые документы по вопросам формирования профессионально-квалификационных требований к публичным служащим. Акцентируется внимание, что типичные требования выдвигаются только к государственным служащим категорий “А”, “Б”, “В” и отсутствуют к должностным лицам местного самоуправления. Обосновано мнение о том, что главными качествами для категории “В”, то есть исполнителей, есть понимание миссии государственного органа, где он работает, умение качественно выполнять задачи, которые ставит перед ним непосредственный руководитель, понимать важность данной работы, нацеленность на результат, умение работать с людьми, понимание потребностей населения в услугах, умение найти контакт с населением и тому подобное.

Определено, что одним из базовых факторов развития персонала системы публичного управления является определение и четкая регламентация профессионально-квалификационных требований специалистов. Поскольку именно такие требования определяют механизмы развития кадров, фокусируют внимание на формировании профессионально значимых качествах для

публичного служащего, дают возможность увидеть “путь” формирования качественного состава кадров публичного управления.

Отмечено, что существуют такие подходы к выделению требований к кадрам публичного управления: во-первых, компетентностный подход — когда определяется набор компетенций служащего на определенной должности; во-вторых, набор качеств служащего (перечисляются качества служащего, присущих специалисту); в-третьих, перечень полномочий специалиста в системе публичного управления.

Ключевые слова: публичная служба, публичный служащий, профессионально-квалификационные требования, должность, лидерство, управленческая компетентность, социальная компетентность, информационная компетентность, коммуникационная компетентность, психологическая компетентность.

Target setting. In the public administration system personnel play a decisive role, they form and implement a managerial solution. Any action in the public administration system depends on the human factor and the personnel potential in public administration.

At present, there is a problem of the absence in qualitative public-management decisions, positive changes in the public administration system reform, which depends from specialists working in the public administration system. Therefore, the problem of the formation and development of personnel in the public administration system is the basis in the modern reforming process the life of Ukrainian society.

One of the basic factors in the personnel development in the public administration system is the definition and strict regulation of the professional qualification requirements for specialists. Since such requirements outline the mechanisms of personnel development, focus on the formation of professionally significant qualities for a public servant, they provide an opportunity

to see the “way” of forming a qualitative staff in public administration.

Analysis of recent publications on issues. The concept of “business qualities”, “professional qualities”, “personal qualities”, “professional activity” is considered by many scholars both Ukrainian and foreign, including: O. Antonova, G. Atamanchuk, A. Golovach, N. Goncharuk, S. Dubenko, M. Lesechko, V. Malinovsky, A. Markov, R. Naumenko, N. Nizhnik, O. Obolensky, Yu. Povarenkov, S. Seroginym, I. Surai, O. Turchinov and others.

Problems of professional qualification in civil servants have been repeatedly raised in a special scientific Soviet period. The main research focus, as a rule, is on the features problems of the employee in the state apparatus, his culture and management culture, the assessment of personal qualities. Among them are: “education”, “education”, “social and technical knowledge”, “tact”, “honesty”, “hardness”, “common sense”, “health”, “the ability to establish the right relationships in the team, with subordinates and lea-

dership”, “qualification and business”, etc.

The purpose of the article. Comprehensive analysis of scientific approaches to determining the aggregate competences of personnel and public administration systematization as public servants.

The statement of basic materials. The problem of professional qualification requirements formation is the basis for the formation of a professional public service in Ukraine. These requirements should derive from the functions performed by a public servant, the level of office, and his influence on government-management decisions.

The professional qualification requirements for a public servant are requirements for his professional qualities, knowledge and skills necessary for the successful performance of the corresponding duties. They also determine the scope of the use of a specialist. These requirements should be reflected in the qualification that is developed for each post [9, p. 66].

In turn, the professional qualification characteristic of a public servant's position is a normative document that defines a well-founded list of professional tasks, responsibilities and powers of a specialist, requirements for his professional training, educational qualification, practical experience [5, p. 349]. The qualification characteristic establishes the position of a post in the structure of the state authority on the basis of its legal status and main tasks and reflects the legal status of a civil servant, in particular rights, powers, functional duties, responsibility and social guarantees.

The literature analysis on the subject provides grounds for determining that the professional qualification requirements in a public servant are a set of qualities, knowledge, skills, skills that directly relate to the process of performing the post in public service (carried out in the performance of their official duties) and affect the efficiency and performance of activity.

Then in the study we will analyze the legal documents on the issues of professional qualification requirements formation for public servants. It should be noted that there are only typical requirements for civil servants of the categories “A”, “Б”, “B” and there are no such requirements for officials of local self-government.

In accordance with the Typical Requirements for Persons Applying to Category “A” Civil Service, the following requirements are set for candidates: special and general requirements. General requirements include education, work experience in certain positions, knowledge of foreign languages [6].

Specific requirements include:

- knowledge of Ukrainian legislation;
- professional knowledge;
- leadership skills: setting goals, priorities and benchmarks; strategic planning; ability to work with a large amount of information and ability to perform several tasks simultaneously; conducting business negotiations; achievement of the final results;
- ability to make effective decisions: analysis of state policy; availability of necessary knowledge for efficient allocation and use of resources (including human, financial, material);

- communication and interaction: ability to communicate effectively and to make public presentations; cooperation and networking; openness;

- change management: creating a plan for change and improvement; management of change and reaction to them; assessment of the effectiveness of changes;

- management of the organization and personnel: organization of work and control; project management; management of high-quality services; motivation; human resources management;

- personal competencies: principledness, resolve and demanding when making decisions; the focus on serving the public, protecting national interests; systematic; innovation and impartiality; self-organization and self-development; ability to work in stressful situations;

- public finance management: knowledge of the fundamentals of fiscal legislation; knowledge of the system of state control in the field of public finances;

- work with information: knowledge of the basis of legislation on information; ability to work in e-government [6].

It should be noted that such a set of qualities suits the positions of both civil service and private enterprises. Leadership is defined as the ability to lead, the formation of a team spirit, a single comparative culture, as well as general requirements, including those relating to communication competence. In addition, one main unit is absent, namely constant self-development and another inspiration for the development of their own skills, skills, mastering of new

methods of work, improvement of their own method of work.

In addition, the requirements for the honesty of a public servant, which can be measured by various psychological tests or on a polygraph, should be separately set.

The special requirements of persons who are candidates for civil service categories “B” and “B” include:

- leadership (business negotiations, ability to substantiate their own position, achievement of final results);

- effective decision-making (ability to solve complex tasks; ensure a correlation of price and quality; efficient use of resources (including financial and material resources); analysis of state policy and planning of measures for its implementation; ability to work with large masses of information; ability to work with multitasking; setting goals, priorities and benchmarks);

- communication and interaction (skills of effective communication and public speaking, cooperation and networking, openness);

- implementation of changes (implementation of a plan of changes, ability to support changes and react to them, assessment of the effectiveness of the changes made);

- management of the organization of work and personnel (organization and control of work, project management, quality management, teamwork and team management, motivation, assessment and development of subordinates, ability to resolve conflicts);

- personal competencies (analytical abilities, discipline and systemicity, innovation and creativity, self-organization and development orientation, diplomacy and flexibility, independence

and initiative, service orientation, ability to work in stressful situations) [7].

These requirements are general in nature and can not be objectively measured. The concept of “leadership” substitute the concept of communication competence.

The following requirements for the civil service category “B”, which include:

1. Qualitative performance of tasks (work with information, ability to work in several projects at the same time; focus on achievement of final results; ability to solve complex tasks; ability to effectively use resources (including financial and material resources); ability to submit proposals; to argue and present them).

2. Teamwork and interaction (ability to work in a team, ability to effectively coordinate with others, ability to provide feedback).

3. Perceptions of changes (implementation of the plan of changes and improvements; the ability to accept changes and change).

4. Technical skills (ability to use computer equipment and software, use office equipment).

5. Personal competencies (responsibility; systematic and independent work; attentiveness to details; persistence; creativity and initiative; self-development orientation; service orientation; ability to work in stressful situations) [7].

In our opinion, the main qualities for the category “B”, that is, the performers, is the understanding of the mission of the state body, where he works, the ability to perform qualitatively the tasks assigned to him by the direct leader, to understand the importance of

this work, the focus on the result, the ability to work with people, understanding of the needs of the population in services, the ability to find contact with the population, etc.

That is, the requirements are communicative competence, information competence, intellectual competence, etc.

Analyze scientific approaches to creating professional-qualification requirements for public servants.

There are such approaches to distinguishing the requirements for public administration personnel: firstly, a competent approach - when a set of competencies is defined, which should be inherent in the employee in a certain position. Secondly, the set of qualities of the employee (listed qualities of the employee, which should be inherent in a specialist). Thirdly, the list of specialist's powers in the system of public administration.

O. Akimov highlights such competencies of the employee:

- Integrative competence — the ability to integrate, knowledge, skills and abilities and their effective use in conditions of rapid change in the requirements of the environment;

- socio-psychological (emotional, conceptual and behavioral competence) — ability to lead, goal-setting, ability to realize defined plans and ability to innovate, knowledge and skills in the field of perception, understanding of human behavior, motivation of their activities, high level of empathy and communicative culture;

- organizational party — competence in specific spheres of management activity, decision-making, collection and analysis of information,

methods of work with people, etc. [1, p. 210–211].

According to Nesterenko L., a competent public servant is characterized by the following competencies:

1. Psychological competencies: perceptual, cognitive, mnemonic, emotional, volitional.

2. Personal competencies: intellectual abilities (reason, logic, conceptuality, originality, prudence); traits of personality (initiative, flexibility, creativity, honesty, integrity, demanding, confidence, independence, vigor, self-organization); temperament; reflection (tendency to introspection of personality and behavioral features); personal tectology (ability to self-regulation, ability to maintain a positive emotional tone, stress tolerance, flexibility in solving complex professional tasks); creativity (readiness to quickly master new forms of work, readiness to create new, more effective ways to perform the usual types of management activity, readiness to introduce innovations into the structure of management activity).

3. Social competences: knowledge of the basics of conflictology, social psychology; readiness for cooperation, interaction with the environment; responsibility; emotional intelligence (self-consciousness, impulsivity control, persistence, confidence, self-motivation and empathy).

4. Professional and managerial competences: knowledge of the regulatory and regulatory framework governing and regulating activities; knowledge of technological and organizational-managerial specifics of activity; organization of implementation of state decisions; possession of basic control methods [4].

According to Seryogina N., the professional and business qualities of civil servants can be determined taking into account the following criteria:

- personal: activity, communication, motivation, ability to make the right decisions;

- intellectual: competence, analytical component of thinking;

- business related to the peculiarities of the nervous system: working capacity, resistance to stress [8].

In each case, the determination of these qualities depends on factors:

- the choice of the place of employment by civil servants;

- situations arising in everyday work on a particular position;

- conflicts;

- motivation to change work;

- innovations related to changes in the characteristics of the working environment;

- the content, forms and methods of acquiring the relevant knowledge and skills of a civil servant profession;

- professional qualification characteristics of a civil servant.

In our opinion, the following qualifications should be included in the basic professional qualification requirements for a public servant:

1) requirements for psychological competencies of the individual:

- requirements for innate personality qualities (temperament, intelligence, ability to quickly perceive information, respond to orders and perform them, flexibility, stress resistance, analytical skills, etc.)

- requirements of accumulated personal qualities (honesty, ability to restrain oneself, ability to quickly solve conflict situations, ability to behave

correctly, innovation, self-improvement);

2) requirements for the professional qualities of an employee:

- communicative qualities that are directed both in the middle of the state body and externally – communication with the population of the country, foreign partners, representatives of civil society;

- leadership – the ability to be an example for others, the formation of a positive attitude towards employees, the ability to lead, skills to work and build a team;

- information quality – ability to work with a large amount of information, to formulate common approaches, to systematize, to orientate in the globalization, information space;

- innovative qualities – application of innovative methods in activity, knowledge of new methods of activity;

- self-improvement and continuous improvement of qualification;

- responsible attitude to the case;

3) requirements for managerial qualities of an employee – knowledge of the management system, knowledge of regulatory documents in a particular area, ability to manage people, ability to manage the system, globalization thinking;

4) requirements for social qualities of an employee – tactfulness, sensitivity to emotional states and mood of others, compassion, sensitivity, trust, modesty in interpersonal relations and independence, demandingness, straightforwardness, practicality, self-confidence, self-esteem in formal relationships;

5) requirements to the ethical qualities of the employee – knowledge of ethical norms of conduct and their

implementation in the team, during relations with the country's population, foreign partners.

Conclusions. The research analyzes and systematizes approaches to the formation of professional qualification requirements for public servants. The author defines the following professional qualification requirements for a public servant: psychological qualities of an employee; communication qualities; professional qualities; managerial qualities; social qualities; ethical qualities.

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FOREIGN EXPERIENCE OF THE PUBLIC POLICY OF IMPLEMENTATION OF THE INSTITUTION OF “CONSULTING ENGINEER” IN CONSTRUCTION: EXPERIENCE OF ROMANIA, POLAND AND HUNGARY

Abstract. The article is devoted to the research of innovative development of the public policy concerning the implementation of the institution “consulting engineer” in the construction, in the context of Ukraine’s integration into the world economic space. An assessment of the main FIDIC documents used in Romania, Poland, Hungary for the organization and conduction of public procurement has been carried out. The suggestion is made that the best adaptation of international experience to the domestic realities of the consulting engineer can take place under the condition of cooperation between Ukraine and the countries of Eastern and Central Europe, with which it is most closely connected both with historical traditions and with economic aspects.

It is noted that the main problems facing Romania’s employers in the field of construction during the development of projects were as follows: a slow proce-

cedure for ensuring proper access to the construction site; errors in the source planning data; errors in the data on the location of the object; a slow procedure for obtaining permits through bureaucracy and legislative difficulties for construction; limitation and delay of payment for the performed work, including the salary of the engineer-consultant. In these circumstances, more and more attention was needed not to questions regarding the progress of construction work, but to fulfill the requirements for their implementation.

It was substantiated that in Polish practice the role of the consultant engineer was limited to performing the functions of the customer representative in accordance with the clear instructions of the latter. The reason for this situation was the conflict between two contracts: the engineer's contract and the main contract. This led to a burst of court appeals, because instead of a neutral position of risk-manager between the customer and the contractor, the engineer became the defendant on the battlefield.

Keywords: public control, consulting engineer, purchase of construction products, mechanisms of public administration, socio-political development, countries of Eastern and Central Europe.

ЗАРУБІЖНИЙ ДОСВІД ДЕРЖАВНОЇ ПОЛІТИКИ ВПРОВАДЖЕННЯ ІНСТИТУЦІЇ “ІНЖЕНЕР-КОНСУЛЬТАНТ” В БУДІВНИЦТВІ: ДОСВІД РУМУНІЇ, ПОЛЬЩІ ТА УГОРЩИНИ

Анотація. Досліджено інноваційний розвиток державної політики щодо впровадження інституції “інженер-консультант” в будівництві в умовах інтеграції України до світового економічного простору. Здійснено оцінку основних документів FIDIC, що використовуються в Румунії, Польщі, Угорщині для організації та проведення державних закупівель. Обґрунтовано пропозиції щодо того, що найкраще адаптування міжнародного досвіду до вітчизняних реалій діяльності інженера-консультанта може відбуватися за умови співпраці України із країнами Східної та Центральної Європи, з якими вона найбільше пов'язана як історичними традиціями, так і економічними аспектами.

Зазначено, що основними проблемами, з якими стикалися роботодавці Румунії у сфері будівництва при розробенні проектів, були такі: повільна процедура забезпечення належного доступу до місця проведення будівельних робіт; помилки у вихідних даних планування; помилки в даних про розміщення об'єкта; повільна процедура отримання дозволів через бюрократію і законодавчі труднощі для будівництва; обмеження та затримка оплати за виконані роботи, у тому числі і оплати праці інженеру-консультанту. За таких обставин, більшої уваги потребували не питання щодо ходу будівельних робіт, а щодо виконання вимог для їх проведення.

Обґрунтовано, що у польській практиці роль інженера-консультанта була обмежена чіткими інструкціями щодо виконання функцій представника замовника. Причиною виникнення такої ситуації став конфлікт між двома контрактами: контрактом інженера і основним контрактом. Це призвело до

сплеску судових звернень, адже замість нейтральної позиції ризик-менеджера між замовником та підрядником, інженер ставав відповідачем на полі бою.

Ключові слова: державний контроль, інженер-консультант, закупівля будівельної продукції, механізми державного управління, соціально-політичний розвиток, країни Східної та Центральної Європи.

ЗАРУБЕЖНЫЙ ОПЫТ ГОСУДАРСТВЕННОЙ ПОЛИТИКИ ВНЕДРЕНИЯ ИНСТИТУЦИИ “ИНЖЕНЕР-КОНСУЛЬТАНТ” В СТРОИТЕЛЬСТВЕ: ОПЫТ РУМЫНИИ, ПОЛЬШИ И ВЕНГРИИ

Аннотация. Исследовано инновационное развитие государственной политики по внедрению института “инженер-консультант” в строительстве в условиях интеграции Украины в мировое экономическое пространство. Проведена оценка основных документов FIDIC, используемых в Румынии, Польше, Венгрии, для организации и проведения государственных закупок. Обоснованы предложения относительно того, что лучшая адаптация международного опыта к отечественным реалиям деятельности инженера-консультанта может происходить при условии сотрудничества Украины со странами Восточной и Центральной Европы, с которыми она больше связана как историческими традициями, так и экономическими аспектами.

Отмечено, что основными проблемами, с которыми сталкивались работодатели Румынии в сфере строительства при разработке проектов, были такие: медленная процедура обеспечения надлежащего доступа к месту проведения строительных работ; ошибки в исходных данных планирования; ошибки в данных о размещении объекта; медленная процедура получения разрешений через бюрократию и законодательные трудности для строительства; ограничения и задержка оплаты за выполненные работы, в том числе и оплаты труда инженеру-консультанту. При таких обстоятельствах, большего внимания требовал вопрос не о ходе строительных работ, а о выполнении требований для их проведения.

Обосновано, что в польской практике роль инженера-консультанта была ограничена четкими инструкциями для выполнения функций представителя заказчика. Причиной возникновения такой ситуации стал конфликт между двумя контрактами: контракта инженера и основным контрактом. Это привело к всплеску судебных обращений, ведь вместо нейтральной позиции риск-менеджера между заказчиком и подрядчиком, инженер становился ответчиком на поле боя.

Ключевые слова: государственный контроль, инженер-консультант, закупка строительной продукции, механизмы государственного управления, социально-политическое развитие, страны Восточной и Центральной Европы.

Problem statement in general and its connection with important scientific or practical tasks. In mid-nineteenth century, due to the increasing

complexity of construction projects and involvement of increasing number of participants in their implementation a profession of consulting engineer hired by the Client started to stand out as an independent consultant in construction and supply of building materials.

Independent consulting engineers did not get shares in facilities that were built, and were not bound by agreements with entrepreneurs and construction companies. They sold their own experience and know-how to the Client, providing the best choice of contractors, suppliers of building materials and equipment by means of their own independent status which guaranteed that they did not represent the interests of competitors [1].

With the rapid development of the institution of consulting engineers in many countries in the early 20th century, there emerged a need to coordinate their activity. To this end, several countries set up the National Associations of consulting engineers whose primary task was to develop common quality standards of services provided by independent consulting engineers. The Association of consulting engineers in Germany was created in 1903, in 1904 – in Denmark, in 1905 – in the United States, in 1908 – in Great Britain, then in Belgium, the Netherlands, Sweden, and France. The Polish-Russian Association of consulting engineers was created in 1914 [2].

Further development of international ties and the formation of the international investment and construction market have created the need for networking and coordination of activity of consulting engineers in different countries. In 1913, during the interna-

tional industrial exhibition held in Belgium, at the initiative of the National Associations of Belgium and France the first Congress of consulting engineers took place, which established the International Federation of Consulting Engineers – FIDIC. At present the main efforts of FIDIC are focused on the development and publication of standard forms of contract to regulate relations between participants of the international investment and construction processes [3].

Analysis of recent researches and publications which initiated solving this problem, identification of parts of the general problem unresolved before. The issue of the governmental policy regarding implementation of institution of “consulting engineer” in construction, both abroad and in Ukraine, is a subject of scientific research of both domestic and foreign scientists, in particular, it is advisable to distinguish the works of: V. B. Averyanov, O. Y. Amosov, A. H. AkhloMOV, V. D. Bakumenko, V. M. Vakulenko, N. V. Hritsiak, A. O. Dehtiar, V. V. Dorofiyenko, O. M. Ivanytska, O. M. Nepomnyashchyy, O. S. Povazhnyi, V. M. Oluiko, V. M. Ryzhykh, I. V. Rozputenko, S. M. Seriohin, O. I. Chernysh. Despite a number of existing publications, the new realities of public administration functioning in Ukraine in the context of strengthening European integration trends determine the need for further research and justification of proposals for the solution of organisational and management issues in construction activity, as well as its innovative development.

Formulating the purposes of the article (target setting). The purpose

of this article is to justify theoretical and methodological basis of foreign experience regarding the state regulation of the introduction of the “consulting engineer” institution in construction on the example of Poland, Romania, Hungary and to provide guidelines for its implementation in Ukraine.

Presentation of the main research material with justification of scientific results. Today during implementation of projects funded by the international financial organizations, special requirements regarding personnel, including the availability of consulting engineers in engineering companies, can be found. Similar problems are faced by organizations seeking the possibility of entering the European labour market according to the international principles and business practice.

A consulting engineer must have understanding of current construction issues and be legally “fluent” in order to reach success in project management. For a considerable period of time the term “construction” was used to refer to engineering construction support, including industrial, scientific and educational components. Legally, the concept of engineering in the construction industry has been fixed since 2006. The Law of Ukraine № 58-V of 01.08.2006 “On amendments to the Law of Ukraine “On architectural activities” engineering activity in the construction industry (engineering) is defined as the activity of providing services of engineering and technical nature, which include carrying out feasibility studies and research, project expertise, developing construction financing programmes, arranging for manufacturing design documentation,

arranging tenders and bidding, signing contracts with contractors, coordinating the activities of all participants in the construction, as well as exercising construction supervision over facilities and advising on economic, financial and other issues [4].

Modifications in the legislation of Ukraine that have been made throughout 2017 in the direction of introducing the institution of “consulting engineer” in the construction sector, determine the focus of the government on the development of the engineering and consulting services market at the European level in Ukraine [5]. We are talking about amendments made to the occupational characteristics of the profession of consulting engineer (construction) in terms of a clear definition of authority and subordination of a consulting engineer (construction) during the execution of his duties.

It should be noted that both the Ukrainian experts in the field of engineering consulting and foreign scientists and methodologists within the framework of the Public Union “Interstate Consultants Engineers Guild” (hereinafter – ICEG) were actively involved in the development of such legislative and regulatory refinements [6]. ICEG is an independent professional association and a FIDIC affiliate member since 2015 and its goal is to harmonize the market model of engineering and consulting services operating in Ukraine in accordance with the recognized international standards.

In addition, Ukraine has become the first post-Soviet country represented in The European Federation of Engineering Consultancy Associations (hereinafter EFCA) in the face of ICEG.

EFCA was founded in 1992 as a non-government organization in the field of engineering consulting and related services, being a FIDIC representative in Europe bringing together 29 FIDIC professional National Associations from the EU countries [6]. There are more than a million professionals employed in the above-mentioned organizations and associations, most of whom are highly qualified in a wide range of construction and architectural disciplines.

FIDIC standard forms were introduced throughout the region of Central and Eastern Europe in the late 1990ies, given the considerable international and European financing, on the one hand, and the lack of adequate and objective national standard forms of contract, on the other hand.

According to the Phare, Tacis and ISPA (Instruments for structural policies for preparing the candidate countries for accession to the EU) programmes, the financiers of the European Union (EU) and the European Investment Bank (hereinafter EIB) defined in advance that FIDIC standard forms, as a rule, the so-called Red and Yellow Books, had been used properly. The FIDIC forms are the international benchmarks for the efficient allocation of risk, traditions, respect, fairness and balanced business approach.

Although today there is no official translation of the FIDIC standard forms of contract in Ukraine and the procedure and the conditions for their application have not been defined, but, however, there has already been some experience in adapting these documents to current legislation. On the way of introducing the institution of "consulting engineer" in Ukraine we consider

it appropriate to use both negative and positive experience of our foreign partners in all areas of construction. In our opinion, the best adaptation of such experience may occur as long as there is cooperation with the countries of Central and Eastern Europe, since Ukraine is related to them most of all both historically and economically: Poland and Romania.

THE EXPERIENCE OF ROMANIA

Today, the FIDIC documents are used in Romania for public procurement (mostly for road and bridge projects, by the Ministry of transport, or RNCMNR), but the FIDIC standard forms are also suitable for domestic use, mainly in those areas where there are no traditional standard forms of contract, or where the strong international competition is expected. From 2000 to 2010, the Romanian government worked on improving the Romanian legislation regarding the quality level of construction design and its financial support.

The main problems faced by the Romanian employers in the field of construction during the project development were the following: the slow process of ensuring proper access to the site; errors in the source planning data; site location data errors; the slow process of obtaining permits because of bureaucracy and legal challenges for construction; limitations and delays in payment for the work performed, including remuneration to the consulting engineer. Under these circumstances, they were not the questions regarding construction progress which demanded increasing attention, but the fulfilment of the requirements for their conduct.

In this regard, to provide a unified approach for construction purposes, the government of Romania introduced FIDIC contract conditions in 2012 as the national law to be applied by both national and local authorities in relation to large infrastructure projects. Recent legislative changes in Romania has taken place in early 2018, when the Romanian government adopted the Decision № GD № 1/2018, which approved the new General and Special conditions of contract for execution of works funded by the state. Thus, the new Decision substitutes the previous one. In particular, the new regulation abolishes Directive of December 28, 2010 (which adopted the application of the FIDIC conditions of contract) by means of which, in fact, the Romanian Government has officially rejected the mandatory use of the FIDIC standard forms of contract in business practices of the country. However, according to the Romanian specialists, the new model contracts feature FIDIC Red and Yellow Book adapted to the Romanian legislation but without reference to FIDIC [6].

Such legislative implementation in Romania is not typical for the countries of Central and Eastern Europe [7].

It should be noted that all of the mentioned reforms undertaken by the government of Romania have been held within one of the EU financial instruments that is used to help the enlargement countries of Central and Eastern Europe before their accession to the EU. We are talking about the Phare program (Poland and Hungary: Aid for Restructuring of the Economies), which was established in 1989, first only for Poland and Hungary, and is now

working in ten countries in Central and Eastern Europe.

First of all, the enlargement countries receive support in adaptation and adoption of the so-called “legal heritage” of the EU and preparation for management of structural funds, that is, in the areas of capacity building and investment financing.

THE EXPERIENCE OF POLAND

FIDIC forms of contract are widely used in Poland regarding projects funded by public investment together with the EU. The Act on public procurement is a special law of the Civil Code of Poland: if not specified otherwise in the law on public procurement, the provisions and regulations of civil law shall be subject to application. Meanwhile it is sometimes impossible to verify the reliability of the contractor within the procurement procedure. During the construction project implementation this could cause serious difficulties.

Between 2007–2013 the Polish government was negotiating with the EU on the distribution of grants. The result of the fruitful work of the government has become the new legislation in the field of public procurement: Building code and so on. At present the government has been implementing new models of procurement (design-build) that were hardly ever used in Poland. Reducing of eligibility criteria and state assistance creates conditions for entry into the Polish construction market by foreign companies (e.g. from China).

Gradually amendments are made not only to construction contracts, but also to contracts on rendering the consulting engineering services. These years are marked with the bankruptcy of a

number of Polish and foreign construction companies due to: abnormally low prices (construction contracts do not include any adjustments or indexation of the contract cost) and inefficient risk allocation, in case of a contractor consortium.

A role of the consulting engineer in the Polish practice was limited to performing the functions of a Client's representative in accordance with clear instructions from the latter. The cause of such a situation was the conflict between the two contracts: the Engineer's contract and the main contract. This has led to a surge of lawsuits, as instead of taking up the neutral position of a risk manager between the Client and the Contractor, the Engineer became a defendant on the battlefield.

As a result of numerous complaints and warnings from different parties, for example, the European Construction Industry Federation, European International contractors, the Irish member of the European Parliament, the ambassadors of Austria, France, Germany, Ireland, the Netherlands and Portugal sent a letter to the Vice-Prime Minister of Poland in June 2013, with some highlights of the problems in the suppression of the Polish contractors. The letter expressed concern about the number and amounts of claims pending by the Polish courts, which, according to them, point to the fundamental and systematic problems associated with the implementation of major infrastructure projects in Poland.

In January 2014, FIDIC, EFCA and SIDIR issued a joint press release titled "Consulting engineers related to public procurement in Poland", stating that the regulations of the construction con-

tract provisions introduced in Poland shall not affect the balance of risk elimination and distribution of responsibility. In early 2014 Poland was stirred up by a scandal between the consortium and the General Directorate of roads and highways, resulting in three large highway and road projects were simultaneously terminated as a result of the contract termination. In February 2014 there was a change of management in the transport infrastructure funded by a new EU budget, in the period from 2014 to 2020. The period from 2007 to 2013 is remembered in Poland as the period of the bankruptcies of many construction companies [10].

Researchers see improvement of the current situation in a return to the use of fair and balanced standard forms of contract.

In this context, it should be noted that the EU has adopted a Requirement 1316/2013 that founded the Connecting Europe Facility (hereinafter – CEF) that formulates the basic principle obligatory for application for any national or international contract: terms of contract must be drafted in such a way to fairly distribute risks associated with the contract.

THE EXPERIENCE OF HUNGARY

Given the increasing activity of FIDIC and international financing of individual major investments as well as the support provided by global financial institutions (World Bank, EBRD, etc.), FIDIC conditions of contract are increasingly used in the countries of continental European law. In Hungary, as well, issues about how you can use them are subject of discussions from time to time because the Republic

of Hungary has been the EU member since 2004.

It should be noted that the FIDIC contractual provisions in Hungary cannot be applied directly, they must be brought into compliance with the provisions of the existing Hungarian law on construction. Basic normative documents regulating construction works carried out in the territory of the Republic of Hungary are the law "On construction and environmental protection" LXXVIII of 1997 and the Government resolution "On the construction activity" 191/2009 (IX. 15.).

In Hungary, construction contracts with well-coordinated legal provisions, including the FIDIC provisions, are of special importance in many ways. On the one hand, one of the important pillars of the control procedures of construction authorities are contracts fundamental for the construction activity, and on the other hand, in the case of proceedings a judicial body settles disputes under the contracts or their possible illegal provisions in the light of the main provisions of the Act [11].

The new Civil code entered into force on March 15, 2014, providing for significant changes in the rules governing the responsibility of senior officials of economic entities. Under the new law, the responsibility of senior officials for the damage caused by them in connection with their position to other actors, the so-called third parties will be – in contrast to the previous legal interpretation – in solidarity with their business society [12].

Thus, the new regulation significantly increases the responsibility of senior officials for their actions and decisions. In our opinion, this approach

gives grounds for a more accurate prescription of the contract terms within the sphere of responsibility of a specific expert, such as consulting engineer in the construction industry is.

Conclusion. The profession of consulting engineer is marketable in the majority of advanced countries of the world and recently inducted into the national occupational classification in Ukraine. Consulting engineers carry out independent monitoring of the quality and deadlines of construction works: from preparation of design documentation to the final stages of the project.

Despite the fact that the institution of the consulting engineer are not sufficiently developed in Ukraine, publications that would cover the place and role of this participant in construction in the Ukrainian reality, are almost absent. Integration of the construction market of Ukraine into the European space of technical regulation requires new approaches to the development of consulting and engineering services in construction.

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THE MODEL OF ADVERTISING COMMUNICATION REGARDING AN EFFECTIVE REGULATORY FRAMEWORK FOR INTERACTION AND FEEDBACK FROM THE CIVIL SERVICE AND THE PUBLIC

Abstract. The article proposes an innovative approach for the solving of the problems of building an effective communication support for the civil service and its development as an open self-developing system in the transition period, as well as related tasks related to the development of an advertising communication model for the implementation of innovations.

The functional peculiarities of communicative interaction between the state and the public are considered in the context of modern research approaches, namely: limiting the influence of the public sector on the communication process; competitive provision of state-civil communication; the emphasis on the human-orientated style of state-civil communication; formal measurement of standards and indicators of productivity and the success of state-civil communication. At the same time, the main emphasis is on the formation of such a communication model, in which its use perspectives are focused on the final results, on the basis of quantitative measurement of its efficiency indicators, from the public viewpoint.

It has been proved that the standards of state-civil communication in most European countries cover two aspects: quality standards for policy and management, in order to achieve optimal participation of citizens and interest groups in the decision-making process; the level of standards for citizens that can be used to assess the quality of administrative behavior of public authorities.

The mechanisms of public administration, historical traditions, achievements and communicative miscalculations in the establishment of trust between public authorities and the public in independent Ukraine are determined, the main reason for which is the long-term stay in a colonial position. Detecting its own inability to form a sovereign state, the Ukrainian community naturally turned out to be dependent on more cohesive and more powerful neighbors.

Keywords: advertising communication, public service, public, social and innovative development.

МОДЕЛЬ РЕКЛАМНОЇ КОМУНІКАЦІЇ ЩОДО ЕФЕКТИВНОЇ НОРМАТИВНО-ПРАВОВОЇ БАЗИ ВЗАЄМОДІЇ ТА ЗВОРотноГО ЗВ'ЯЗКУ ДЕРЖАВНОЇ СЛУЖБИ ТА ГРОМАДСЬКОСТІ

Анотація. Пропонується інноваційний підхід до вирішення проблем побудови ефективного комунікаційного забезпечення державної служби та її розвитку, як відкритої системи, що саморозвивається, в умовах перехідного періоду, а також пов'язаних з цим завдань щодо розроблення моделі рекламної комунікації для реалізації нововведень.

Розглянуто функціональні особливості комунікативної взаємодії держави та громадськості, у контексті сучасних дослідницьких підходів, а саме: обмеження впливу державного сектору на процес комунікації; конкурентне забезпечення державно-громадянської комунікації; наголос на людино-орієнтованому стилі державно-громадянської комунікації; формальне вимірювання стандартів і показників продуктивності та успіху державно-громадянської комунікації. Основний акцент зроблено на формуванні такої комунікаційної моделі, в якій перспективи використання зосереджені на кінцевих результатах, на основі кількісного вимірювання показників її ефективності з точки зору громадськості.

Доведено, що стандарти державно-громадянської комунікації в більшості європейських країн охоплюють два аспекти: стандарти якості для політики

та управління, для досягнення оптимальної участі громадян та груп інтересів у процесі прийняття рішень; рівень стандартів для громадян, який може використовуватися для оцінки якості адміністративної поведінки органів державної влади.

Визначені механізми державного управління, історичні традиції, здобутки та комунікативні прорахунки у становленні довіри між органами публічної влади та громадськості в незалежній Україні, причиною яких є довготривале перебування в колоніальному становищі. Виявляючи власну неспроможність до суверенного державотворення, українська спільнота закономірно опинялася у залежності від згуртованіших та потужніших суспільств.

Ключові слова: рекламна комунікація, державна служба, громадськість, соціально-інноваційний розвиток.

МОДЕЛЬ РЕКЛАМНОЙ КОММУНИКАЦИИ ДЛЯ ЭФФЕКТИВНОЙ НОРМАТИВНО-ПРАВОВОЙ БАЗЫ ВЗАИМОДЕЙСТВИЯ И ОБРАТНОЙ СВЯЗИ ГОСУДАРСТВЕННОЙ СЛУЖБЫ И ОБЩЕСТВЕННОСТИ

Аннотация. Предлагается инновационный подход к решению проблем построения эффективного коммуникационного обеспечения государственной службы и ее развития как открытой системы, саморазвивающейся в условиях переходного периода, а также связанных с этим задач по разработке модели рекламной коммуникации для реализации нововведений.

Рассмотрены функциональные особенности коммуникативного взаимодействия государства и общественности в контексте современных исследовательских подходов, а именно: ограничение влияния государственного сектора на процесс коммуникации; конкурентное обеспечение государственно-гражданской коммуникации; упор на человеко-ориентированном стиле государственно-гражданской коммуникации; формальное измерение стандартов и показателей производительности и успеха государственно-гражданской коммуникации. Основной акцент сделан на формирование такой коммуникационной модели, в которой перспективы использования сосредоточены на конечных результатах, на основе количественного измерения показателей ее эффективности, с точки зрения общественности.

Доказано, что стандарты государственно-гражданской коммуникации, в большинстве европейских стран, охватывают два аспекта: стандарты качества для политики и управления, для достижения оптимального участия граждан и групп интересов в процессе принятия решений; уровень стандартов для граждан, который может использоваться для оценки качества административного поведения органов государственной власти.

Определены механизмы государственного управления, исторические традиции, достижения и коммуникативные просчеты в становлении доверия между органами публичной власти и общественностью в независимой

Украине, основной причиной которых является длительное пребывание в колониальном положении. Проявляя собственную несостоятельность к суверенному государствованию, украинское сообщество закономерно оказывалось в зависимости от сплоченных и сильнейших соседей.

Ключевые слова: рекламная коммуникация, государственная служба, общественность, социально-инновационное развитие.

Formulation of the problem. There is a tendency for both centralization and decentralization in communication systems of state authorities with citizens at the current stage of development of public administration. Centralization is realized by the fact that formation of the mission and the vision of state-civil communication is the exclusive competence of supreme authority of the state power. In addition, the control of development of the state-civil communication is exercised vertically (through the implementation of corporate standards of the brand, reporting system for the implementation of functions). The peculiarity of decentralization is that powers for the development of state-civil communication are delegated to almost all functional units of the civil service. Also, the practice of advertising communications formation has become widespread in the conditions of decentralization.

Recent research and publications analysis. Sufficient number of scientific works of foreign and domestic scientists are devoted to the problems of ensuring the communicative potential of development of the civil service. Thus, for example, theoretical and practical aspects of the social development of communicative provision of civil service organizations are reflected in the works of S. I. Bredtsnaydera, V. I. Vasylenko, L. A. Vasylenko, I. S. Nepal, G. V. Push-

karyova, Ye. O. Romanenko, S. A. Chukut and others. However, the influence of marketing communication tools, which predetermine the development of civil service management system, is not thoroughly studied yet on the basis of innovative approach. Therefore, further study of the problems of effectiveness of advertising communication and its impact on the innovative development of civil service led to the choice of purpose of this article.

The purpose of this article is to study the functioning of regulatory and legal framework for interaction and feedback of the civil service and the public, and to develop recommendations for improving its effectiveness through the development of advertising communications.

Statement of basic materials. Advertising communication to provide an effective regulatory framework for interaction and feedback of the civil service and the public includes the following main elements:

1. The source that it is the starting point (public service), that is distributing advertisements directed to the target audience.

2. A message (addressing the government bodies) is a collection of information that determines the content of advertising and the processes of its implementation.

3. Channels of communication – information from the source to the recipient (target group) is transmitted through the appropriate channels (types of distribution of information) – radio, television, periodicals, posters, screens, etc.

4. Receiver-audience (target audience – the public).

5. Recipient (public) (see Figure).

The role is attributed to two main segments in this mode: message from sender (communicator) and receiver (addressee). Consequently, the sender (public service entity) defines “the target audience (addressee), goals, characteristics, means and channels of communication” [1]. Receiving a notification signal from the public authority to the addressees ensures contact. Inquiry (message) is the main tool and information medium, the emotional and psychological influence of the communicator on target audience. Coding plays an important role in communication in the field of public administration, which is followed by the process of representing the ideas of communication transmitted by the

recipient in the form of texts, symbols and images.

In this regard, advertising communication, as an important part of the formation of communicative effectiveness of the civil service and the public, is intended to provide a variety of effects in civil society, such as [2]:

- formation of awareness of the citizens of certain issues of the civil service policy;

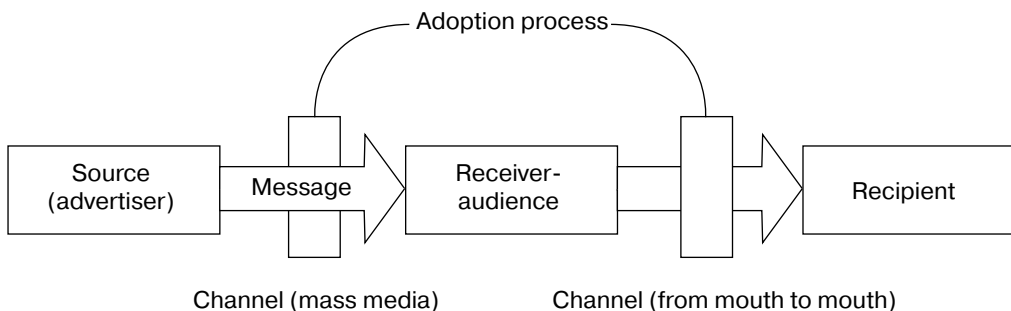
- development of awareness about the peculiarities and advantages of public authorities in decision-making on public administration among citizens;

- development and change of the image of communicative perception of the civil service;

- combining the image of civil service with special feelings and emotions of the public;

- creation of collective norms of support, or distrust of public service institutions;

- change in the type of behaviour of citizens, as a result of obtaining relevant information on the activities of civil service.



Model of advertising communication to provide an effective regulatory framework for interaction and feedback of the civil service and the public

Source: the result of own research

It is also worth pointing that the impact of advertising communication has a strategic nature, which manifests through its long-term effects. Primarily, the point at issue is that the fact that advertising communication, in a way, strengthens public activity in relation to its participation in the processes of formation and implementation of the civil service [3].

In this context, the question arises about the basic demands and characteristics that are advanced for the communicative efficiency of civil service:

- Truthfulness (state authorities, as well as relevant institutional structures that ensure the implementation of their communicative policy, are obliged to provide true data that is the subject of their advertisement) [4];
- Humanity (disclosure of the activities of public authorities should contribute to the development of anthropocentric principles, human development, rather than appeal for violence, hostility) [5, p. 40–41];
- Competence that is provided by means of the latest advances in economics, psychology, medicine, design, information technology, etc.

Compliance with the above requirements is an important part of the process of organizing and ensuring the communicative effectiveness of the civil service at the level of interaction between state authorities and the public, which will ultimately ensure the formation of policy of democratization. It is advisable to adhere to the following criteria to ensure such a result, as the national researcher of state communi-

cations G. A. Shcherbych rightly considers:

- type of consumer of communication (public or state body);
- target audience (public);
- geographic segment (local, regional, national, international communication);
- subject of communication activities (services, ideas, projects, programs, strategies, laws, etc.);
- means of message delivery (radio, television, Internet, press, etc.) [6, p. 125–126].

In addition, the implementation of these criteria involves the engagement of a certain number of participants in the communication, which bear particular effect, and also those who directly affect its content, guarantees the proper level of communicative efficiency of public administration.

Therefore, it is expedient to allocate such types of communication, depending on the number of its participants:

- internal communication (inner human communication, that is, the reflection of certain socially significant events in the life of society);
- interpersonal communication (including only two people);
- communication in small groups (number of participants from 3 to 9 people);
- public communication (approximately from 10 to 100 participants, where the active communicator and passive audience are clearly distinguished);
- organizational communication (more than 100 participants, where the hierarchy of communicative interaction is clearly es-

tablished, from the top management of state power to the lowest branch of government);

- mass communication (the number of participants exceeds a thousand, for example, rallies, strikes, demonstrations, mass events).

Conclusions. The types of communications analysed in the article reveal its procedural character, characterizing the influence of state power on the public, in the context of solving certain problems of ensuring the communicative effectiveness of public administration. This communication process is clearly traceable to the developed model, which necessarily requires feedback from the state authorities and the public, that is, each getting the opportunity to realize its communicative interest.

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 - if in the review of the literature review or hereafter refer you recall on the name of scientist – his publication must be published in the general list of literature after the article;
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 - in formulas only generally accepted characters are used;
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 - all pictures and graphics should be numbered and have a name;
 - format A4, font “Times New Roman”, font size – 14, line spacing – 1,5; Settings page (banks) – 2 cm on all sides;
 - minimum amount of articles – 8 th. characters with spaces, maximum – 34 thousand (Article optimal size – 20–24 thousand characters);
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