

SUMMARY

Zubko O. M. Administrative and legal regulation of the defense industrial complex of Ukraine. – *Qualifying scientific work (manuscript).*

Thesis submitted for the degree of Doctor of Philosophy in Law, specialty 12.00.07 «Administrative Law and Process; Financial Law; Information Law». – Research Institute of Public Law, Kyiv, 2018.

In the dissertation the basis of the theory of administrative law, current legislation, achievements of the public administration, new solution of the scientific task concerning administrative-legal regulation of the defense industry complex of Ukraine is presented, the most important scientific results are presented.

The concept of administrative and legal regulation of the defense industry of Ukraine as a set of various forms, methods and means of legal influence of the subjects of public administration on the legal relationship regarding the development, production and sale (including export) of military and military equipment, other military property, which is purposeful, effective, normative-organizational in order to protect national security and defense, guaranteeing the rights, freedoms and legitimate interests of individuals, society and state.

National security as an object of administrative-legal relations is characterized by being built on the basis of administrative-legal norms; the main subjects of ensuring national security are the executive authorities, which are assigned the respective functions; is ensured through a common, united activity of society, state and nation; acquires special state features through official views, goals and strategies of the state; is realized through military, legal, organizational and other measures and is supported by a defense-industrial complex.

The principles of administrative-legal regulation of the defense industry of Ukraine should be divided into: general principles - specific for administrative-legal regulation both for the activity of subjects of public administration; special principles - characteristic for the defense industrial complex and subjects of administration of the defense industry complex.

Taking into account the diversity of the public relations of the defense industry, which, accordingly, determine the need for administrative regulation, the prevailing place in the regulatory framework is played by subordinate legal acts that, on the basis and in accordance with the laws, are adopted by authorized agents and determine the administrative and legal status of the sub- of public administration of the defense industrial complex, specify the peculiarities of administrative and legal regulation, with the aim of operational and effective performance of functions and tasks of the defense-industrial complex.

To forms of administrative activity of the public administration regarding the legal regulation of the defense industry of Ukraine includes: publication of normative and administrative acts; the conclusion of administrative contracts regarding the objects of the defense industry complex; commit other legally significant administrative actions in the field of defense-industrial complex;

realization of material and technical operations for the functioning of the defense industry complex.

The public administration that administers the administrative-legal regulation in the field of defense-industrial complex is a complex of public structures that have executive, regulatory and organizational powers regarding the legal regulation of the defense industry in order to implement the state policy in the area of ensuring national security and defense.

The special subject of administrative law in meeting the material needs of the Armed Forces of Ukraine and other military formations uses the following methods: reporting to the President of Ukraine and the authorized governing body; coordination, audit and monitoring of activities, protection of the results of intellectual activity and various types of control (for the use of funds, foreign economic contracts, the use of state property, implementation of investment and technical development programs).

There are the following administrative procedures for legal regulation of the defense industry of Ukraine: registration; permissive control and inspection; procedures for bringing administrative liability; procedures for providing administrative services.

An analysis of the effective foreign experience of administrative-legal regulation of the defense industry complex has been carried out, which proves that the EU member states have an effective system of legal regulation of the defense-industrial complex, in particular, in Lithuania and Bulgaria, the defense industry is regulated by independent civil society organizations uniting the leading defense industry companies for interaction between the state authorities in this field and are analogues of the Ukrainian "Ukroboronprom", and in Italy there is a more expanded the system of legal regulation of the defense industrial complex - the executive authorities, in close cooperation with public associations form the country's defense industry and provide its national security and defense.

The improvement of legislation on the administrative and legal regulation of the defense industry of Ukraine should be aimed at increasing the efficiency of public administration by active enterprises; raising the responsibility of the National Security and Defense Council of Ukraine in the sphere of regulation of the defense industry complex; improvement of the system of subjects of state management of objects of state property in the defense-industrial complex through the reformation of the central executive authority, which implements the state military-industrial policy.

Key words: administrative-legal regulation, military-industrial policy, state sovereignty, methods of administrative activity, national security, defense-industrial complex, principles, procedures, subject of public administration, forms of administrative activity.