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Concept and essence of public railway transport of Ukraine as the object of financial and legal relations

Поняття та сутність залізничного транспорту загального користування України як об'єкта фінансово-правових відносин

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Abstract

The purpose of the article is to reveal the concept and essence of railway transport of general use in Ukraine as an object of financial and legal relations. Research results. Scientific and legislative approaches to the concepts of "transport", "railway transport", "financial and legal relations" are considered. The essence and features of the latter are defined. Factors affecting the development trends of rail transport are studied. Practical meaning. It is established that financial and legal relations directly related to railway transport may include issues of financing, taxation, regulation of tariffs and other financial aspects of the activity of such business entity. Such relations are governed, among other things, by financial legislation, as well as by other legal norms relating to the financial activities of economic entities. Value/originality. The article defines the concept of railway transport of Ukraine as an object of financial and legal relations as relationship between business entities, as well as the State, which arise in the process of implementing financial activities, that is, in interactions connected to the circulation of

Анотація

Метою статті є розкрити поняття та сутність залізничного транспорту загального користування України як об'єкта фінансово-правових відносин. Результати дослідження. Розглянуто наукові та законодавчі підходи до понять «транспорт», «залізничний транспорт», «фінансово-правові відносини». Визначено сутність та особливості останніх. Досліджено фактори, які впливають на тенденції розвитку залізничного транспорту. Практичне значення. Встановлено, що фінансові правовідносини безпосередньо пов'язані з залізничним транспортом, можуть включати в себе питання фінансування, оподаткування, регулювання тарифів та інші фінансові аспекти діяльності такого суб'єкта господарювання. Такі відносини регулюються в тому числі фінансовим законодавством, а також іншими правовими нормами, що стосуються фінансової діяльності суб'єктів господарювання. Цінність/оригінальність. У статті сформовано поняття залізничного транспорту України як об'єкта фінансових правовідносин як взаємин між суб'єктами господарювання, а також

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funds, securities, banking services and any other financial assets.

Key words: object, financial and legal relations, participants in legal relations, railway transport, transport.

Introduction

Material goods, necessary for the existence and development of human society, are created in four main areas of production: in the mining and processing industry, in agriculture and in transport.

Transport is a necessary general condition for the production of any product. Thanks to the transport system, it is possible to ensure connections between industries, enterprises, regions of the country, and foreign countries (Sirko et al., 2022, p. 198). This is explained by the fact that in the production process, the movement of objects and the means of work necessary for this, as well as labor force, to the places of production plays a major role. However, this does not end with transport involvement in production, because the products are ready for consumption only when they are available to the consumer. Therefore, transport of finished products from production to consumption is carried out by transport. Transportation in the sphere of rotation is mainly carried out by public transport (railway, sea, river, road, air), as well as special (pipeline, power transmission lines and railway access tracks of enterprises connecting them with the main railway network). These types of transport are the material basis for the rotation process.

Railway transport is considered a means of material production – a very important element in the production of any goods. And even carrying out the transportation of passengers, it satisfies the important need of people to move – a need material by its nature material, since the transportation of passengers is a consumer goods of a special kind – commodity service.

The current stage of the development of railway transport in Ukraine has a number of features significantly affecting financial relations in the industry, namely:

- considerable influence of the state as the owner on the economy of railway transport, which, on the one hand, leads to the

державою, що виникають у процесі реалізації фінансової діяльності, тобто у взаємовідносинах, пов'язаних з обігом коштів, цінних паперів, банківських послуг та будь-яких інших фінансових активів.

Ключові слова: учасники правовідносин, об'єкт, фінансово-правові відносини, залізничний транспорт, транспорт.

centralization of management processes, and on the other one – to an ambiguous assessment of the activities of the State-owner;

- existence of a large number of enterprises of mixed ownership, where the interests of the state and private individuals are combined;
- limited capabilities of the State-owner state regarding financial support at the expense of centralized sources, in particular budget funding;
- lack of a clear State strategy for the development of railway transport in Ukraine (State Statistics Service of Ukraine, 2021).

In terms of the functioning of railway transport in Ukraine, the symbiosis of administrative and financial law is quite important, which complicates this topic and necessitates scientific research.

Therefore, the purpose of the article is to reveal the concept and essence of the public railway transport of Ukraine as an object of financial and legal relations, based on the theoretical foundations of financial and administrative law, the norms of current legislation and the practice of the activities of executive authorities.

Methodology

The methodological basis for the Article is the set of general and special methods of scientific knowledge, the use of which made it possible to achieve the goal and ensure the scientific reliability and clarity of the obtained theoretical results. All methods were applied comprehensively, which ultimately contributed to versatility, completeness and objectivity of scientific conclusions.

In particular, the methods of analysis and synthesis helped to examine the studied problem in the unity of its elements, as well as each of its component separately.

Dialectical method was used to investigate the origin and development of scientific knowledge on the concept and essence of public railway transport as the object of financial and legal relations.

Among the special scientific methods, the formal-legal method was applied, which contributed to the clarification of legal terminology such as “transport”, “railway transport”, “financial and legal relations”, etc.

With the help of monographic method both scientific works on the features of railway transport and financials relations governing this issue were studied.

Statistical method made it possible to analyze the trends of development of the railway transport in Ukraine.

Structural method was used to clarify the advantages of this type of transport, as well as to determine features inherent in financial legal relations.

Logical method was helpful in drawing proper conclusions.

Literature Review

The purpose of the study by Shevchenko (2020) is to improve and further develop the conceptual foundations and scientific and practical approaches to the determination of benchmarks for the promotion of strategies for the sustainable development of the production infrastructure of the national economy in the medium- and long-term perspective (on the example of railway transport), as well as proposing the recommendations for institutional support for the achievement of priority guidelines in the implementation of these strategies.

The object of the research by Stasiuk (2022) is the process of liberalization of the rail freight transportation market, because in the conditions of Ukraine’s increased participation in the process of European integration there is a need to strengthen the logistics potential of the country, where the railway plays a leading role. The railway is the basis of the country's economy and ensures its viability, stability and safety even in critical situations. The railway is ecological, accessible, reliable, cheap, "smarter" every year and is currently being transformed under conditions of liberalization, deregulation and privatization.

Alyoshinsky (2009) tried to establish the process of international freight rail transport taking into account resource saving, which ensures the adaptability of the transport system to customs procedures to reduce the number of cargo delays, reduce unproductive time spent during customs operations and resource costs of all kinds during the processing of export-import rail transport. The thesis solves the problem of forming the transport process of international freight rail transportation, which, unlike the previously known ones, takes into account the rationing of resource costs and the reduction of the number of delays of wagons and containers for customs reasons.

Lapin (2019) devoted his work to the importance of ensuring fire protection of objects and rolling stock of railway transport, increasing the combat readiness of railway fire departments and optimizing costs for their maintenance and operation. Under railway transport reform, improvement of new forms of fire protection management, one of which is the introduction of a systemic approach considering fire risks as an important component of threats to the economic security of railway transport enterprises, is required.

Pozdniakova and Deineka (2010) created their scientific work to to study the processes taking place on the railway transport in the course of management; to analyze these processes and identify the tendency of their change, to determine the factors influencing these processes; to develop recommendations for improving the processes taking place during production on railway transport.

Results and Discussion

In recent years, railway transport has been affected by a number of socio-economic destructive factors, which is reflected in the trends of its development. In 2021, 314.3 million tons of cargo, an increase of 2.9% compared to the previous period, but 7.4% lower the level of 2017, when the volume of cargo transportation was 339.5 million tons.

The development of passenger transport by rail should be indicated by a gradual increase in the volume of work. Thus, in 2021, the volume of passenger transportation amounted to 81.3 million people, an increase of 19% compared to 2020. However, compared to 2017 (164.9 million people), there is a significant gap of more than twice – by 50.7% (Main Department of Statistics in Luhansk Oblast, 2021).

Kirdina and Ukrainka (2022) believe that such negative trends in the development of railway transport are largely due to the long-term accumulation of systemic problems, including:

- deterioration of the condition of the railway track and infrastructure in general as a result of the postponement of repair works;
- reduced fleet of technically serviceable rolling stock due to ignoring the need for its timely renewal and modernization;
- increasing wear and tear of the production and repair base of railway transport enterprises;
- implementing ineffective investment, innovation, personnel, and marketing policies by the company.

Before considering railway transport of Ukraine as an object of financial and legal relations and a subject of financial control, it is necessary to investigate and define the following legal categories: "transport", "railway transport", "financial and legal relations" and "subject of financial control".

According to Bilodid (1979), the term "transport" refers to:

- 1) a branch of the national economy that carries out the transportation of passengers, delivery, cargo movement, etc. by various means;
- 2) one or another type of means of transport;
- 3) any means of transport, as well as a combination of such means;
- 4) means of transport of a certain territorial subordination;
- 5) a certain section of transport as well as the number of vehicles serving it.

The authors of the textbook on market statistics (Pidhornyi & Samotoienkova, 2014) note that the term "transport" comes from the Latin words *trans* (through) and *portare* (carry). The product of transport is the process of transportation, that is, the process of moving goods and passengers in the environment of human life. Transport is a branch of economic infrastructure, which is considered one of the priorities in the state. The peculiarity of transport as a type of economic activity for the provision of services is that the production process of other sectors of the economy is completed by moving products from the producer to consumers, and the value created by the labor spent on this movement, is added to the cost of transported products, although new material values are not created in this area.

According to Kushnir (2015, p. 42), transport is one of the most important industry branches, providing production and non-production needs of the economy and the country's population in all types of transportation.

The legislator also fixed the definition of the term "transport". Thus, according to the Law of Ukraine No. 232/94-VR (1994), transport in the system of public production is one of the most important branches of public production and is designed to meet the needs of the population and public production in transportation. The development and improvement of transport is carried out in accordance with state target programs, taking into account its priority and based on the achievements of scientific and technical progress and is provided by the state.

Thus, the transport of Ukraine should be understood as a system of various types of vehicle ensuring the movement of people and goods on the territory of Ukraine and international transit. It includes rail transport, road transport, sea transport, river transport, air transport and pipeline transport. The transport system of Ukraine is an important component of the country's infrastructure and plays a crucial role in ensuring economic development. It ensures the movement of people and goods between different regions of Ukraine, which is necessary for the development of trade and other sectors of the economy.

As far as rail transport is concerned, the Law of Ukraine No. 232/94-VR (1994) states that it includes railway transport enterprises carrying out the transportation of passengers, cargo, baggage, mail, rolling stock of railway transport, railway lines of communication, as well as industrial, construction, trade and supply enterprises, educational institutions, technical schools, children's preschools, health care, physical education and sports institutions, culture, scientific research, design and construction organizations, industrial railway transport and other enterprises, institutions and organizations regardless of ownership that ensure its activity and development.

Along with this, the Law of Ukraine No. 273/96-VR (1996) defines the main legal, economic and organizational principles of the operation of public railway transport, its role in the economy and social sphere of Ukraine, and governs its relations with executive bodies, authorities, local self-government bodies, other modes of transport, passengers, senders and receivers of goods, baggage, and mail, taking into account the

specifics of the functioning of this mode of transport as a single industrial and technological complex.

According to its provisions, railway transport is a production and technological complex of railway transport enterprises, designed to meet the needs of public production and the country's population in transportation in domestic and international connections and to provide other transport services to all consumers without restrictions on ownership and types of activity, etc. It is one of the important basic branches of the economy of Ukraine that provides internal and external transport and economic connections and satisfies the needs of the population in transportation. The activity of railway transport as part of the unified transport system of the country contributes to the normal functioning of all branches of public production, social and economic development and strengthening of the State's defense capability, international cooperation of Ukraine.

Railway transport enterprises, in cooperation with other modes of transport, must carry passengers and cargo in a timely and high-quality manner, ensure traffic safety, and develop the sphere of transport services for the national economy and the population.

Railway transport, as one of the economic types of transport, is capable of mastering the most massive cargo flows, which ensures reliable delivery of products to the consumer and the least negative impact on the environment. Its significant role in the economy is also evident in the fact that it is a large consumer of material and labor resources.

The advantages of this type of transport are:

1. The possibility of mass transportation of goods and passengers increasing the capacity of railway lines;
2. Regularity of transportation regardless of climatic conditions, time of year and day;
3. Higher volumes of cargo delivery and, as a rule, a shorter track compared to river and sea transport, including through transport corridors;
4. Great efficiency during the transportation of bulk cargo over long and medium distances, especially when organizing routes;
5. Relatively low cost;
6. High traffic safety (Pozdniakova and Deineka, 2010, p. 22).

The main feature of railway transport is versatility, high carrying capacity and regularity of transportation. The economic efficiency of railways largely depends on the volume of transportation. With large flows of mass cargo, railways quickly pay back the capital investments used for their development. This type of transport effectively serves the manufacturing and mining industries.

Regulatory acts defining the procedure and conditions of transportation, use of means of the public railway system, traffic safety, labour protection, ensuring public order, crossing railway tracks by other modes of transport and communications, fire safety, sanitary norms, and rules on railway transport of Ukraine, are mandatory for all legal entities and individuals on the territory of Ukraine.

According to functional features, rail transport is divided into freight and passenger. This is due to the fact that transport is a necessary prerequisite for the functioning of both material production and the service sector, including passenger transportation. Passenger railway transport is a branch of the non-production sphere and belongs to the infrastructure industries.

Freight transport is a branch of production infrastructure. Without directly producing material products, freight transport is the fourth branch of material production after mining, processing industry and agriculture. None of the named three main branches of material production is able to function without transportation. The product is ready for consumption only when it is delivered to the consumer.

That is, railway transport of Ukraine is a system of railway tracks, stations, electrified and non-electrified sections, locomotives, wagons and infrastructure, which provides passenger and cargo transportation throughout the territory of Ukraine and connects it with international railway transport networks. Railway transport of Ukraine is state property.

As Peroshchuk (2014, p. 175) correctly points out, not only the actual behavior of the subjects of financial legal relations, but also the achievement of the ultimate goal of such legal relations depends on how fully and correctly the object will be defined. Considering railway transport as an object of financial and legal relations, it should firstly be noted that financial legal relations are considered by legal theorists as social relations regulated by the rules of financial

law, the participants of which act as bearers of subjective rights and legal obligations regarding the formation, distribution (re-distribution) and use of public money funds. According to the authors, financial legal relations (like any other legal relations) arise between certain actors regarding a specific object and have a meaning that is revealed through the respective rights and obligations of its participants. Reflecting the general nature inherent in any legal relationship, financial and legal relationships also have specific characteristics due to the peculiarity of the sphere of their occurrence (Bandurka & Hetmanets, 2015).

Vinnitskyi (2003) states that financial legal relations are generated by a phenomenon (financial activity of the state), which at the same time constitutes its content. We completely share the point of view by the scientist and believe that, determining the nature of financial legal relations, a modern scientist should depart from the traditional approach and abandon the indication that financial legal relations arise in the field of financial activity. This is due to the fact that under this approach, reasoning further, and recognizing that financial activity, like any activity in general, constitutes certain relations, we must summarize that financial legal relations arise, change and terminate in the sphere of relations.

Financial legal relations:

are property relations between the State (even when it acts indirectly in these relations), on the one hand, and other actors on the other one;
they flow in cash;
arise at the initiative of the State;
emerge in order to create and distribute state monetary funds;
accompany the public interest of the state;
are characterized by imperativeness, coercion, which is ensured by the state legal means – by recognizing financial relations as a subject matter of legal regulation (Nesterenko, 2015, p. 120).

The following features are also inherent in financial legal relations:

they arise and develop exclusively in the field of financial activity of the state and local self-government bodies (they are of a property nature), related to the mobilization, distribution and use of centralized and decentralized funds;
they are power relations, because one side of this relationship is the State through certain bodies with authorities;

they emerge, change and terminate on the basis of legal facts (Filipenko & Filipenko, 2018).

In view of the peculiarities and diversity of financial legal relations, the most acceptable opinion is one, according to which the object of such legal relations is what the subjective rights and obligations of the actors of these relations are aimed at and what the latter seek to achieve by their behavior. At the same time, taking into account the unity of the field of financial law, which is a set of legal norms that regulate relations regarding the mobilization, distribution and use of funds of public funds, it is possible to talk about the separation of the general object of financial legal relations (Makukh, 2017, p. 163).

The need to determine the legal regime of the object of financial legal relations is also due to their diversity. Thus, money, securities, certain financial instruments, property, documents, estimates and other material goods can be the object of various types of legal relations. At the same time, it is the legal regime of each specific object that will allow them to be demarcated and provide the appropriate specifics in accordance with the applied method of legal regulation. At the same time, the legal regime of a certain object of financial legal relations is determined by normative legal acts.

The legislation on the public railway system consists of the laws of Ukraine “On Transport” (Law No. 232/94-VR, 1994), “On Specifics of Creating a Public Railway Transportation Public Joint Stock Company” (Law No. 4442-VI, 2012), the Law “On Railway Transport” (Law No. 273/96-VR, 1996), Railroad Regulations of Ukraine approved by the Cabinet of Ministers of Ukraine (Order No. 457, 1998), and other legislative acts of Ukraine.

Conclusion

Thus, railway transport is one of the most important basic sectors of the Ukrainian economy, provides its internal and external transport and economic relations and the transportation needs of the population. Operation of the railway transport as part of the integrated transport system of the country contributes to the proper functioning of all branches of public production, social and economic development and strengthening of the state's defense capability, and international cooperation of Ukraine.

Rail transport of Ukraine, as the object of financial legal relations, is a relationship between

economic entities, as well as the state, arising in the process of financial activity, that is, in relationships related to the circulation of funds, securities, banking services and any other financial assets.

Financial legal relations directly related to railway transport may include issues of financing, taxation, regulation of tariffs and other financial aspects of the activity of such an economic entity. Such relations are regulated, among other things, by financial legislation, as well as by other legal norms relating to the financial activities of economic entities.

Bibliographic references

- Alyoshinsky, E.S. (2009). Bases of formation process of international freight railway transportations. (PhD Dissertation Abstract). Ukrainian State Academy of Railway Transport. Kharkov, Ukraine. http://lib.kart.edu.ua/bitstream/123456789/5699/1/aref_%D0%90lyoshinsky.pdf
- Bandurka, O. M., & Hetmanets, O. P. (2015). Financial law: textbook. Kharkiv: Ekograph. <https://acortar.link/UcqEN7>
- Bilodid, I. K. (1979). Dictionary of the Ukrainian language: in 11 volumes, Volume 10. Kyiv: Naukova Dumka. <http://sum.in.ua/s/transport>
- Filipenko, T.V., & Filipenko, A.S. (2018). Financial law in schemes: educational and methodological manual. Kryvyi Rih: Donetsk Law Institute of the Ministry of Internal Affairs of Ukraine. https://repository.mdu.in.ua/jspui/bitstream/123456789/932/1/finansove_pravo.pdf
- Kirdina, O. H., & Ukrainka, L. O. (2022). "Anti-crisis management of railway transport development in the context of global turbulence". Herald of the economy of transport and industry, 76-77, pp. 24-32. <http://lib.kart.edu.ua/bitstream/123456789/9474/1/Kirdina.pdf>
- Kushnir, L.V. (2015). Analysis of the work of transport of ukraine main indicators. Scientific Bulletin of Kherson State University. Series of economic sciences, Issue 12, Part 2, pp. 42-47. <https://acortar.link/hdnFrO>
- Lapin, P.V. (2019). Ensuring economic safety of rail transport enterprises on the basis of fire risk management. (PhD Dissertation). Dnipro National University of Railway Transport named after academician V. Lazaryan. Dnipro, Ukraine. <https://acortar.link/EYvMCC>
- Law No. 232/94-VR. On Transport, Bulletin of the Verkhovna Rada of Ukraine, Kyiv, Ukraine, November 10, 1994. Recovered from <https://zakon.rada.gov.ua/laws/show/232/94-%D0%B2%D1%80#Text>
- Law No. 273/96-VR. On Railway Transport, Bulletin of the Verkhovna Rada of Ukraine, Kyiv, Ukraine, July 04, 1996. Recovered from <https://zakon.rada.gov.ua/laws/show/en/273/96-%D0%B2%D1%80?lang=uk#Text>
- Law No. 4442-VI. On Specifics of Creating a Public Railway Transportation Public Joint Stock Company, Bulletin of the Verkhovna Rada of Ukraine, Kyiv, Ukraine, February 23, 2012. Recovered from <https://zakon.rada.gov.ua/laws/show/en/4442-17?lang=uk#Text>
- Main Department of Statistics in Luhansk Oblast (2021). Economic statistics / Economic activity / Transport. http://lg.ukrstat.gov.ua/sinf/transport/arch_transport.php.htm
- Makukh, O. V. (2017). Dynamics of financial relations: methodological aspect. (Doctoral Dissertation Abstract). Zaporizhzhia National University. Zaporizhzhia, Ukraine. http://phd.znu.edu.ua/page//aref/07_2017/Makukh_aref.pdf
- Nesterenko, A.S. (2015). Financial legal mechanism as the object of the financial system of the state. Young Scientist, 10(25), Part 2, pp. 118-121. <http://molodyvcheny.in.ua/files/journal/2015/10/66.pdf>
- Order No. 457. On Approval of the Charter of Ukrainian Railways, Bulletin of the Verkhovna Rada of Ukraine, Kyiv, Ukraine, April 06, 1998. Recovered from <https://zakon.rada.gov.ua/laws/show/en/457-98-%D0%BF?lang=uk#Text>
- Peroshchuk, Z. I. (2014). Problems of legal regulation of the budget revenues and expenditures are included in the budget system of Ukraine. Current Problems of State and Law, 74, pp. 172-177. <http://www.apdp.in.ua/v74/27.pdf>
- Pidhornyi, A. Z., & Samotoienkova, O. V. (2014). Market statistics: manual. Odesa: Odesa National Economics University. <https://acortar.link/267wk1>
- Pozdniakova, L. and Deineka, O. (2010). Economics of railway transport. Kharkiv: UkrDAZT. <https://acortar.link/YR16UV>
- Shevchenko, A.I. (2020). Strategies for the sustainable development of the industrial infrastructure of the national economy from the point of view of security (on the example

- of railway transport). (PhD Dissertation Abstract). Institute of Industrial economics of the National Academy of Sciences of Ukraine. Kyiv, Ukraine. https://iie.org.ua/wp-content/uploads/2020/09/avtoreferat_shevchenko-a.i..pdf
- Sirko, R., Kyslyak, L., Beznosiuk, O., & Bodnarchuk, M. (2022). The improvement of the institution of railway transportation in the context of modern challenges. *Amazonia Investiga*, 11(60), pp. 197-205. <https://doi.org/10.34069/AI/2022.60.12.21>
- Stasiuk, K. Z. (2022). Marketing management of railway enterprises logistics potential in the environment of market liberalization. (PhD Dissertation). Lviv Polytechnic National University of the Ministry of Education and Science of Ukraine. Lviv, Ukraine. <https://lpnu.ua/sites/default/files/2022/radaphd/20002/disertaciya-stasyuk-katerini-zinoviivni075marketing.pdf>
- State Statistics Service of Ukraine (2021). *Transport of Ukraine 2020*. https://ukrstat.gov.ua/druk/publicat/kat_u/2021/zb/10/zb_Transpot.pdf
- Vinnitskyi, D.V. (2003). *Russian tax law: problems of theory and practice: monograph*. St. Petersburg: Publishing House "Law Center Press". <http://lawlibrary.ru/izdanie45448.html>