

THE STRATEGY FOR THE DEVELOPMENT OF HIGH-TECH INDUSTRIES AS A KEY ELEMENT OF THE LEGAL REGULATION OF PRODUCTION AND SUPPLY OF HIGH-TECH PRODUCTS

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Abstract. The article analyzes the importance of regulating public relations in the production and supply of high-tech goods and the approval of the Strategy for the development of high-tech industries. In addition, the experience of foreign countries in this area is studied, the main problems and shortcomings of the developed draft Strategy are outlined and appropriate proposals to address them are given.

Анотація. У статті проаналізовано важливість регулювання суспільних відносин у виробництві та постачанні високотехнологічних товарів та необхідність затвердження Стратегії розвитку високотехнологічних галузей. Крім того, вивчається досвід зарубіжних країн у цій сфері, окреслюються основні проблеми та недоліки розробленого проекту Стратегії, подаються відповідні пропозиції щодо їх вирішення.

Keywords: high-tech products, high-tech industries.

One of the priority directions of innovation activity in Ukraine in accordance with the Law of Ukraine “On Priority Areas of Innovation Activity in Ukraine” is the creation of high-tech competitive products and increase of the export potential of the state with the effective use of domestic and world scientific and technological achievements. Ensuring advanced economic development of Ukraine on the basis of increasing technological level is one of the key imperatives for the implementation

of economic, institutional and technological transformations in the country. This is indicated, in particular, in the Analytical Report on the Annual Address of the President of Ukraine to the Verkhovna Rada of Ukraine “On the Internal and External Situation of Ukraine in 2015” [4, 229]. Consequently, given the fact that the production and supply of high-tech goods becomes crucial for an intensive type of economic reproduction, legal regulation in this area becomes particularly important.

The Strategy for the Development of High-Tech Industries (the “Strategy”) should become the main document defining the key areas, the basic tools, the purpose, the strategic goals of the development of high-tech industries in Ukraine, and the production and supply of high-tech products. Such a Strategy should be not just an act designed to regulate certain legal relations, but a policy document that will determine the further legal framework and means of state regulation of the entire complex of high-tech industries.

The legal basis for the development of the Strategy is the Plan of Government Priority Steps for 2016, which was approved by the Cabinet of Ministers of Ukraine # 418-r dated May 27, 2016. In particular, the specified regulatory act is planned in 2016 to approve the draft Strategy for the development of high-tech industries by 2025. As of now, the specified draft has been developed, but by this time the Cabinet of Ministers of Ukraine has not been approved.

In our opinion, such a normative act can become an impetus not only to the conceptual proclamation of the need for the development of high-tech industry by the state, but also before the beginning of real effective and systemic measures of state regulation of the development of production and supply of high-tech products.

It should be noted that, despite the lack of legal force, the draft Strategy has been criticized by a number of scholars. In particular, regarding the moral obsolescence of the classification of high-tech industries with reference to the works of 1997, incorrect formulation of activities, the limitations of possible factors of competitive advantage, the lack of a detailed analysis of the real issues of low level of development of high-tech sphere and ways of their solution, etc. [5, 58-59]. In addition, the specified project is developed only by state authorities, mostly without

the involvement of business entities, which are the main element of the Strategy implementation.

For comparison, you can turn to the regulation of similar legal relationships in other countries, for example, in Germany. So, the question of the need to solve the problem of using new technical knowledge in Germany began to be solved since the beginning of the 1980s [5, 53]. Thus, the results of tripartite negotiations between the government, business entities and trade unions were the basis of the comprehensive national strategy of 2006 – «The High-Tech Strategy for Germany» [1]. One of the key priorities of the development of this act was the identification of the 17 key technologies that need to be developed, the relationship between science and economics, the improvement of the financing system for business entities in this area, and so on. In connection with the successful implementation of The High-Tech Strategy for Germany, in 2010, the government decided to further implement the project and adopted a new document – «Ideas. Innovation. Prosperity. High-Tech Strategy 2020 for Germany» [2], and in 2014 – «The new High-Tech Strategy Innovation for Germany» [3]. In general, these documents do not change the approach to the development of high-tech industries and basic aspects. However, technological priorities have been integrated into the five branches of science and technology, improved the issue of continuous investment for the implementation of high-tech projects, accelerating the transformation of scientific research results into high-tech products, etc.

Summarizing the above, it may be noted that the Strategy for the Development of High-Tech Industries in Ukraine, subject to its approval, must undoubtedly become the main landmark legal act that will determine the fundamental, basic aspects of the legal relationship with the production and supply of high-tech products. All state policy, including the means of state regulation of economic relations in the given sphere, should be constructed on the basis and in accordance with the Strategy.

Secondly, in order to prevent fragmentary regulation of such relations, and their complex analysis, it is necessary to involve not only representatives of state bodies, but also business entities, the scientific community, and others in developing the draft Strategy. And finally, it is expedient to take into account the experience of regulating similar legal relations in

other countries, first of all, those who have achieved significant success in this matter. In this case, one should take into account the rapid cycle of development of high-tech products, which necessitates the operative adjustment of the state and the use of the appropriate regulatory means.

LIST OF USED LITERATURE AND OTHER SOURCES

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