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## SUBJECTS OF FOREIGN ECONOMIC ACTIVITIES UNDER THE LEGISLATION OF UKRAINE: PROBLEMS OF DETERMINATION

In the article, there are discussed the problems of determination of the subjects of foreign economic activities among numerous organizational forms of legal persons provided for in the Ukrainian laws. Ukrainian laws in different ways specify who may be qualified as the subjects of foreign economic activities so the research in this sphere is helpful from theoretical and practical perspective.

The basic points of this research are as follows.

The notion of the foreign economic activities is defined in Article 1 of the Law of Ukraine "On Foreign Economic Activities" as the economic activities that are conducted between Ukrainian and foreign business entities. So, for the purposes of determination which of the numerous entities may be qualified as a Ukrainian subject of foreign economic activities it is necessary to clarify who may be qualified as a Ukrainian business entity.

The definition of the notion of the business entity is given in Article 55 of the Economic Code of Ukraine in not a very clear way: it is specified there that the business entities in Ukraine may be formed as (1) sole proprietorships, or (2) legal persons specified in the Civil Code of Ukraine, or (3) enterprises specified in the Economic Code of Ukraine, or (4) other forms of legal persons specified in laws. So, in order to clarify what forms of business entities exist in Ukraine, one has to clarify first (1) what forms of legal persons are specified in the Civil Code of Ukraine, (2) what forms of enterprises are specified in the Economic Code of Ukraine, or (4) what other forms of legal persons are specified in laws besides those specified in the Civil Code of Ukraine and the enterprises specified in the Economic Code of Ukraine.

The author based on provisions of the Civil Code of Ukraine analyzes which of the forms of the legal persons specified in the Code may be qualified as the subjects of foreign economic activities.

Further the author based on provisions of the Economic Code of Ukraine takes effort to analyze which of the forms of the enterprises specified in the Code may be qualified as the subjects of foreign economic activities and comes to the conclusion that the Code is too uncertain for this purpose. For this reason the author resorts to the help of the State Classifier of the Forms of Doing Business and specifies what forms of enterprises may be registered in Ukraine and this way be qualified as the subjects of foreign economic activities.

The author specifies other forms of legal persons that may be qualified as the subjects of foreign economic activities, besides those stipulated in the Civil Code of Ukraine and the enterprises stipulated in the Economic Code of Ukraine.

The collisions between the provisions of the Law of Ukraine "On Foreign Economic Activities" and the Economic Code of Ukraine relating to determination of the subjects of foreign economic activities are considered in the article and the author proposes respective amendments to the Law of Ukraine "On Foreign Economic Activities".