



действия – это уникальный и пока еще недостаточно используемый ресурс повышения эффективности системы работы с молодежью. При широком применении технологий партнерства в общественной практике в сочетании с корректно построенным государственным патернализмом они способны не только придать мощный импульс решению насущных проблем молодежи, но и сделать развитие общества более поступательным, бесконфликтным, управляемым. В связи с этим молодежь должна перестать рассматриваться государством и обществом в основном как потребитель социальных благ, носитель отрицательного потенциала или протестная группа. Ее необходимо сделать объектом долгосрочного комплексного социального инвестирования, в результате чего удастся серьезно не только изменить положение данной группы в обществе, но и целенаправленно сформировать ее в качестве ведущего интеллектуального источника социальной инициативы, новаторства, деятельностного ресурса. Генерируемые молодежью инновационные социальные идеи, подходы, взгляды должны быть ею же и реализованы при необходимой внешней поддержке в ходе практической преобразующей деятельности, которая может стать по-настоящему успешной только при условии активного развития в обществе различных направлений и форм социального партнерства.

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LEGAL MECHANISMS SECURITY BUSINESS (TRANSPORT ASPECT)

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Summary

Article considers the problem ensuring business security using legal mechanisms. The basic directions of the state for security business. Formed the theoretical basis for further research in the security business as particular sphere of social relations. Ukraine moving to a market economy the question of security of economic activity, especially at the micro level – level entities.

Key words: business, legal mechanism, public relations, security.

Аннотация

В статье рассматриваются актуальные проблемы обеспечения безопасности транспортного предприятия. Анализируются административные и хозяйственные механизмы противодействия внутренним и внешним угрозам деятельности. Раскрывается информационный аспект обеспечения безопасности с учетом специфики транспортной отрасли.

Ключевые слова: бизнес, правовой механизм, публичное регулирование, безопасность.

One of the main problems of the market economy is ensure the safety of transport industry. Securing business is installing the functionality of enterprise threats and the application of administrative sanctions to neutralize threats economic nature.

In modern science, business law security problem reflected in the works V.B. Averianov, O.F. Andriiko, M.I. Anufriiv, I.V. Aristova, O.O. Bandurka, Y.P. Bytiak, V.T. Bilous, I.L. Borodin, V.O. Zarosylo, R.A. Kaliuzhnyi, S.V. Kivalov, T.O. Kolomoiets, V.K. Kolpakov, A.T. Komziuk, S.F. Konstatinov, V.V. Kopenov, O.V. Kopan, V.Y. Nastiuk, V.A. Lipkan, O.A. Martynenko, O.A. Muzyka-Stefanchuk, V.I. Olefir, O.I. Ostapenko, V.P. Pietkov, A.M. Podoliaka, T.O. Protsenko, L.A. Savchenko, A.A. Starodubtsev, M.M. Tyshchenko, O.N. Yarmysh.

The problem of legal mechanisms to ensure the security business has two main bases: the first base this is paradigm of security business in public relations, second base is lack of state economic threats and dangers to public relations.

Legal mechanisms to ensure Enterprise Security is set of regulations

jurisdictional and administrative powers of the elements whose task is to establish the state of absence of threats and dangers economic risk in the form of individual enterprise, state and society in general.

Common threats to economic security are Transport Sector are: a) economic threats that the probability of a negative economic result of the operation of the business in the form of economic damage, financial losses and a negative result of economic activity; b) technological threats is defined and unpredictable threat.

The main security issues of business in Ukraine are:

a) market economy which built on competition is a very dynamic system and therefore very dangerous;

b) transport services market is in its infancy and constant change because its mechanisms have not worked; c) no steel in the state law protecting the interests of entrepreneurs.

Safety experts believe that one way to create preconditions for private enterprises for economic survival in market conditions is detection and neutralization of threats to the economic



stability of the enterprise that is the core activity to ensure security.

Security entity depends on various factors. Detriment of the entrepreneur may be caused because of the unfavorable economic policy, illegal actions of competitors, the economic crisis, unexpected changes in market conditions, natural disaster, Special event, administrative incompetence, social stress, etc. [1].

Therefore, factors affecting the level of security companies may be internal and external, economic and non-economic, objective and subjective.

The object of economic security business is the whole system of its full operation. Causing a negative effect enterprise security this company undergoes corresponding impact on a separate section of the company, which may result in danger or risk losing balance balance industrial, and commercial machinery company. Each company (entity) have as general facility security as characteristic.

Subjects Business Security classifying by the following features: **I. Depending on accessories** own security, within the framework of undertakings and fully supported at their costs. The structure of these units is based depending on the formation of the company, array of, which decision imposes on these services management company; independent commercial or government organizations that entity hired to perform functions to provide some or all aspects of its safety. Such subjects as a rule specialized or purely regime-security services or on economic, legal or consulting services. **II. Depending on the direct participation in securing the company:** a) special entities created only to perform functions on security firms as own security as on a contract; no special subjects to direct functions which include security company; b) other personnel and structural units whose participation in the implementation of measures to ensure the security company has the exceptional. **III. Depending on the form of ownership and subordination:** a) state authorities exercise powers to the security of financial and economic activity, the structure of which they are or provide services to outside firms on the terms of agreements concluded such activities Public security service of the Interior Ministry

of Ukraine on security measures any and all commercial banks in Ukraine; b) non-governmental bodies that are security organizations, think tanks, information and consultancy services who for a fee on a contract providing services to protect facilities, protects information, trade secrets, etc.. This group of belonging and own security company private ownership. **IV. Depending on the legal basis of functioning (legitimacy of subjects):** a) official bodies operating within the laws of Ukraine and international treaties ratified by the Verkhovna Rada of Ukraine; b) no legitimate structures the activity of which is outside the legal field Ukraine. Currently, their operation has the dynamics to reduce caused by the refusal of businesses from their «services» but deny their existence should not. Indicating the subjects offer their services through threats, violence, while ensuring protection from such structures but on the condition of financial dependence. Typically, these services offer business entities activities are fully or partially take place in the shade that is the basis for blackmail.

The list above of security companies, except the last, successfully creates market services for the safety of businesses. Most domestic entrepreneurs form the demand for the physical protection of buildings, collection, a set of protective measures racket and monitoring of telephone channels, listening facilities and unauthorized interference in, computers and computer networks from unauthorized access and viruses.

Slightly lower demand services for the protection of documented information, especially one containing state and commercial secrets. There is not enough emphasis on HR, which allowed confidential information [2].

Insufficient security from the perspective the problem of external contacts of the company. An analysis of reputation subcontractors, contractors, their creditworthiness, financial viability; study competitors, market research, that ensure application security aspects of modern marketing. The only exceptions are commercial banks, for whom the study of potential customers is a matter of survival, closely linked to the repayment of loans.

From the standpoint of analysis of the current world market for security

services, about 60% of transactions are concluded security services; technical support services and counseling – 15%; private investigation services – 10%.

In turn, security services market consists of approximately equal parts for the protection of stationary objects, personal protection, public events, tracking of goods and valuables during transportation. Moreover, if the company lacks its own possibilities and opportunities now hired Security Company on a permanent basis the company pay to market specialized services related to the goods market (technical security measures), specialists and information.

It should be noted that the market for services in the field of security is difficult to analyze, because it is characterized by a lack of clear boundaries. Typically, firms operating in this market are multidisciplinary and therefore identify the companies that provide services only security, can only very conditionally [3].

The most common areas of their activity: public offices; preparation and provision of bodyguards; training of professional bodyguards; consultation; transportation security; security parking; establishment of technical security.

Other special services provided by specialized companies (security agencies) predominate such as public events, the sale of weapons, the creation of local systems of cryptographic protection of information, joint patrols with the police.

In the security activities of businesses related to the provision of transport services is dominated by legal – organizational security measures [4].

Organizational – legal measures enterprise security are complex action and use regulations, which aim to ensure the sustainability of the company in all areas of the company.

The structure of the organization – legal measures to ensure the security of the enterprise include: a) structure of regulations and legislation in the field of security; b) management competencies to ensure enterprise security; c) the system of economic security. These components form the legal framework security business. This mechanism is universal and was applied to all areas of business activity. In fact, we can talk about administrative security model business.



One of the conditions for full functioning legal mechanisms to ensure the security business is a set of regulations on economic social relations. These social relations form a special security “public safety business”.

Security software business model can function only if all the necessary elements and external conditions. Functioning model outlined administrative support public safety possible with the following conditions: a) changing environment; b) the situation of danger and threat; c) improvement of the model and its self adequately complexity of threats and dangers (the ability to self-improvement on the existing legal and practical basis). Between the elements outlined there is a logical connection that caused the need functioning security model of business solely in the event of situations of threats and dangers, and preventive operation of the model or its individual structures in a certain period of time. Connecting links are the following categories: a) general social development – that enterprise security is a necessary condition for the development of society; b) subjectivity – mandatory participation of administrative law in the activities to ensure public safety; subjects – availability of facilities protection and the need for their protection; d) situation – the possibility of construction at a time (in the event of emergencies or hazards); g) whole direction – the presence of entity objectives to ensure business security (direct – to overcome situations of threat and danger, mediated – not associated with the provision of public safety or have preventive character); i) efficiency (functionality) – the need for action to ensure public safety (law enforcement); j) visibility – practical activities available result status display in the public safety environment.

From the above we can determine the category of “a system ensuring public safety in entrepreneurship (broad sense)”, namely: this a system of theoretical, methodological, organizational, legal and administrative measures to ensure the management process as public safety in the enterprise in the form of threats and counter threats in all spheres of functioning of society and ensure normal development and progressive society in the period ahead by planning and monitoring of economic indicators and state separate entities.

In the narrow sense of enterprise security software system – a combination of public and private organizations of regulations and powers of control, operating in order to achieve an optimal state of functioning of society.

First, the system software of enterprise security distinguish such basic models: legal and organizational; constructive and non-constructive; single and multi-target; secondly, the legal model assumes primary use regulations as a basis for management decision support entrepreneurial system security; third, the organizational model based on the powers, resources and appropriateness of decisions taken, practical management solutions adequacy level of threats and risks; fourth, constructive model of management decision provides for time and necessary information when making decisions unconstructive (situational) model – decision making under risk and danger; fifthly, the same target model provides solutions aimed at solving a problem, multi – to solve simultaneously several tasks: sixth, the national security management system involves the use of spheres of influence analysis, monitoring and forecasting events and making effective model of management solutions to achieve a state of no threat to society, that is public safety.

Regulations in the security business form certain areas such activity.

The set of regulations in the field of administrative law to determine the formal legal aspect of business categories providing security item category security.

Formal legal aspect category “business security” includes the impact of security on a particular field of activity to ensure business security of Ukraine and noted such basic properties category of security contained in the applicable legal acts of Ukraine:

1. Entrepreneurial safety category is determined as an active system: public safety are certain measures taken by competent legal personality.

Entrepreneurial security is a state of the social environment in which no business threats and dangers. Achieving this will be possible only for acts authorized entities ensuring business security. These actions should have several characteristics: activity - implementation of powers by acting on the environment, that is, its condition and the likely change

this situation; focus – the purpose and objectives of the above actions must be planned in advance the final result (theoretical – restore or maintain security, practical - implementation of the full functioning of a particular industry or level of society in the mode of absence of threats and dangers); permanence in time and space – this activity should not stop regardless of external circumstances (eg, in the absence of danger or threat).

As for the transport sector, in “Regulation on the safety management system of trains, the State Administration of Railway Transport of Ukraine” stated that the safety management system of the train – “a set of measures that allow staff Ukrainian Railways, railways, enterprises and their divisions to work effectively in the area of trains”. This situation is an example of the process of providing the technical transport safety as prevention of possible threats and dangers manmade.

In the Air Code of Ukraine on May 19, 2011 stated, that aviation security is “the protection of civil aviation against acts of unlawful interference that provide a set of measures involving human and material resources”. The impact of this type of security is similar to the safety of rail transport. Air Code defines compliance with public safety in the use of aircraft and prevent threats to air nature (for example, safety of aircraft flights over residential neighborhoods in cities).

2. Entrepreneurial passive safety as determined by the category system: social security businesses – no risk, threat, danger.

Public safety is a state of absence of threats and dangers business environment at a specific time. This definition can be considered business security system: space – time – people. In addition, each of these components has its effects on passive safety.

The space is a certain part of the territory that is safe, that is where the danger and no threat of any origin. The time is a period of time no threats and dangers of the situation until the threat or danger. Because the time is not static, it is impossible to predict the probability of a time interval of a threat or danger in passive medium. The Ttime relative safety advocates passive and static categories, as counted by the time of threat and danger. The human is the most capacious element of the system, as the subject is both the



protection and the likely source of threat and insecurity. In this occurrence as possible through active and omissions by the individual.

As for the transport, in as for the transport, in the "Regulation on the safety management system of trains, the State Administration of Railway Transport of Ukraine" stated that "security is no threat to life, health, property, animals, plants and the environment, exceeding the limit risk".

3. Entrepreneurial activity safety as some of the rights defined by the formula: safety is the purpose of a specific authority of the state.

Public safety advocates element defining specific targets in all activities of providing business security. Setting goals and objectives of enterprise security is the element of social economic life, the lack of this element creates the risk of crises because of uncertainty in the future of society.

4. Entrepreneurial security as the security of the economy defined by the following system: social security is the state security business from threats, hazards and risks.

State security business is doesn't threat to society. In fact, this is the ultimate goal of the business of providing security, but at the same time these a starting point of reference state the full functioning of the company. Entrepreneurial safety is a constant state of zero threats and dangers business. This situation is a clear and real and has practical application because the purpose of achieving security activities of providing business security.

In transportation, the regulation of this area through the "Regulation on the safety management system of trains, the State Administration of Railway Transport of Ukraine" notes that traffic safety – "is to protect the movement of railway rolling stock, which is characterized by the absence limit the risk of traffic accidents and their consequences that can cause harm to life and health of citizens, the environment, property of individuals or entities".

In legal terminology dictionary states that information security is a special state protection and security information from unauthorized actions that are dangerous or a threat to the modification or destruction of data.

5. Entrepreneurial safety as part of the legal framework defined term: Security

business line of the company is certain parameters or values (documents). General business security software implemented and provided by the presence of an appropriate legal framework, existence of laws, decrees, regulations, orders. Without these regulations has business security enforcement, speaking only theoretical abstraction.

Thus, according to an analysis can identify these main features of the current state of legal maintenance of enterprise security: universality (activities to ensure business security is mandatory for all participants of economic relations); subjective direction – business security is provided by individual business entities providing security; situation – the period of time no risks and hazards and the potential threats and dangers situations in the future; functionality – business security as a function of the executive authorities; defined tasks and objectives – business security as a basis of existence of the company; visibility doesn't has threat and danger in the practice of enterprise functioning school a time and place.

Management structure reveals internal security business building system. The structure, which reflects the composition and being subject to different levels of management, operating for a particular purpose, called organized. It can be a two-stage, multi-stage, horizontal or vertical mother nature. In the organizational structure distinguished as linear, functional and mixed types, and the structure of the executive power is the entire, separate, case management structure.

Functions of business security is a specific activity that express or stage directions of targeting communication and relationships of people in the process of ensuring public security and management. Management functions are to provide effective control system response to any change in state of the control system.

General functions: planning, organization; special – coordination and control; accessory – stimulation and training.

The main functions of security management business include:

the planning is a manifestation of targeting groups of people, which involves setting goals and objectives in the area of enterprise security and identify ways and means of achieving the goals of it;

the organization is a form of targeting groups of people, which involves the creation of new and improvement of functioning institutional structures as elements of implementation of business plans to ensure safety;

the coordination is a form of manifestation of targeting, which involves providing the necessary coordination groups of people as part of the process of achieving their goals in business security;

the promotion and training is a form of targeting people by encouraging and training them to actions that increase the efficiency of the entire system of providing business security;

the control – a systematic check of people to identify deviations prescribed safety standards or requirements in the performance goals to ensure business security, while control is authorized executive authorities in controlled entities and other organizations in accordance with the effective regulations.

Accordingly, we can conclude that the legal mechanism to ensure business security is an integral part of public relations in the economic sphere.

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