

provision of a greater range of business support services and specialized facilities.

The article examines the legal framework for the establishment and operation of industrial parks in Ukraine, which are seen as the most probable format for private SEZs in the country. By the letter of law, any natural or legal person can initiate the establishment of an industrial park, but in practice their creation exclusively by the state is envisaged (as industrial parks are part of the “national projects” program). Moreover, analysis shows that present legal regime of industrial parks has inherited major shortcomings of the former special economic zones regimes, namely, selective approach to picking beneficiaries of the

special treatment and principal reliance on incentives, which are likely to prove economically inefficient.

International experience suggests that the recommended approach is to adopt an industrial park model that incorporates, inter alia, following principles: a) promotion of private rather than public development of parks, as the former appear to be better economic performers; b) simplified regulatory environment within an industrial park, including a «single window» for obtaining all necessary governmental authorizations and permits; c) encouraging parks to compete on the basis of facilitation, facilities, and services rather than on the provision of incentives.

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RIGHT OF DEFENSE OF DEBTOR IN MORTGAGE LEGAL RELATIONSHIP (CIVIL LEGAL ASPECT)

The article is devoted researching conceptions of protection of civil rights and interests in the civil law of Ukraine, and also necessity of researching of protection of rights for a debtor in mortgage legal relationships.

Author analyses present scientific sources, and make conclusion that research of protection of rights for a debtor in mortgage legal relationships was not conducted, however it is actual.

In the article paid attention that traditionally in most researches an accent is done on the protection of rights for a creditor in obligation from violation by

the debtor. In fact, the main problem in the previous periods of development of mortgage relations was that principal reason of failure to return of credit was an unwillingness of debtor to return it, because he did unconscientiously. At present day a debtor economically does not can execute his obligation.

Author analyses two basic conceptions of protection of civil rights and interests, which are presented in literature. By first conception right of defense is a part of equitable civil right, and realized at violation of other parts of civil right. From the point of view of other research-

ers, which researching civil legislation, right of defense is independent equitable civil right. As a result author joins second position that right of defense is independent equitable civil right.

Determining the right of defense by an equitable civil right for a debtor, author make a conclusion that the protection of rights for a debtor can be carried out by general methods of protection of

civil rights and interests in court procedure by filing the lawsuit about invalids of contract, confession of right on a residence. In addition, court can decline lawsuit if there are not terms to appeal of penalty for the purpose a mortgage.

As the conclusion author makes about a necessity of researching of separate methods of protection of rights for a debtor in the mortgage relations.