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DEVELOPMENT OF LAND RENTAL RELATIONS IN AGRICULTURE

Specialty 07.08.02 – economics of agriculture and agro-industrial
complex

ABSTRACT

thesis for obtaining a scientific degree

candidate of economic sciences

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The dissertation is a manuscript.

The work was carried out at the Institute of Agrarian Economics of the Ukrainian Academy of Agrarian Sciences.

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You can get acquainted with the dissertation in the library of the National Research Center "Institute of Agrarian Economics" at the address: 03680, Kyiv, MSP, str. Heroiv Oborony, 10, 2nd floor, room 211.

The abstract was sent to _____ " _____ 2005.

Scientific Secretary
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GENERAL CHARACTERISTICS OF WORK

Actuality of theme. As a result of the land reform, market-type agricultural formations were created in the village, the land use of which is based on the lease of land plots and land shares (shares) from citizens, obtained during the division of collectively owned lands. At this stage, leased land relations contribute to the adaptation of rural commodity producers to the conditions of the market economy and the solution of socio-economic issues. However, the protracted nature of the transition period and the lack of similar transformations in world practice complicate their development and create a number of problems in shaping the well-being of the rural population and the country's food supply.

In these conditions, the improvement of leased land relations is an important task of agrarian policy. Subjects of lease relations must fully exercise all the powers included in the triad of "ownership, use and disposal" of land plots. Their further development is connected with the formation of a competitive environment, the free exercise of the specified powers by the subjects of the lease agreement, the development of collateral transactions with the aim of attracting medium and long-term loans.

A necessary condition for the effective development of land leases is appropriate regulatory and legal support. With the adoption by the Verkhovna Rada of Ukraine of the new version of the Land Code (2001) and the introduction of amendments and additions to the Law of Ukraine "On Land Lease" a legal field was created for the further development of leased land relations. However, the market environment requires the formation of an appropriate economic mechanism for the regulation of leased land relations.

The relevance of the chosen topic of the dissertation research, its scientific and practical significance is determined by the need to study the process of development of leased land relations, the problems that arise in this case, and the search for ways to solve them.

The theoretical foundations of the organization of intra-household economic relations were laid by such classics as M.I. Tugan-Baranovskyi, V.O. Chayanov, O.M. Engelhardt, B.D. Brutskus, V.O. Kosinsky. The works of many scientists from near and far abroad are devoted to clarifying the theoretical and practical aspects of the functioning of intra-economic economic relations: K. Tataisi, H. Mintzberg, L. Fain, I. Buzdalov, I. Konovalov, and others. Such domestic scientists as V.G. Andriychuk, V.M. Nelep, M.Y. Malik, P.T. Sabluk, V.K. Zbarskyi made a significant contribution to the development of economic relations at the intra-economic level, and in particular in agricultural enterprises. ., Pokotilova O.G., Krysalnyi O.V., Ambrosov V.Ya., Zinovchuk V.V., Diesperov V.S., Holov S.F., Bugutskyi O.A. and other.

Theoretical aspects of the development of land relations were studied by domestic and foreign scientists. Considerable attention was paid to this topic by well-known agrarian economist scientists: P.I. Hayuduky, D.S. Dobryak, I.I. Lukinov, P.T. Sabluk, V.Ya. Mesel-Veseliak, O.M. Onishchenko, V.M. Trehobchuk, L. Ya.

Novakovskiy, V.G. Andriychuk, V.V. Yurchyshyn, M.Y. Malik, M.M. Fedorov, S.M. Pletenetska, V.Z. Mazloev, V.D. Yarovy, and others.

At the same time, the issue of studying the processes of investment activity of non-agricultural companies in the agrarian sphere and the processes of vertical integration: the characteristics of the phenomenon of agro-industrial holdings and the formation of a new structure in the agrarian sector of the Ukrainian economy require further research.

The development of holding structures in agricultural production requires new scientific developments and recommendations in the direction of the formation of a competitive environment, working out the mutually beneficial rules of the game between the subjects of the lease agreement: establishing the optimal size of the rent, the forms of its payment, the terms of the lease, the implementation of their powers by the subjects, in particular, introduction of pledge of the right to rent, exchange of land plots. In addition, there are a number of debatable issues that require additional research. Collectively, this led to the choice of the topic, definition of the goal, tasks and structure of the dissertation work.

Connection of work with scientific programs, plans, topics. The dissertation work was carried out in accordance with the research work of the Department of Land Relations of the National Research Center "Institute of Agrarian Economy" of the Ukrainian Academy of Agrarian Sciences on the topic - "Develop methodological and organizational and economic foundations of transformation of land relations to market conditions" (state registration number 0102U000265).

The purpose and objectives of the research. The purpose of the study is to substantiate and develop proposals for improving leased land relations in agriculture, the use of modern business process management methods by integrated companies.

To achieve the goal, the following tasks were set:

- identify patterns of development of agricultural holdings and their influence on the development of business planning, evaluate the company's strategic positions, structural aspects of business process management, develop directions for improving the budgeting system in integrated structures
- to substantiate the theoretical foundations of the formation of intra-economic economic relations, to determine the relationship between their components in enterprises that are part of agrarian associations;
- generalize the theoretical and methodological approaches to the classification of modern domestic agricultural enterprises with the aim of developing recommendations on the harmonization of the system of state classifiers with the current legislation;
- the current state and development trends of various intra-economic motivational models, to summarize the experience of their operation, to evaluate the shortcomings and advantages, based on which to develop practical recommendations for the construction of a fundamentally new model adapted to work in market conditions with high characteristics of universality and economic efficiency;
- to develop an organizational and economic mechanism for coordinating the interests of the participants of integration structures

- study of the system of organizational and economic relations in the management of the company's business processes.
- ▪ evaluate the socio-economic component of the creation and functioning of agricultural holdings; assess the impact of social corporate programs on the development of the agro-industrial complex;
- ▪ develop proposals for improving state policy in the field of support for holding structures in agriculture;
- using the example of CJSC "NVP "Rise-Agro" to highlight and summarize modern theoretical aspects of the organization of personnel management work in holdings. To develop proposals for the organization and improvement of personnel management work in agrarian associations.

The object of research there are integrated agricultural enterprises of Ukraine and Zhytomyr region in particular.

The subject of research there are theoretical, legal and practical aspects of the development of integrated enterprises in agriculture.

Research methods. The methodological basis of the dissertation research is the dialectical method of learning economic phenomena and the position of economic theory with consideration of the problem in the historical and economic aspect. The following methods were used in the research process: abstract-logical (theoretical generalizations and formation of conclusions), statistical and economic (analysis of the current state of leased land relations, processes of transformation of land ownership), monographic (monitoring of leased land in the region), sociological (questionnaires among landlords and tenants), calculation-constructive and comparison (comparing the activities of newly created enterprises), correlation-regression (estimating the influence of individual factors on the formation of rent), other generally accepted statistical methods.

The main sources of information were relevant legal documents, official materials of the State Statistics Committee of Ukraine, the State Committee on Land Resources of Ukraine, data from annual reports of agricultural enterprises, materials of a sociological survey of 324 respondents, selective monographic surveys of agricultural enterprises of the Zhytomyr region, special literary sources, etc.

Scientific novelty of the obtained results consists in the fact that on the basis of a comprehensive study of the formation of agrarian associations in agriculture, directions for their improvement in agriculture are justified. The essence of the scientific novelty of the conducted research is:

For the first time:

- theoretically substantiated and proposed a mechanism for pledging the right to lease agricultural land for tenants to receive medium- and long-term loans, the essence of this mechanism and the possibility of its implementation were revealed;
- factors of a production and non-production nature that affect the size of the rent, as well as natural, organizational and economic reasons that restrain the development of leased land relations, were identified;
- scientific and methodical recommendations for improving the management of business processes in agriculture were developed, methods of rational budgeting in integrated structures were substantiated, a scheme for the formation of basic budgets was developed.

Suggested:

- ratio between monetary, in-kind and labor (providing services to the landlord) the forms of rent for land, which are expedient to use when concluding lease agreements, revealed the advantages and disadvantages of paying rent depending on the harvest and the monetary value of the land;
- methodical approaches to definition the impact of the transformation of arable land into other agricultural land on the value of its monetary value, which is used to calculate the rent.

Received further development:

- substantiation of priority measures for the formation of a competitive rental environment, strengthening responsibility for non-compliance by the parties with contractual obligations, improving the legal awareness of lessors regarding their rights, establishing effective state control over the rational use of land, improving relations between the subjects of lease relationships;
- substantiation of directions for further development of leased land relations through:
 - improvement of land legislation aimed at forming a comprehensive system of their regulation;
 - increasing the efficiency of the use of leased land by extending the terms of lease agreements, developing mortgage lending, encouraging owners and tenants to preserve and improve soil fertility.

in the comprehensive substantiation of the principles of organization of intra-economic economic relations in modern agricultural enterprises and is revealed by a set of the following provisions:

improved:

- the classification of objects of private and collective property law for the DK 001-94 (KFV) classifier, taking into account changes in the legislation (allows

to harmonize the system of statistical reporting and accounting of Ukraine with the current Economic Code), as well as the classification of non-state formations-successors of the KSP (according to the criterion of form ownership of the enterprise and the legal status of the use of unsolded property);

The essence of the organization of personnel management at the enterprise is disclosed

Practical significance of the obtained results. The conclusions and proposals contained in the dissertation have important practical significance for the improvement of leased land relations as one of the components of agrarian reform. The recommendations proposed by the dissertation regarding the establishment of optimal rents and the harmonization of relations between the subjects of the lease agreement found practical application in the improvement of lease relations in newly created agrarian formations (reference of the Main Department of Agriculture and Food of the Zhytomyr Regional State Administration No. 2203/4 dated July 1, 2005. , certificate of the Brusyliv District State Administration of the Zhytomyr Region No. 801 dated 12.05.05).

Proposals regarding the directions of agrarian policy regarding the further development of leased land relations in matters of protecting the rights of owners of land plots and land shares (shares), establishment of public control over the effective use of land ownership, attraction of medium and long-term investments in agricultural production were considered and accepted for implementation. They will be taken into account when developing methodological recommendations for drawing up projects for the organization of the territories of privately leased agricultural enterprises (reference of the Zhytomyr Main Department of Land Resources No. 635/02 dated 05.04.2005, reference of the Agricultural Reform Center under the Zhytomyr Regional State Administration No. 2202/4 dated 01.07. 2005).

The application of the results of the dissertation research in the practical work of "Agrofirma Brusyliv" LLC of the Brusyliv District of Zhytomyr Oblast increases the validity of rent calculations, contributes to increasing the efficiency of the use of leased land (reference "Agrofirma Brusyliv" LLC No. 501 dated 07/04/2005).

Personal contribution of the acquirer. Scientific results were obtained by the author personally. In particular, for the first time, a mechanism for pledging the right to rent land was proposed for attracting medium- and long-term loans by tenants, factors affecting the amount of rent for land plots and land shares (shares) were determined.

Approbation of research results. The main provisions of the dissertation research were reported and discussed at the International Scientific and Practical Conference "Reformation of Accounting, Reporting and Auditing in the Agricultural Industry of Ukraine: State and Prospects" (Kyiv, NSC "Institute of Agrarian Economics", November 13-14, 2003), Scientific - the practical conference of young scientists "Stabilization of land use and modern agricultural technologies" (Kyiv-Chabany, Institute of Agriculture of the Ukrainian Academy of Sciences, November 24-26, 2003), in the work of the round table "Management of land resources in the conditions of a market economy" (Lviv, LDAU, May 21, 2004), the International Scientific and Practical Conference "Improving the Economic Mechanism of the

Functioning of Agricultural Enterprises in Conditions of Uncertainty" (Kyiv, KNEU, May 19-20, 2004), the International Economic Forum "Theory and practice of the development of the corporate sector of the economy of Ukraine in the context of the goals of the millennium and world globalization" (Kyiv, May 27-28, 2004).

Publications. On the topic of the dissertation, 14 scientific works with a volume of 3.72 editions were published. sheet, of which 5 are in scientific specialized publications.

Scope and structure of the dissertation. The work is presented on 175 pages of computer text, consists of an introduction, three sections, conclusions, a list of used literary sources, which includes 187 titles, appendices, illustrated with 25 tables and 19 figures.

In the third chapter "Improving the management of business processes of agricultural holdings" - the basics of managing business processes in market conditions are highlighted, the structural aspects of managing business processes in the agricultural sector are considered. The main attention is paid to the issue of effective organization of business processes of integrated agricultural formations and implementation of standardization of budgeting planning and analysis and improvement of the marketing system in integrated formations. The results of the conducted research and recommendations are summarized, the trends of the prospects for the development of integrated structures are highlighted.

MAIN CONTENTS OF THE WORK

In the introduction, the relevance of the dissertation topic is substantiated, the goal and task are formulated, the object, subject, research methods are defined, the scientific novelty and practical significance of the research are reflected, the results obtained are approved, and the author's personal contribution is indicated.

In the first chapter - "Theoretical foundations of leased land relations" - the essence of the concept of "land lease" is revealed, the features and main trends of its development are revealed, the foreign and domestic experience of the development of leased land relations is summarized and the possibilities of its application in the conditions of Ukraine are substantiated, directions for improving efficiency are highlighted use of leased land in agriculture.

Renting land is a complex and multifaceted phenomenon. Throughout the centuries, it has proven itself as a progressive form of business. The economic essence of lease relationships allows creating favorable conditions for the work of enterprising and hardworking people, restoring the ancient love of the Ukrainian peasantry for

agriculture, bringing agriculture to the level of advanced countries of the world, and providing stable income to land owners in the form of rent. Rent is a flexible tool in establishing a new structure of agricultural production and implementation of socio-economic programs.

In the economic literature, there are many definitions of the concept of "land rent" and opinions regarding its place in the system of economic relations, but there is no single approach. For the most part, it is interpreted as a contract based on a fixed-term paid ownership and use of a plot of land necessary for the tenant to carry out business activities.

Land lease plays an important role in the system of land relations. In the conditions of the primary accumulation of capital, it is the most effective mechanism on the way to the formation of new agricultural formations and their rapid adaptation to the conditions of the market economy. Foreign and domestic experience shows that leased land use contributes to the development of entrepreneurial activity in agriculture. The rental mechanism is an effective motivational factor that provides a stable profit to the lessor and encourages the lessee to improve the efficiency of land use.

The dissertation analyzes the opinions of the authors regarding the development of leased land relations. The legislative and regulatory support for it and the powers of the subjects of lease relations have been studied. The main problematic aspects of the lease, its positive features and advantages are highlighted.

It is noted that the main task in the development of leased land relations is the formation of a competitive lease environment, compliance by the parties with contractual obligations, harmonization of relations between owners and tenants in matters of the size, form and completeness of rent payments, preservation and rational use of leased land, development of mechanisms of involvement medium- and long-term investments for technical re-equipment and modernization of production. Attention is focused on the need to improve the legal support for the development of leased land relations. The progressive aspects of lease relations are highlighted, problems and possible ways of solving them are investigated.

In the second chapter - "Lease land relations at the present stage" -the structural changes that took place in the forms of land ownership during the period of the land reform and their impact on the efficiency of land use are analyzed, the factors and conditions of the formation of leased land relations are investigated. A sociological survey and its analysis was carried out, the socio-economic orientation of lease relations was highlighted.

The land reform laid the foundation for changes in the structure of land ownership by transferring agricultural land from state to collective, and then, through the process of allotment, to private ownership. In the Zhytomyr Region, peasants acquired 1,088,000 hectares of agricultural land, of which 73.1% were leased to market-oriented enterprises newly created on the basis of KSP. The vast majority (91.3%) of lease agreements were concluded with those farms where land shares were obtained (Table 1). Contracts have different terms of validity, short-term leases of up to 5 years prevail,

and only 8.5% are long-term leases of more than 6 years. The movement of the right to a land share (share) occurs mainly through inheritance (94%).

Table 1

Conclusion of lease agreements and rent for land
in agriculture of Zhytomyr region *

Indexes	2000	2001	2002	2003
A total of thousands of rental contracts have been concluded.	242.4	241.0	241.6	217.9
<i>Specific weight of concluded lease agreements by subjects, %</i>				
- from the subdivision where the land share was received	95.4	94.1	92.0	91.3
- with farms	2.7	3.3	3.7	4.7
- with other subjects	1.9	2.6	4.3	4.0
<i>Specific weight of lease contracts by their validity periods, %</i>				
- for 1-3 years	54.5	52.0	46.8	42.1
- for 4-5 years	42.2	39.6	43.6	49.4
- for 6-10 years	2.2	5.3	6.5	6.6
- more than 10 years	1.1	3.1	3.2	1.9
<i>Payment for the lease of land plots and land shares (shares)</i>				
The total amount of payments, in accordance with the concluded lease agreements, million hryvnias	37.1	50.0	60.2	47.7
<i>of them by forms of rent, %</i>				
- money	17.8	17.4	7.6	17.8
- natural(s.-g. products)	67.7	66.7	79.8	67.5
- work	14.5	15.9	12.6	14.7
Fee for 1 ha per year, UAH	42.1	57.4	69.2	63.3
Actually paid since the beginning of the year, %	25.0	22.9	51.7	40.0

* Calculated by the dissertation student

The rent on average in the region is UAH 63.3 per hectare or UAH 228 per share. Among the forms of its payment, in kind prevails, the share of which is 67%. Payment of rent is problematic in tenancy relationships. Calculations for rent at the level of 1% of the normative monetary value of the land were carried out only for 40%. In this regard, a distinction should be made between normative, contractual and actually paid rent. According to the analysis, only 28% of tenants in the region pay rent at the level of 1.5-2% of the monetary value of the land.

In 2000-2003, there was a tendency to increase the lease term. Thus, the share of contracts with a term of 1-3 years decreased by 12.4%, while the share of contracts with a term of 4-5 and 6 or more years increased by 7.2% and 5.2%. The structure of the rent during this period practically did not change, only the share of the work form of payment increased slightly. Among landlords, 63.4% are pensioners.

In the process of the research, a number of reasons were identified that inhibit the development of leased land relations. Conventionally, they can be divided into three groups: natural, organizational and financial. Natural - caused by the qualitative properties of the soil and the specificity of the natural conditions of the region. Organizational - related to the protracted nature of the transition period, the lack of a competitive rental environment, the dominance of short-term rent, low awareness of the population in their rights, the lack of effective control mechanisms for the rational use of land, as well as the developed infrastructure of the agricultural market. Economic - lack of economic levers to support agriculture (mechanisms for attracting medium and long-term investments and favorable subsidy policy);

A sociological survey of 226 peasants and 98 managers of newly created enterprises in the region shows the presence of significant problems in matters of lease relations: 38% of landlords are not satisfied with the amount of rent; 58% - settlement term; 59% of respondents consider the prices of products, goods and services provided as rent to be overpriced.

The main problematic issues of land lease today are: drawing up lease agreements, their conclusion and agreement; compliance by the parties with contractual obligations in matters of calculation and payment of rent; rational use, preservation and reproduction of soil fertility, allocation of land shares in kind.

To determine the main factors under the influence of which the amount of rent is formed, a grouping was carried out, which showed that its growth is directly proportional to the increase in the area of leased land and its monetary value. With the help of correlation-regression analysis, the degree of influence of each of them on the amount of rent was determined. Yes, when zoomed in the assessment of 1 ha per 100 hryvnias increases by 1.9 hryvnias. The expansion of the leased area by 100 hectares leads to its increase by 9 hryvnias. The specified factors explain formation of the amount of rent by only 85%. The rest of the impact is determined by the human factor and the lack of a competitive environment in the land rental market. This is confirmed by the sociological survey of the population conducted by us. Its results indicate that the low level of rent, the delay in its payment, and the monopolization of the land rental market are explained by the low awareness of the population about their rights and the lack of proper explanatory work among tenants and landlords.

An important characteristic of leased land relations is their socio-economic focus. As a result of land demonopolization, the rural population was provided with land plots. Peasants and local budgets received a new source of income in the form of rent. Currently, its amount in the region is UAH 228 per share. In the income structure of peasants, rent still occupies an insignificant part. The creation of new agricultural formations, the management of which is based on the basis of rent, contributed to the increase in the efficiency of agricultural production. Thus, the number of loss-making enterprises decreased, and their profitability level increased. The lease mechanism allows for the formation of optimal dimensions of land use, promotes the development of entrepreneurial activity in agriculture.

While noting the positive value of lease as a way of business, it is necessary to pay attention to the insufficient level of development of certain provisions of the lease legislation, which stands in the way of its effective development. There remain unresolved questions regarding the legislative regulation of the development of land relations in the direction of: reproduction of soil fertility, removal from active circulation of unproductive and degraded agricultural lands, establishment of effective state control over effective use of land, development of mortgage lending.

In the third chapter - "Directions of improvement of leased land relations" - ways of establishing mutually beneficial rules of the game between subjects of leased relations are proposed, the main directions of their improvement and development are determined. Methodical approaches to the implementation of the mechanism of pledge of the right to lease agricultural land for obtaining medium- and long-term loans have been developed, the essence of this mechanism has been revealed, the ways of obtaining, monitoring and returning the loan have been substantiated, as well as the possibility of implementing pilot projects by enterprises with long-term leases. Directions for improving the efficiency of the use of leased land have been determined. The necessity of adopting the appropriate legislative framework and improving the regulatory and legal provision of leased land relations is substantiated.

Rent is a key aspect of land leases. The legislatively established minimum amount of 1.5% of the monetary value of land currently corresponds to the objective state of affairs in agriculture. An increase in the interest rate above the specified rate can lead to a sharp decrease in profitability and even to unprofitability of enterprises. As the economic situation improves, its size will increase. The main attention should be focused on the issues of calculation and payment of rent, strengthen the responsibility of the tenant for non-fulfillment of contractual obligations and establish a system of effective control.

The study of the form of rent payment, depending on the basis of calculation, allows us to conclude that in farms of the Popilnya district, where the yield of grain crops is within 20, and in Brusylivskiyi - less than 20 t/ha, it is more profitable for the peasants to receive rent as a percentage of the monetary value of the land, in other cases - as a share of the harvest. Arguments in favor of the monetary valuation of land as a basis for calculating the amount of rent are that the average yield of grain in the Zhytomyr region does not exceed 20 t/ha, 81% of enterprises are unprofitable. Therefore, in these conditions, the monetary value of land can be an objective criterion for calculating the amount of rent.

According to the results of our survey of landlords and tenants, a rational ratio between forms of rent can be considered: 30% - in cash, 50% - in kind, and 20% - provision of services to the landlord.

Further development of leased land relations should be focused in the direction of protecting the rights of landlords. For this, it is necessary to raise the level of their awareness of their rights, to activate the work of legal aid centers and consulting services. To promote the establishment of public control over the effective use of their property through close cooperation between owners, local self-government bodies and

tenants. If there are several tenants for a plot of land, hold land competitions (auctions) for leased land, which will stimulate competition and increase the rent accordingly.

In order to protect their rights and interests in matters of optimizing the terms of lease agreements, fighting for a higher rent, the timeliness and correctness of its calculation and payment, defending their rights in court, owners can unite in unions, which will become their representative body and a means of public control .

Leasing land can become a guarantee of sustainable development of agriculture, a powerful lever for attracting investments in the agricultural sector. The object of the pledge can be the right to lease, which belongs to the lessee according to the land lease agreement (fig.). At the same time, the mortgagor is a legal entity that, based on the lease agreement, has the right to own and use the land plot, and the mortgagees are credit institutions, legal entities or individuals who may be lessees of land plots. The main documents for pledging the right to lease are contracts: lease, credit, pledge of the right to lease land, insurance (at the request of the bank).

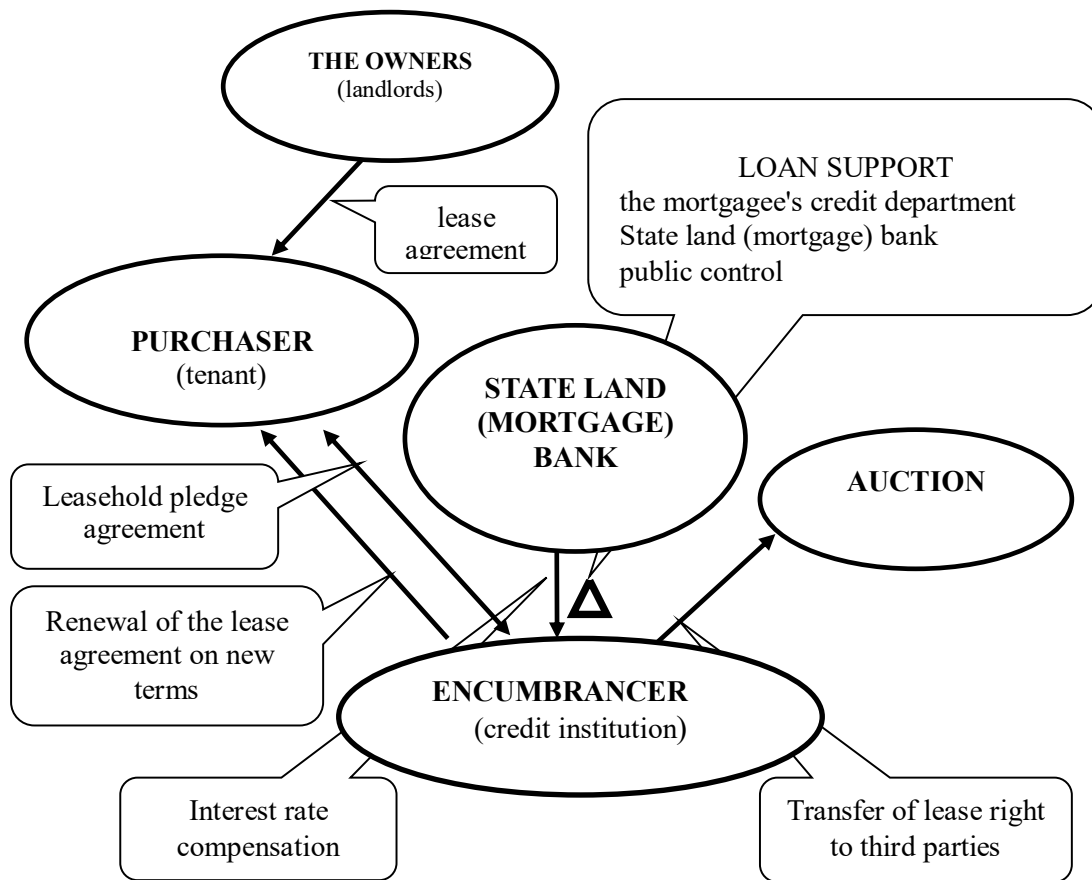
The State Land (Mortgage) Bank can regulate mortgage operations, carry out mortgage lending, issue mortgage bonds and control over the movement of land and targeted use of funds, carry out informational, advisory and consulting work. In order to attract additional funds, it is necessary to create conditions for the effective use of the population's savings. Funds from the State Customs Service and the Pension Fund of Ukraine can be used to service the State Land (Mortgage) Bank at the initial stages.

At this stage, due to the lack of a developed infrastructure of the mortgage market, commercial banks and non-bank financial and credit institutions could assume the main role in providing credit resources for mortgage operations with land, and the State Land (Mortgage) Bank should compensate them with interest rates. the obligation over the amount of the loan should be within 50%, and the interest rate should be at the level of 10%.

Essential lending conditions:

- the provision of funds must be targeted and contribute to the reproduction of production;
- a pledge is possible only with the consent of the owner of the land plot and for a period not exceeding the term of the lease, and in the first year the principal debt and interest on it are not paid;
- the owner of the land plot must receive a guaranteed rent and preservation of the property in case of non-repayment of the loan;
- the mortgagor has the right to construct buildings or dispose of existing buildings on the land plot, unless otherwise stipulated by the contract;
- support of the loan by the bank during the term of the loan;

The value of the right to lease the land plot (pledge price), which is the subject of the pledge, is determined by agreement of the parties. In our opinion, at first it should be the average profit that can be obtained from it, and in the future - the amount of rent.



The mechanism of pledge of the right to lease land

Exceeding the amount of credit security

- the loan must be issued on the general terms of payment, term, return and security, as well as on the condition of control over the use of credit funds and legal guarantees of equal relations between the participants of the agreement.

In case of non-repayment of credit debt within the specified period, the following consequences are possible: the right to lease a plot of land is put up for auction; the right to lease is returned to the lessee under new conditions. This option is the most acceptable. It is implemented by concluding an appropriate agreement between the bank as creditor and the debtor, or between the bank and a third party, without the participation of the debtor, in the case of concluding contracts of suretyship or assignment of the right of claim.

Debt restructuring can be carried out by: extending the loan term with a possible reduction in the interest rate and establishing a debt repayment schedule; providing a new loan to repay the debt under the current credit agreement (refinancing); assignment; debt transfer; replacement of loan debt with promissory notes of third

parties; repurchase by the bank of the borrower's liquid assets for its own use or with subsequent transfer to financial leasing.

Research results indicate that enterprises with a long lease term (6 or more years) could be the basis for working out the mechanism of pledge of the right to lease land in practice. In the Zhytomyr region, there are 62 of them, or 7.4% of the total number. Analysis of the activities of such enterprises in the Popilnya and Brusyliv districts of the region made it possible to identify their common features. As a rule, these are large enterprises with an area of more than 2 thousand hectares, which are solvent and have the best indicators of economic activity, a high level of rent and wages (Table 2).

Table 2

The results of economic activity of enterprises of the Zhytomyr region depending on the term of the lease (on average for 2001-2003)*

Indexes	Popilnyany district			Brusylivskiyi district		
	Lease term, years					
	1-3	4-5	over 6	1-3	4-5	over 6
Number of enterprises	22	42	20	33	33	3
Area of leased land, ha	1586	1437	3146	969	1250	3529
Monetary assessment by group, hryvnias	9074	8842	9469	5338	4808	5508
Rent for 1 ha, UAH	96.5	101.2	103.0	42.0	39.0	48.0
Share size, ha	4.9	4.1	4.0	4.2	5.9	4.8
Rent for a share - total, hryvnias	472.9	414.9	412.0	176.4	230.1	230.4
Contractual rent, in % of the monetary value of the land	1.06	1.14	1.09	0.79	0.81	0.87
Actual payment of rent to accrued - total, %	59.0	58.0	79.0	60.0	60.0	100.0
Gross production at comparable prices in 2000 per 100 hectares of land. - the city of land, thousand hryvnias	86.0	117.0	167.0	43.0	68.0	133.0
Grain yield, tons/ha	24.0	27.0	37.0	15.0	22.0	31.0
Milk yield per cow, kg	1614	1631	3716	1023	2215	3796
Average monthly salary, hryvnias	170.0	197.0	282.0	100.0	159.0	194.0
Profit per 1 ha, UAH	-76.0	32.0	397.0	-74.0	-34.3	477.5
Profitability, %	-16.1	-7.6	8.4	-11.1	-18.0	36.1

* Calculated by the dissertation student.

Yes, the profit from 1 ha in them is 397 and 477.5 hryvnias. The average area of leased land is 3146 and 3529 ha. On the condition that if the amount of collateral security exceeds the amount of the loan by 50%, then in order to receive a loan in the amount of UAH 200,000, it is necessary to pledge the right to lease 1,000 hectares $[(0.397/2)*1,000 = 198.5]$. The maximum loan amount that the researched groups of

farms can receive is: $(0.397/2)*3146 = 624.5$ and $(0.477/2)*3529.0 = 841.7$ thousand UAH.

An example of effective use of land on long-term lease terms is the economic activity of Agrofirma Brusyliv LLC. The farm was established in 1999, uses 3,691 hectares of land, has concluded 627 lease agreements with landlords, of which 486 are for 49 years, 243 are for 10 years. From year to year, the enterprise increases production volumes, introduces innovative technologies, increases the area of leased land and the amount of rent, creates new jobs (Table 3). The agrofirma is a basic farm for the implementation of the "Drevlyanska" farming system and the "Pelyushka" program, which provides for the restoration of soil fertility due to the saturation of field rotations with legumes.

The experience of the agricultural company shows that a long-term lease is the key to the effective development of leased land, as it allows planning of economic activities, carrying out land management works, introducing rational crop rotations, encouraging the improvement of soil fertility and the creation of integrated enterprises with the attraction of investments from the sphere of processing and sales, as well as branches of industry.

Table 3

Results of economic activity of "Agrofirma Brusyliv" LLC
Zhytomyr region on leased lands *

Indexes	1990	Before the reformation, on average for 1996-1998	After reformation, years				
			1999	2000	2001	2002	2003
Area of leased land, ha	-	2225	2225	2500	3691	3691	3691
Energy security per 100 ha of arable land, k.s.	438.6	283.3	425	579	327	357	378
Grain yield, tons/ha	29.5	11.5	18.9	23.7	26.1	39.5	26.8
Cattle population	1260	512	725	1233	1132	1157	1413
including cows, head	468	284	194	279	297	300	471
Average yield of milk per cow, kg	2248	1765	2068	2155	2942	3423	4950
Gross production per 100 ha. - land area, thousand UAH (at comparable prices in 2000)	65	59	89	119	111	146	133
Financial result (profit +, loss -), thousand UAH	280	-268	605	1783	2483	1130	1440
Profitability, %	15.3	-58.2	43.8	48.9	52.3	29	27.3

* Calculated by the dissertation student.

In order to increase the efficiency of the use of leased lands, it is necessary to strengthen state control over their rational use, introduce incentives for owners and users to improve the quality characteristics of soils, create a data bank on the movement of land ownership rights, conduct passporting and inventory of lands and withdraw them from circulation or transform them into other lands degraded and unproductive

lands. Studies show that the removal from arable lands with a negative differential income will not affect the amount of rent, and in the Korosten district, it will even contribute to its increase.

An important part of a favorable lease relationship is regular monitoring of the quality of the leased land through an agrochemical soil survey, which should be carried out at the beginning and at the end of the lease term, and the description of the quality of the land plot should become a mandatory condition of the lease agreement.

The perspective of leased land relations should be the completion of the process of privatization of land plots and the introduction of sustainable land use, the creation of a unified system of movement of land rights, the increase of rents adequate to economic growth, the extension of the terms of lease agreements, the formation of conditions for the rational use of land.

Particular attention in the dissertation is paid to the improvement of the legal regulation of leased land relations. Research shows that, despite the existence of a sufficient number of legislative acts, the economic mechanism of lease relations has not been worked out enough. The main directions of improvement of leased land relations are the formation of a complex system of their legal regulation with clear observance of it in terms of production and the adoption of a long-term government program for the development of leases in the agricultural sector. Based on the analysis of legal acts related to the development of leased land relations in Ukraine, we have proposed directions for improving the lease legislation, in particular, through the regulation of: the land lease market and the development of mortgage transactions, reproduction of soil fertility; removal of degraded and unproductive agricultural lands from active circulation; preservation of the integrity of land massifs in the event that the owner seizes the land plot belonging to him.

CONCLUSIONS

Based on the results of the study of leased land relations in agriculture, the solution to the scientific and practical task is theoretically summarized and proposed, which consists in clarifying the main patterns of the development of leased land relations in agriculture and developing, on this basis, proposals for their improvement.

1. In the agricultural production of the countries of the world, land lease is widely used. In independent Ukraine, private ownership of land and its lease was revived by law. At the current stage, renting allows to optimize the size of land use of newly created agrarian formations, to financially support the rural population at the expense of rent, to fill the revenue part of local budgets by leasing state and communal lands.

2. As a result of the implementation of the land reform in Ukraine, more than 6.8 million peasants received ownership of land shares (shares) and land plots with a total area of 21 million hectares, of which 74% were leased to newly created market-oriented economic formations. In the Zhytomyr region, 299,900 peasants acquired 1,088,000 hectares of agricultural land, of which 73.1% were leased. The structure of lease agreements is dominated by short-term leases of up to 5 years (91.5%), which is an

obstacle for capital investments in land improvement. The extension of lease terms will contribute to the introduction of rational crop rotations, the implementation of economic activity planning, the expansion of mortgage lending, and the improvement of the efficiency of land use.

3. Rent is one of the factors of increasing the social protection of the population, especially the peasants. Currently, its size in the region is UAH 63.3 per hectare or UAH 228 per land share. In the income structure of peasants, rent still occupies an insignificant part. The annual rent payment is 41% of the level determined by the lease agreements. In this regard, it is necessary to distinguish between its normative, contractual and actual size.

Comparing the amount of rent depending on the basis of accrual, studies have revealed the advantages of monetary valuation of land as a basis of accrual compared to its accrual as a share of the harvest. According to the results of research (questionnaire survey of landlords and tenants), a rational ratio between forms of rent can be considered: 30% - in cash, 50% - in kind, and 20% - provision of services to the landlord.

4. It was established that the monetary value and the area of leased land are the main factors influencing the amount of rent in the region. The rest of the impact is due to the lack of a competitive environment in the land rental market and the low awareness of the population about their rights, which leads to the monopolization of the land rental market, underestimation of rent, delay in its payment, overestimation of the prices of issued products and services at the expense of rent. The results of sociological surveys show that peasants are not sufficiently aware of their rights regarding land lease.

5. A set of interrelated reasons restraining the development of leased land relations has been established, among which three groups should be distinguished: natural, organizational and economic. Natural - caused by the qualitative properties of the soil and the specificity of the natural conditions of the region. Organizational - related to the protracted nature of the transition period, low awareness of the population about their rights, lack of effective mechanisms for rational use of land and developed infrastructure of the agricultural market. Economic - due to the lack of mechanisms for attracting medium and long-term investments in agriculture and the unprofitability of most enterprises.

6. For the development of leased land relations, the main attention should be focused on: the formation of a competitive environment among potential land tenants; comprehensive protection and guarantee of the rights of peasant landlords, in particular, the application of effective mechanisms of responsibility for non-compliance by the parties with the terms of lease agreements; increasing the rent for land, as well as greening the use of leased land, which involves the implementation of stimulating and regulatory measures; introduction of environmental monitoring and control, aimed at the use of environmentally safe agricultural technologies by tenants and proper reproduction of soil fertility.

7. Further development of leased land relations should be aimed at protecting the rights of lessors. To do this, it is necessary to increase their level of awareness, activate

the work of legal assistance centers and consulting services, create unions of owners of land shares as a subject of the market of land lease rights, promote the establishment of public control over the effective use of their property through close cooperation between owners, local self-government bodies and tenants. If there are several tenants for a plot of land, it is necessary to conduct land competitions (auctions) for leased land, which will stimulate competition and a corresponding increase in rent.

8. Based on the fact that the vast majority of newly created enterprises are land tenants, in order to obtain medium and long-term loans, it is necessary to legislate and implement a mechanism for pledging the right to lease land, which will become a key link in the "owner-tenant-bank" triad, guaranteeing the return of the loan, and the land owners will be allowed to keep the object of ownership. For this purpose, it is necessary to make additions to the Land Code of Ukraine and the laws of Ukraine "On Land Lease" and "On Mortgage". At the legislative level, a guarantee of protection of the rights of creditors and borrowers should be established.

9. In order to improve the efficiency of the use of leased lands, it is advisable to create integrated enterprises, extend the terms of lease agreements, carry out land certification and inventory, create a data bank on the movement of land ownership rights, strengthen state control over their rational use, and introduce incentives for improving their quality characteristics.

Removal of degraded and unproductive lands from intensive turnover should be practiced. Research shows that this will not lead to a reduction in rents, but will promote sustainable land use.

10. The improvement of leased land relations requires the formation of a complex system of their legal regulation, with clear compliance with it in the conditions of production and the adoption of a long-term government program for the development of leases in the agricultural sector, which will allow the subjects of lease relations to fully realize all the powers laid down in the triad of "ownership - use - disposition" of land plots. All measures should be aimed at the maximum possible protection of the rights of landlords and be acceptable to tenants. The further development of leased land relations requires the creation of an appropriate legal framework, in particular the adoption of the laws provided for by the Land Code of Ukraine: "On the land market", "On state registration of land plots", "On the state land (mortgage) bank", "On the state land cadastre", "

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ABSTRACT

Dankevych A.E. Development of leased land relations in agriculture. - Manuscript.

Dissertation for obtaining the scientific degree of candidate of economic sciences, specialty 08.07.02 - economics of agriculture and agro-industrial complex. – NSC "Institute of Agrarian Economics" of the Ukrainian Academy of Sciences, Kyiv, 2005.

The dissertation is devoted to researching the problems of development of leased land relations in agriculture.

Features of land lease in market-type agricultural formations are highlighted. The advantages, disadvantages, reasons and factors influencing its development are determined. Structural changes in forms of land ownership are analyzed.

Directions for improving leased land relations have been developed. Ways to optimize the terms of lease agreements are proposed. Methodical approaches to the introduction of the mechanism of pledge of land lease rights and the need for its legislative regulation are substantiated.

Keywords: leased land relations, land share (share), land plot, rent, monetary valuation of land, pledge of the right to lease land.

ABSTRACT

Dankevych A.E. Development of leased land relations in agriculture. - Manuscript.

Dissertation for the degree of candidate of economic sciences in the specialty 08.07.02 - economics of agriculture and agriculture. NSC "Institute of Agrarian Economics" of the Ukrainian Academy of Sciences, Kyiv, 2005.

The dissertation examines the processes of development of leased land relations in agriculture. The solution to the scientific and practical task is theoretically summarized and proposed, which consists in clarifying the main patterns of development of leased land relations in agriculture and developing proposals for their improvement based on this.

As a result of the land reform, there were changes in the forms of land ownership, market-type enterprises were created, the land use of which is mainly based on the

lease from the peasants of the plots of land received by them during the distribution of collectively owned lands. Renting land contributes to the formation of optimal sizes of agricultural enterprises and the solution of social and economic problems of the village.

The domestic and foreign experience in the development of leased land relations has been studied and summarized, proposals have been developed regarding the possibility of its application in the conditions of Ukraine. Tendencies and peculiarities of rent development are revealed, taking into account the specifics of the conditions of the research region.

The main reasons that directly or indirectly affect the development of leased land relations are clarified and systematized. Conditionally, they are divided into three groups: natural, organizational and economic.

Factors of a production and non-production nature, under the influence of which the amount of rent in the Zhytomyr region is formed, are determined. The monetary assessment and the area of leased land have a predominant influence on this indicator. The rest of the formed rent can be attributed to the lack of a competitive environment in the land rental market and low awareness of the population regarding their rights.

The influence of the transformation of arable land into other agricultural land on its monetary value, which is used to calculate the rent, is determined. It is established that this will contribute to the establishment of sustainable land use and will not affect the reduction of rent.

A sociological survey was conducted among land owners and tenants, the results of which testify to insufficient information of the population regarding their rights.

The optimal, from the standpoint of owners and tenants, the structure of rent payment, its size and the terms of concluding lease agreements, the advantages and disadvantages of paying rent, as a share of the harvest and as a percentage of the monetary value of the land, are studied.

A complex of measures aimed at harmonizing the relationship between the subjects of the lease agreement and increasing the efficiency of the use of leased land through the formation of a competitive environment, the transition to medium- and long-term leases, compliance by the parties with contractual obligations, an adequate increase in the economic situation, and the stimulation of the parties for the rational use of land is substantiated.

Further development of rental relations should be focused on protecting the rights of owners. To do this, it is necessary to improve their awareness of their rights, create communities of land owners, and hold land auctions (auctions) if there are several tenants.

It was established that an important aspect of improving leased land use is the systematic monitoring of the quality of leased land by an agrochemical survey of the lease, which should be carried out at the beginning and at the end of the lease term.

The mechanism of the pledge of the right to lease agricultural land for the purpose of obtaining medium- and long-term loans is theoretically substantiated and proposed, the essence of this mechanism and the possibility of its implementation through pilot projects by enterprises with long-term leases are disclosed, the methods of obtaining, monitoring and returning the loan are substantiated.

The directions for the further development of leased land relations and proposals for their legislative regulation by forming the land lease market, creating integrated enterprises, extending the terms of lease agreements, and excluding low-productivity and degraded agreements from the active turnover are laid out; creation of effective state control over effective use of leased land, development of mortgage lending.

Keywords: rent leases, land lease, land share (share), rent, monetary assessment of land, pledge of the right to lease land.

SUMMARY

Dankevych AE The Development of rental land relations in agriculture. - Manuscript.

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The dissertation is devoted to the investigation of problems in land relations in agriculture.

The thesis reflected the peculiarities of land rent in the market ownership forms. The advantages and disadvantages as well as reasons and factors of the land rent development were determined in the work. Structural changes in the land property forms were also analyzed.

The lines of rental land relations' improvement were developed. The ways of optimization of rent agreement conditions were proposed. The technical approaches for the application of schemes of security in land rent authority and its necessity for legal regulations were grounded.

Key words: rental land relations, land shores, land, rental payment (rent), pecuniary valuation of land, security in land rent authority.

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