

THE EFFECTIVENESS OF THE MORATORIUM ON SALE OF AGRICULTURAL LAND AS ADMINISTRATIVE – LEGAL MEANS OF REGULATING THE FORMATION OF LAND MARKET IN UKRAINE

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We have studied the role of the moratorium on the sale of agricultural land as one of the legal and administrative means of forming a free land market in Ukraine. Described the basic ways of overcoming the prohibition on the sale of agricultural land, based on which was made the conclusion about the ineffectiveness of the moratorium as a administrative method of regulation the redistribution of land relations. Proposed the basic ways of improving of the legislation about state regulation as a precondition for the abolition of land moratorium.

Land market, the moratorium, buying, selling.

Today, Ukraine is in the process of becoming a free market turnover of land, including agricultural land, and the development of effective mechanisms of regulation. Therefore acutely raised the question of lifting the moratorium on the sale of agricultural land, which has been delayed in time due to the imperfection of the current legislation in Ukraine and ambiguous social position.

Theoretical aspects of the moratorium on the sale of agricultural land exploring a number of scientists, representatives of various sectoral. However, the available scientific positions on this issue differ, sometimes diametrically opposed, indicating the severity of the public and particularly

difficult this issue. Moreover, in modern legal literature virtually unexplored aspects moratorium as administrative and legal means of state influence on the formation of free market turnover of land.

The article **aims** to determine the effectiveness of the moratorium on the sale of agricultural land as a means of administrative and legal regulation, examine available scientific and public opinion on the feasibility to extend or cancel.

To make land market earned for the state and the population of Ukraine in our view to do the following: take laws of Ukraine on the establishment and functioning market land, the state land cadastre, creation of state-owned land fund and management; create a single system of registration of real estate, including land; promote the development of the land market infrastructure (land exchanges, auctions, contests, etc.), where all the land owner and potential buyers have equal rights; strengthen the protection of the rights of owners of land and control over pricing in the land market; keep a ban on the purchase of agricultural land by foreign individuals and legal entities.

Currently in Ukraine a moratorium on the sale of agricultural land. In spite of its existence, the country actively functioning of informal land because practice has developed several effective ways to circumvent this prohibition. Before the State Administration fairly urgent need to abolish the moratorium as administrative measures for the redistribution of property relations on land because it was not sufficiently effective regulator and not meet the requirements today. However, the final lifting of the moratorium for transparent, regulated by the state agricultural land market, it is necessary to complete the creation of legislation primarily refers to the adoption of laws on the land market and the state land cadastre and establish real effective impact on state land market development in Ukraine.