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# ADMINISTRATIVE AND LEGAL REGULATION OF THE USE OF INFORMATION TECHNOLOGIES FOR THE DEVELOPMENT OF THE NATIONAL ECONOMY

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**Abstract.** The scholarly publication examines administrative and legal regulation of the use of information technologies in the development of the national economy. It is noted that contemporary information technologies have the potential substantially improve the mechanism of public administration in economic relations, entrepreneurship, and the facilitation of international trade. Furthermore, innovative information technologies contribute to the creation of new digital tools for building modern business models and optimizing core business processes, including production, trade, and the provision of services. It is emphasized that artificial intelligence, as the most promising and versatile form of information technology, should play a central role in strengthening the mechanisms of the national economy. Effective administrative and legal regulation of the use of artificial intelligence is essential for establishing clear restrictions regarding its permissible areas of application and methods of its use. Attention is drawn to the necessity of administrative and legal regulation concerning the use of robotics in the production of goods, trade, and service delivery to protect employees' rights and freedoms and ensure social guarantees for qualified workers dismissed due to the implementation of innovative information technologies (as a result of workforce reductions during production and process optimization). The author concludes that it is necessary to develop and adopt a new Concept for the Development of the National Economy in the Information Society (Digitalization of Social Relations) for the period up to 2035, with clearly defined goals aimed at enhancing the mechanism of public administration in economic relations and the functioning of the national economy as a whole.

**Keywords:** areas of improvement, information technologies, legal regulation, economy, public administration, digital tools, digitalization, artificial intelligence, robotic technical means, blockchain, virtual assets.

**JEL Classification:** D83, H83, O30

## 1. Introduction

Modern information technologies make it possible to significantly transform social relations across virtually all spheres of human life. Particular attention should be paid to the study of the use of information technologies in economic relations, especially in the context of enhancing the mechanism of the national economy. The digitalization of public administration in the regulation of economic relations provides both public authorities and citizens with effective and reliable tools for business registration, entrepreneurial activity, and the exercise of state supervision over business entities. E-commerce, the market of digital products and digital services, and the circulation of intangible assets are undergoing rapid development. These processes necessitate effective administrative and legal regulation, as the legal framework guarantees a proper level of organization of economic relations, safeguards the rights and freedoms of participants, and fosters entrepreneurial activity. Moreover, pursuant to the special permissive principle of legal regulation enshrined in the Constitution, public authorities and

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their officials shall be obliged to act only on the grounds, within the powers, and in the manner envisaged by the Constitution and the laws of Ukraine (Art. 19 of the Constitution of Ukraine).

It is worthwhile to focus on administrative and legal regulation of the use of artificial intelligence and robotic technologies in order to improve economic relations and develop new business models and ways of doing business.

The above substantiates the relevance of this study, emphasizing both its theoretical and practical significance for the development of proposals aimed at improving the current administrative legislation.

Various aspects of the legal regulation of the use and progress of information technologies remain a constant focus of scholarly attention. Thus, it is essential to mention the recent works by V. Antoniuk, M. Babyk, D. Bilenka, O. Bernaziuk, D. Bondar, O. Hunbina, T. Kovalova, O. Komarov, A. Krakovska, N. Lytvyn, I. Lopushynskyi, K. Oksyutenko, A. Omelchenko, R. Stefanchuk, and I. Tyshchenkova.

However, the current areas of administrative and legal regulation regarding the use of information technologies for the development of the national economy require a separate comprehensive study, given the topic's considerable theoretical and practical significance.

## 2. Problem Statement

The purpose of the scholarly publication is to examine the current directions for improving the administrative and legal regulation of the use of information technologies in the development of the national economy.

The methodology employed in this article encompasses philosophical (dialectical laws and techniques: the unity and struggle of opposites, the transition from quantitative to qualitative changes, "negation of negation", the principles of objectivity and historicism), general scientific (systemic, structural-functional, and logical methods: analysis, synthesis, deduction, and induction) and special legal research methods (legal formalism as a derivative of the axiomatic research method, legal modeling, as well as the methodology of comparative jurisprudence). Additionally, well-established scientific approaches such as instrumental, civilizational, anthropocentric, teleological, and synergistic are used throughout the study.

## 3. Results

The national economy is currently facing significant challenges due to the full-scale war waged by the Russian Federation against Ukraine. In this context, the development of economic relations, entrepreneurial activity, and employment creation are essential prerequisites for preserving national statehood and ensuring Ukraine's capacity to resist armed aggression. Furthermore, these factors are crucial for the future reconstruction of destroyed infrastructure and post-war economic growth.

Innovative information technologies play a key role in optimizing economic processes and fostering the development of entrepreneurship and the public sector. These technologies include automated information systems for providing electronic administrative services, business mobile applications, artificial intelligence technology, robotic production facilities and electronic resources used by public administration bodies, commercial enterprises, institutions, and organizations (registers, databases, electronic exchanges, electronic trading platforms, etc.).

Digital products and digital services have long become fully-fledged commercial commodities. E-commerce, Internet advertising, and virtual assets play an increasingly significant role in the national economies of leading developed countries, among which Ukraine confidently ranks. The digitalization of the national economy is progressing rapidly and requires adequate administrative and legal regulation.

A legal gap in the statutory regulation of the use and development of information technologies lies in the absence of effective legal provisions governing the functioning of blockchain technology. Furthermore, the Law of Ukraine "On Virtual Assets", which is intended to regulate legal relations arising from the circulation of virtual assets in Ukraine and to define the rights and obligations of participants in the virtual asset market, as well as the principles of state policy in this area, has not yet entered into force. Meanwhile, virtual assets are gaining increasing popularity and are already being used as a means of payment in many countries.

Thus, R. Stefanchuk observes that blockchain technology currently serves the core technology for the digitalization of public relations and legal processes in most developed legal orders of the world (Stefanchuk, 2018, p. 42).

Analyzing global practices, he emphasizes states that it is already being to digitize such fundamental spheres of public life as:

– cryptocurrency – blockchain technology facilitates the formation of universal means of payment, the most prominent and widely used is Bitcoin. However, the legal nature of cryptocurrency remains ambiguous and differs across jurisdiction – ranging from its complete non-recognition to granting it distinct legal status. For example, it is recognized as a unit of financial circulation in the Federal Republic of Germany, a tangible asset in Canada, a voucher in

the United Kingdom of Great Britain and Northern Ireland, a security in New Zealand, and an official means of payment in Japan;

– smart-contracts – blockchain technology enables the use of distributed ledgers to create an electronic analogue of a contract, the execution of which is triggered by specific condition encoded within it. At present, the legal nature of smart contracts remains undefined, often compared to a bill of exchange, a letter of credit, or a distinct method of fulfilling obligations. There is also no a clearly established mechanism for protecting the rights of the parties to smart contracts or providing compensation in case of damage. These challenges are exacerbated by the anonymity of the participants. Against all the odds, global financial companies are investing billions of dollars into blockchain technologies, including smart contracts. This means that such a mechanism should be studied in detail, and legal tools for its settlement should be developed. One potential solution is the establishment of a professional category of blockchain lawyers who would specialize in resolving disputes arising from smart contracts through mediation (Stefanchuk, 2018, p. 42-43);

– Digital Content and Intellectual Property Rights – in this area, blockchain technology offers universal opportunities for the registration, verification, enforcement, and protection of intellectual property rights. This is particularly relevant for aspects subject to digitalization, including audiovisual works, software (soft), databases, web design, domain names, and other forms of digital content.

– electronic commerce (E-commerce) – R. Stefanchuk notes that this segment boosted the use of blockchain, when in the fall of 2016, one Israeli manufacturer delivered certain products to a company in Seychelles for $100,000, using a letter of credit as payment. Since the products were delivered by sea, the ship's geolocation sensors sent a signal to the system upon entering the destination port, thereby triggering the payment to the seller. Overall, the transaction was completed within a few hours instead of the usual two weeks;

– Internet of Things – an established network consisting of a set of interconnected objects combined by information transmitters and software, which enables the provision of specific data about these objects through communication protocols. By using such blockchain platforms, the identification data of consumer or industrial goods is stored, and the dynamics of consumer demand is analyzed;

– sharing economy – the essence of this blockchain-based technology in the creation of a new type of economic relations formed by certain program resources on the principle of "convergence" in peer-to-peer service consumption. This system is decentralized, as it operates without a centralized governing body or intermediaries, whereby users pay for temporary access to the resource. For example, Uber and Lyft operate based on the principle of the sharing economy (Stefanchuk, 2018, p. 43-44).

Summing up, R. Stefanchuk emphasizes that the above constitutes an incomplete list of areas in which blockchain technology can be applied and which may become objects of potential legal regulation in the future (Stefanchuk, 2018, p. 44).

Therefore, a promising direction for improving the administrative and legal regulation of the use of information technologies for the development of the national economy is the legal regulation of blockchain technology, which should be based on the Law of Ukraine "On Virtual Assets" adopted by the Verkhovna Rada of Ukraine (About virtual assets: Law of Ukraine of February 17, 2022, No. 2074-IX).

The EU Member States have endorsed the world's first comprehensive framework for crypto regulation – the Markets in Crypto-Assets Regulation (MiCA). Currently, 119 countries have legalized the use of digital currencies. For example, in the United States, the Department of the Treasury recognized Bitcoin as a currency back in 2013, and the Securities and Exchange Commission (SEC) together with the Commodity Futures Trading Commission (CFTC) began regulating cryptocurrency exchanges. In 2013, Canada also recognized cryptocurrency as legal tender. In the UK, cryptocurrency has been legal since 2024 (Klymenko, 2025).

According to M. Klymenko, cryptocurrency currently lacks a clearly defined legal status in Ukraine, particularly due to the absence of a regulatory framework for its classification and the regulation of related transactions. At present, the relevant committees of the Verkhovna Rada of Ukraine are considering the following draft laws:

– No. 10225, submitted on November 7, 2023, prepared by the National Securities and Stock Market Commission – it proposes amendments to the Tax Code of Ukraine. In particular, the draft law seeks to establish mechanisms for taxing virtual asset transactions conducted by legal entities and individuals. It envisages a profit tax rate of 18% for legal entities and individual entrepreneurs, as well as the application of an 18% of personal income tax (PIT) and military levy for individuals;

– No. 10225-1, submitted on November 17, 2023, prepared by the Ministry of Digital Transformation – it aims to align Ukrainian legislation with European standards, in particular with the EU MiCA Regulation. The draft law defines the legal status of virtual assets, provides their classification, and establishes rules for service providers involved in the circulation of virtual assets (Klymenko, 2025).

Thus, Ukraine is in the process of resolving the issue of legal regulation of the status of virtual assets,

which is expected to contribute to the development of the national economy and ensure the alignment of national legislation with EU law.

Administrative and legal regulation of the use of artificial intelligence in various spheres of public relations, including public administration in economic relations, constitutes a current and promising area for improving the mechanism of legal regulation of information technologies for the development of the national economy.

The Cabinet of Ministers of Ukraine approved the Concept for the Development of Artificial Intelligence in Ukraine by Order No. 1556-r dated December 2, 2020.

In turn, the Ministry of Digital Transformation of Ukraine presented a White Paper on June 26, 2024, outlining the main approaches to regulating artificial intelligence technologies in Ukraine. This document is intended to enable legal entities and individuals to prepare for future legislation governing the use of artificial intelligence and to develop products that are safe for citizens. Among the tools envisaged for businesses are general and sector-specific recommendations concerning various areas and aspects of artificial intelligence application. In addition to the recommendations, the document proposes to establish a legal assistance platform for businesses, codes of conduct for the use of artificial intelligence, a regulatory sandbox for testing high-tech products for compliance with anticipated requirements, etc. (Regulation of artificial intelligence in Ukraine: Ministry of Digital Affairs presents White Paper, 2024).

An important step toward a comprehensive legal regulation of the use of artificial intelligence technologies in economic relations was the approval of the Action Plan for the Implementation of the Concept for the Development of Artificial Intelligence in Ukraine for 2025-2026 by Order No. 457-r of the Cabinet of Ministers of Ukraine dated May 9, 2025 (On approval of the action plan for the implementation of the Concept for the Development of Artificial Intelligence in Ukraine for 2025-2026: CMU Order of May 9, 2025, No. 457-p.).

The Plan, among other measures, envisages the formulation and submission to the Cabinet of Ministers of Ukraine of a draft law on the legal regulation of artificial intelligence development; the formulation of cybersecurity recommendations; the use of artificial intelligence technologies to identify cases of unlawful interference in the activities of the electronic procurement system; the application of artificial intelligence technologies for analysis, forecasting, and modeling of the public administration system in relevant areas by state bodies, including the calculation of performance indicators; and the adoption of international standards on artificial intelligence development as national standards (On approval of the action plan for the implementation of the Concept for the Development of Artificial Intelligence in Ukraine for 2025-2026: CMU Order of May 9, 2025, No. 457-p.).

As a result, in accordance with the Action Plan for the Implementation of the Concept for the Development of Artificial Intelligence in Ukraine for 2025-2026, a key task for public administration authorities is to develop and adopt a prospective Law of Ukraine "On Artificial Intelligence", taking into account the provisions of the EU Artificial Intelligence Act, which entered into force on August 1, 2024.

Regulation (EU) No 2024/1689 of the European Parliament and of the Council of 13 June 2024 lays down harmonized rules on artificial intelligence (the Artificial Intelligence Act, AI Act). This Act is the world's first comprehensive AI law. It not only enshrines control and regulatory mechanisms but also includes measures to support the development of artificial intelligence systems (New Regulations (ЄС) 2024/1689 of June 13, 2024 regarding artificial intelligence. Pakharenko and Partners: Patent and Law Firm).

The European Artificial Intelligence Act obliges Member States to designate one or more competent authorities responsible for ensuring compliance with its provisions. At the European level, the European AI Office, established by the Commission Decision of 24 January 2024, serves as a supervisory body performing key functions, including oversight of general AI models. Among the powers granted to these authorities to enforce the AI Act is the ability to impose fines. Violations of the Artificial Intelligence Act may result in penalties calculated as a percentage of the offending company's annual turnover for the preceding financial year or as a fixed amount (New Regulations (ЄС) 2024/1689 of June 13, 2024 regarding artificial intelligence. Pakharenko and Partners: Patent and Law Firm).

The Act establishes clearly defined requirements and obligations for developers and users of artificial intelligence systems, aiming to facilitate specific and responsible use of AI while minimizing the administrative and financial burdens on businesses. The obligations stipulated in the Act may apply to both suppliers and users of artificial intelligence systems (European Law on Artificial Intelligence has entered into force. On the basic requirements and obligations when using artificial intelligence, 2024).

The Artificial Intelligence Act introduces a unified framework for all EU Member States based on a forward-looking definition of artificial intelligence and a risk-based approach (European Law on Artificial Intelligence has entered into force. On the basic requirements and obligations when using artificial intelligence, 2024).

For example, artificial intelligence systems that enable governments or companies to "measure social performance" are regarded a clear threat to fundamental human rights and freedoms and are therefore prohibited. Particularly harmful uses of AI technology include: exploitation of individuals' vulnerabilities, manipulation through subconscious techniques; predictive policing based solely on profiling; unauthorized scraping of Internet data or CCTV footage to collect facial images for database creation or expansion; emotion recognition in workplaces and educational institutions, except when justified by medical or security needs; real-time remote biometric identification in public spaces by law enforcement agencies (subject to certain exceptions) (European Law on Artificial Intelligence has entered into force. On the basic requirements and obligations when using artificial intelligence, 2024).

According to the said Act, risk classification is based on the intended purpose of the artificial intelligence system within the framework of current EU product safety legislation. This classification depends on the function performed by the artificial intelligence system, as well as the specific purpose and methods for which the system is utilized (European Law on Artificial Intelligence has entered into force. On the basic requirements and obligations when using artificial intelligence, 2024).

Therefore, artificial intelligence systems may be classified as high-risk in two instances: first, if the AI system is embedded as a safety component in products regulated by existing EU product safety legislation, or if the AI system itself constitutes the same product; second, if the AI system is intended for use in high-risk contexts as defined by the Artificial Intelligence Act. The Act's provisions specifically address the use of artificial intelligence technologies in such areas as education, migration, employment, and law enforcement (European Law on Artificial Intelligence has entered into force. On the basic requirements and obligations when using artificial intelligence, 2024).

Consequently, it is advisable for national public administration authorities to promptly develop and adopt a national Law of Ukraine "On Artificial Intelligence", taking into account the provisions of the above-mentioned pan-European Act. This will facilitate the alignment of national legislation with EU law in the field of legal regulation of information technologies.

The legal regulation of the use of information technologies across various spheres of public relations, including economic relations, falls within the competence of the Ministry of Digital Transformation of Ukraine.

In accordance with the Regulation on the Ministry of Digital Transformation of Ukraine, approved by the Resolution of the Cabinet of Ministers of Ukraine No. 856 dated September 18, 2019, the Ministry of Digitalization is the main body in the system of central executive bodies formulating and implementing state policy in the following areas: digitalization, digital development, digital economy, digital innovations and technologies, robotics and robotization, e-governance and e-democracy, development of the information society, informatization; electronic document management; development of digital skills and digital rights of citizens; open data, public electronic registers, development of national electronic information resources, electronic communications and radio frequency spectrum, development of broadband Internet access infrastructure, e-commerce and business; electronic and administrative services; electronic identification and electronic trust services; development of the IT industry; development and functioning of the legal regime of Diia.City; cloud services (Regulations on the Ministry of Digital Transformation of Ukraine: CMU Resolution of September 18, 2019, No. 856).

In addition, the Ministry of Digitalization coordinates the activities of ministries, other central executive bodies, local state administrations, as well as state enterprises, institutions, organizations and state economic associations, educational institutions on issues within its competence and provides them with the necessary methodological assistance (Regulations on the Ministry of Digital Transformation of Ukraine: CMU Resolution of September 18, 2019, No. 856).

Special attention should be devoted to the study of the capacity of the special legal regime "Diia.City" for the development of the national economy.

Following the information available on the official website https://city.diia.gov.ua/, Diia.City is a unique legal and tax space for tech companies in Ukraine. This legal regime combines favorable tax conditions with effective tools that allow companies to build a transparent corporate structure, attract foreign investment more easily, and use additional mechanisms to protect intangible assets (intellectual property).

Benefits for Diia.City residents comprise labor taxes: 5% personal income tax; Social Security fee (22% of the minimum wage); 5% military fee; corporate tax: 9% exit capital tax or 18% income tax. As for investment promotion, it gives 0% on the income of individuals as dividends accrued by a resident company, provided that they are paid no more than once in 2 years; tax rebate on the amount of investments in Ukrainian startups (Diia.City. A virtual free economic zone for tech companies in Ukraine).

The advantage of Diia.City constitutes an alternative employment model – each company can select the method of hiring employees that works best for them, and, in addition to the standard formats of the Labor

Code or cooperation with individual entrepreneurs, can sign a GIG contract available in Diia.City. GIG contracts are a new alternative to standard forms of employment that combine the advantages of typical contracts: allow you to show real turnover and pay moderate taxes; basic social guarantees for specialists; a simple administration process (Diia.City. A virtual free economic zone for tech companies in Ukraine).

At the same time, the following will still be available: cooperation with individual entrepreneurs – companies that pay income tax, whose annual income does not exceed UAH 40 million, can cooperate with individual entrepreneurs and other single tax payers without restrictions during the entire period of the special regime. For all other residents, payments to individual entrepreneurs and other single tax payers should not exceed 20% of the total expenses for the past year (Diia.City. A virtual free economic zone for tech companies in Ukraine).

Moreover, Diia.City integrates venture investment tools, elements of the common law enshrined in Ukrainian legislation: investment and management mechanisms familiar to foreign venture investors. This makes it much easier for Ukrainian companies to raise the necessary funding.

Such elements of the common law system are used:

– Convertible Loan: in the early stages of a startup's life, it is often impossible to assess their future value as a company. Therefore, convertible loan agreements will make it possible to attract financing with the determination of the investor's share when the startup has already a market valuation.;

– Liquidation Preferences: By investing significant funds in a project, investors will be able to demand priority repayment of their investment, for example, in the distribution of dividends or in case of liquidation;

– Option & ESOP: the right of the investor to increase his share in the authorized capital of the company in case of its successful growth. Having such a right, investors are ready to offer the best financing conditions to current owners of companies;

– Warranties & Indemnities: This is a tool that provides the possibility of compensation in favor of the party who relied on false assurances;

– Liquidated Damages: When entering into deals, investors want to provide compensation for possible losses in the contract. Compensation must not require complex proof in court and cannot be unreasonably reduced by the court (Diia.City. A virtual free economic zone for tech companies in Ukraine).

IP protection guarantees are also important in in Diia.City. Property rights to computer programs and databases will belong to the customer (employer) by default. Also, the parties can agree on other conditions, fixing them in the contract. Diia.City conditions are fixed for 25 years: the state guarantees residents of the Diia.City the stability of conditions for 25 years, as well as observance of the rights and legitimate interests of residents and the specialists (Diia.City. A virtual free economic zone for tech companies in Ukraine).

Thus, Diia.City contains a wide range of innovative digital tools and tax benefits that are aimed at the development of the national IT sector and the economy of Ukraine as a whole. It is important that these digital and financial (tax) instruments have proper administrative and legal regulation and together constitute a special legal regime Diia.City.

It is worth drawing attention to the issue of administrative and legal regulation of the use of robotic technology within the mechanism of the national economy. The use of robots enables employers to gradually reduce the workforce, including the dismissal of highly qualified employees. Consequently, public administration authorities face with the challenge of protecting the social rights and freedoms of employees dismissed due to production modernization, service automation, etc.

An equally important task for central public administration authorities is to formulate a strategy vision for the development of the national economy amid the active formation of the information society and the digitalization of virtually all spheres of public relations. Given the numerous emerging challenges, opportunities, and threats associated with innovative information technologies, it is advisable that the Cabinet of Ministers of Ukraine draft and adopt (approve by resolution) a forward-looking Concept for the Development of the National Economy in the Information Society (Digitalization of Public Relations) for the period up to 2035.

## 4. Conclusions

The study of key areas for improving the administrative and legal regulation of information technology use in the development of the national economy supports the conclusion that there is a need to intensify legislative efforts on this domain, thereby ensuring their proper organization and alignment with European standards.

Modern information technologies can significantly improve the mechanism of public administration in economic relations, entrepreneurship, and the development of international trade. In addition, innovative information technologies make it possible to create new digital tools for building new b usiness models and improving the main ways of doing business: production, trade, and service provision.

It is emphasized that artificial intelligence, as the most promising and versatile form of information technology, should play a central role in strengthening the mechanisms of the national economy. Effective administrative and legal regulation of the use of

artificial intelligence is essential for establishing clear restrictions regarding its permissible areas of application and methods of its use.

There is also the necessity for administrative and legal regulation concerning the use of robotics in the production of goods, trade, and service delivery to protect employees' rights and freedoms and ensure social guarantees for qualified workers dismissed due to the implementation of innovative information technologies (as a result of workforce reductions during production and process optimization).

The following represent key current areas for improving the administrative and legal regulation of the use of information technologies in the development of the national economy:

– Adoption of the Law of Ukraine on Amendments to the Tax Code of Ukraine regarding the peculiarities of taxation of virtual asset transactions, which is a prerequisite for the entry into force of the Law of Ukraine "On Virtual Assets";

– adoption of the Law of Ukraine "On Artificial Intelligence", which is intended to regulate the main aspects of the use of artificial intelligence technology in various public relations, including public administration in economic relations;

– development and approval of the Concept for the Development of the National Economy in the Information Society (Digitalization of Public Relations) for the period up to 2035 with the definition of clear goals for improving the mechanism of public administration in economic relations and the mechanism of the functioning of the national economy as a whole.

The prospect for further research is driven by the need for a thorough study of international experience in the administrative and legal regulation of information technologies in economic relations in order to identify best practices and assess the feasibility of their implementation in national legislation and legal practice.

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