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CORPORATE LAW OF THE UNITED KINGDOM: CURRENT STATE AND PROSPECTS FOR DEVELOPMENT

As you know, corporate law is a branch of law that deals with companies, and their structuring, regulates the formation, management, and operation of companies, and includes such issues as reorganization and restructuring, shareholder rights, mergers and acquisitions of companies.

At the time of intensified international economic interaction between countries and the creation of companies with a foreign element, it is becoming an increasingly common phenomenon, as a result of which it can be noted that the study of corporate law is more relevant and necessary than ever in order to be aware of exactly how companies operate according to foreign legislation. Therefore, familiarization with the corporate law of the United Kingdom is important, as it is known that this state is one of the leading states on the world stage and acts as one of the leaders of the world economy.

The legislation of the United Kingdom belongs to the Anglo-Saxon family, which significantly distinguishes it from the legislation of the countries of the continental legal family. The Anglo-American model of corporate governance was recognized as the first in history and began to be actively implemented in practice.

Sources of corporate law include the Companies Act of the United Kingdom, which governs corporations formed under such sources as the Companies Act 2006, the Bankruptcy Act 1986 year, the Code of Corporate Governance of Great Britain, Directives of the European Union, and court cases [4].

Company law or corporate law can be divided into two main areas: corporate governance and corporate finance. Key participants in this corporate governance are managers, directors, shareholders, state structures, stock exchanges, public organizations, and consulting firms that provide services to corporations and their shareholders in matters of governance and voting. The main subjects of this model are actually managers, directors, and shareholders. The specificity of their relationship is revealed by the distribution and ownership of management, control powers, and ownership rights in the corporation. This is, first of all, a legal division, according to which investors (shareholders) do not bear legal responsibility for the actions of the company, transfer management functions to managers who act as their agents, and receive a fee for the services provided (agency services) [7, p.93].

Corporate finance involves two methods of raising funds for a limited liability company, the first method being the classic method - equity financing. Shares usually include the right to participate in the payment of dividends after the company makes a profit and the right to vote in the affairs of the company, although shares may include any rights that the company and the buyer wish to agree on. The second way is debt financing, which means obtaining loans, usually at a fixed annual interest rate. Lenders, such as banks, usually enter into agreements to pledge the company's assets so that in case of default, they can seize the company's assets directly to pay off the debts. It is also worth noting that creditors also have some protection through the power of judges to strike down unfair dealings before a company goes under, or to refund negligent directors involved in illegal trading. If a company is suddenly unable to pay its debts when due, UK bankruptcy law will require an administrator to try to save the company, provided that if the company itself has the assets to pay for it. In the negative case, if the rescue of the company turns out to be impossible, the life of the company ends when its assets are liquidated, distributed among creditors, and the company is deregistered. It is also worth noting that when a company becomes insolvent and no longer has assets, it can be liquidated by a creditor for a fee, this rarely happens, or usually by the HMRC tax creditor.

The fact that the companies of the United Kingdom actively use modern information technologies and Artificial Intelligence in their activities deserves attention. Artificial intelligence has taken root so well in the work of corporations that the question often arises as to whether Artificial Intelligence will ever be able to act not only as a tool for managing the corporation's affairs but also as, for example, a shareholder [5]. Therefore, questions arise more and more often in practice, whether such a replacement is legally permissible. Currently, the legislation of the United Kingdom does not provide for the possibility of a non-human being, but an autonomous system, to obtain exclusive control over a company. Therefore, at least one director from among corporate directors must be a natural person. In our opinion, such a position is quite rational in view of the peculiarities of Artificial Intelligence and the state of development of its specifics in law [6].

UK corporate law provides for four types of companies: 1) Public Limited Company (PLC); 2) Private company with limited liability under guarantee; 3) Private company with limited liability for shares; 4) Private company with unlimited liability.

A public limited company (PLC) is quite often referred to as a «public company» in practice. They usually start out as a private limited company before being re-registered as a PLC to raise capital for expansion. The legislation requires a share capital of at least £50,000 or more, of which at least 25% must be paid up before a company can start trading. Public companies from limited liability companies must have at least two directors and a company secretary. There is a perception that being a shareholder in a PLC is often considered more prestigious than being a shareholder in a private limited company.

A Private Company Limited By Guarantee is commonly used by non-profit organizations such as charities, student unions, societies, and social enterprises to set a low limit on the amount that members (owners) have to pay if something goes wrong not so. A private limited company has no share capital and therefore no shareholders. The members of a company are guarantors and are often only liable for a nominal sum, such as £1 if the company is wound up.

A Private Company Limited By Shares is the most commonly used type of company in the UK and must have the word «Limited» or the abbreviated suffix «Ltd» at the end of their name. This type is popular because the amount for which the shareholders are liable in the event of liquidation of the company is limited by the company's reserves. There are also no minimum capital requirements, so many are created with very little capital investment.

Private Unlimited Company There are not many private unlimited companies compared to other types. Regarding them, the legislation does not set any limits on the amount that its participants are obliged to pay in case of liquidation of the company, so they are usually used for companies where the risk of insolvency is very low. It is also worth noting that by law they are not required to submit an annual report to Companies House. This makes unlimited companies attractive to companies that wish to maintain a level of secrecy regarding their financial status [2].

In addition to the four main types of public and private companies, English law also provides for several specific non-standard limited companies, namely:

- Community interest companies (CIC) - such companies are created for societies that seek to benefit the community only, they can be public or private, and can be limited by share capital or guarantee. Examples of such a company include housing associations, community development trusts, and leisure centers. Cannot be set up as a CIC - Charities and political parties.

- A right-to-manage company (RTM) is created to transfer authority over things like building maintenance and repair work from the landlord to the tenants. RTMs must be established as a special type of private limited company.

- Societas Europaea (SE) are business entities that can be established throughout the European Economic Area. By type, an SE is a public limited liability company that can be created as a subsidiary of another company or as a holding company. Also, an SE company can be created through a merger or from an existing

PLC. It is worth noting that SEs established in Great Britain must have a registered office and head office in the United Kingdom and have a share capital of at least 120,000 euros (or equivalent) [2].

Having considered and analyzed the types of corporations provided for by the legislation of the United Kingdom, we can clearly understand which form of corporation is most appropriate for a particular field of activity of the company, which sources of corporate law will regulate it, and how the liquidation of the company in the territory of the United Kingdom will take place. In addition, today corporations actively use modern technologies (for example, artificial intelligence), which can significantly improve the efficiency of their management and increase the level of profitability. Such technologies require special attention from the legislator and are gradually finding their legal solution in the legislative acts of the United Kingdom, which is a positive moment and deserves attention.

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ЗАХИСТ ПРАВ ЛЮДИНИ В ІНФОРМАЦІЙНІЙ СФЕРІ В МЕРЕЖІ ІНТЕРНЕТ

Право на свободу інформації у міжнародному праві визнано фундаментальним правом людини і головним критерієм всіх свобод, про що було проголошено на Першій сесії Генеральної Асамблеї ООН у 1946 році у Резолюції 59 (I) «Скликання міжнародної конференції з питань свободи інформації». Згодом ця концепція знайшла відображення у Загальній декларації прав людини, Міжнародному пакті про громадянські та політичні права та ін. міжнародних документах, основний акцент у яких був зроблений на тому, що право збирати, отримувати і поширювати інформацію, реалізується «незалежно від державних кордонів». Згідно з Конвенцією про захист прав людини і основних свобод, свобода вираження поглядів і отримання інформації є практично необмеженою. За національним законодавством право на свободу інформації гарантовано статтею 34 Конституції України «кожен має право вільно збирати, зберігати, використовувати і поширювати інформацію усно, письмово або в інший спосіб - на свій вибір.

Виключенням для обмеження цього права є: в інтересах національної безпеки, територіальної цілісності або громадського порядку з метою запобігання заворушенням чи злочинам, для охорони здоров’я населення, для захисту репутації або прав інших людей, для запобігання розголошенню інформації, одержаної конфіденційно, або для підтримання авторитету і