



FINANCE AND BANKING

UDC 336.7

SHULGA Natalya,

Doctor of Economics, Professor, head
of Department of banking KNUTE

GORDIENKO Tetyana,

Ph.D. in Economics, associate Professor
of banking KNUTE

THE CONCEPT OF REGULATION OF FINANCIAL MARKETS

The article dedicated to the analysis of the current state of regulation and supervision of the domestic financial market. The authors developed the concept of cross-border regulation and supervision of financial market and proposed a road map for its implementation.

Keywords: central bank, cross-border regulation, financial institutions, regulatory arbitrage, road map, Deposit Guarantee Fund, National Financial Market Regulatory Commission, National Financial Market Supervision Commission, the regulator.

Шульга Н., Гордиенко Т. Концепция регулирования финансового рынка. Проанализировано современное состояние регулирования и надзора за финансовым рынком. Разработана концепция кросс-секторного регулирования и надзора за отечественным финансовым рынком и предложена дорожная карта ее реализации.

Ключевые слова: дорожная карта, кросс-секторное регулирование, Национальная комиссия по надзору за финансовым рынком, Национальная комиссия по регулированию финансового рынка, регулятивный арбитраж, регулятор, финансовые учреждения, Фонд гарантирования вкладов, центральный банк.

Background. The global financial crisis has revealed the existence of significant imbalances in the global and national economies and financial markets, and also serious gaps in the mechanism of regulation and supervision of activity of financial institutions. Especially acute, this problem appeared in Ukraine. The domestic financial market, represented by banking, insurance, stock markets and market of non-bank credit financial institutions, proved to be disbalanced because of the lack of a single economic, institutional, informational platform of its regulation and supervision. This causes necessity of: establishment of equally tense conditions for the functioning of financial institutions, which work

© Shulga N., Gordienko T., 2016

66

ISSN 1727-9313. HERALD OF KNUTE. 2016. № 6

simultaneously on a single market segment; creating conditions of their corporate administration; develop common standards of transparency and quality of financial services; mechanism of settlement of the insolvency of financial institutions in case of strengthening of financial instability and forming the same mode of their access to resources of lender of last resort; expanding of the circle of participants in the Deposit Guarantee Fund, and also conducting other measures about reforming the financial market.

In addition, there is an objective need in foundation of a rationality the transition to a new organizational format of regulation and supervision of activity of financial institutions and identification of new functions of central bank and other regulatory authorities, and also the impact of these organizational changes on ability of financial market to withstand the risk of financial instability. The first step in solving existing problems is elaborating of Concept of regulation and supervision of financial market of Ukraine.

Analysis of the latest researches and publications. In the economic literature doesn't stop active discussion about expediency of implementing the model of cross-sectoral regulation of the financial market. To this problem dedicated works of foreign and domestic scientists, such as: A. Adambekova, T. Andreikiv, V. Shmorhay, D. Vavulin, S. Simonov, A. Dzyun, L. Krivenko, O. Isayev, S. Lobozyńska, T. Makshanova, A. Medvedev, K. Miroshyna, A. Pinchuk, Mr. Barenboim, Bernard R., B. Bruksli, A. Roth, Alexander Zakharov, J. Mirkin, A. Yekmalyan, A. Yanpar, E. Denters, M. Kawai, J. Prasad, J. Karmassi, R. Herring [1–15] and other. While giving honour thorough developments of foreign and domestic scientists, it must be noted, that the scientific issues remains acutely debatable and unsolved, which determines the relevance of this scientific research.

The **aim** of the research is to analyze the current situation and development of the concept of cross-sector regulation and supervision of financial market in Ukraine, and also a road map for its realization.

To achieve this purpose were put and established such tasks: identification of the main problems of regulation and supervision of financial market of Ukraine; disclosure of the structure and content of Concept of regulation and supervision of financial market; development a road map of an implementation of Concept of regulation and supervision of financial market.

The object of research is the process of regulation and supervision of the domestic financial market.

Materials and methods. In the process of researching were used methods of comparison, tabular, induction and deduction.

Results. The leading role in the development of the domestic financial market belongs to banks (*figure*).

The banks generate 79.38 % assets of total Ukrainian financial market, the rest – non-banking financial services as of 01.01.2016. Moreover, the share of non-banking market of financial services, presented by insurance,

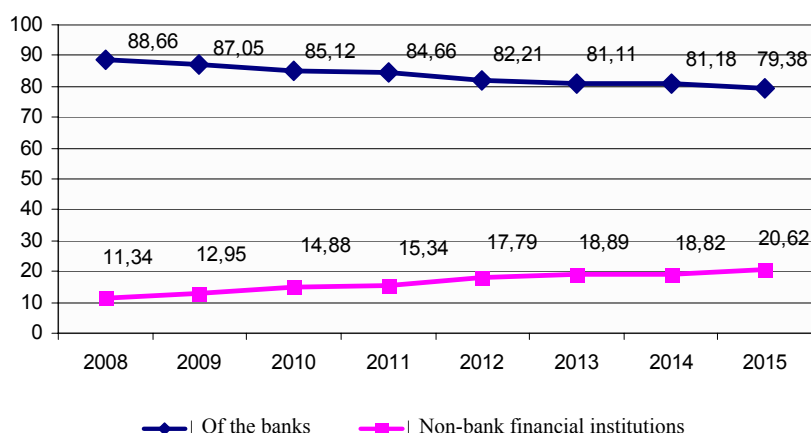
stock market and non-bank credit institutions in recent years had a tendency to increase. From 2008 to 2015 this share increased in 1.82 times. The increasing of market share of non-banking services in the total amount of assets of the financial sector of Ukraine needs more careful their regulation and supervision. The fall of share of the banking market caused by effect of several factors:

the first, a sharp reduction in the number of banks in the last seven years from 184 to 117 unit due to the increasing demands of regulatory authority about ensuring the transparency of their ownership, adequacy of capital and reserves to cover losses by active operations;

secondly, the negative results of stress testing of 20 largest banks of Ukraine, including 16 banks which NBU proposed within three years additionally increase capital due to the low quality of assets;

thirdly, increasing of "regulatory pressure" from the NBU, which formulated the enhanced requirements on the capital adequacy of banks during 2019–2020 years in the context of the recommendations of Basel III.

From this it follows, that investment attractiveness for shareholders of domestic banks significantly reduced. Besides, bankruptcy of many banks significantly undermined confidence to the banking sector from customers, which led to the overflow of client funds in favor of non-bank financial institutions.



The share of assets of some segments of the financial market in Ukraine in 2008–2016 years, %. *Compiled by [16–19]*

Changing of vectors of financial market development and presence of problems, that disincentive its effective functioning, require reforming of the regulation and supervision system. Among these problems we need to pay attention to the following: increasing of the level of systemic risk, caused by structural imbalances, in the absence of instruments for risk hedging; divergence of politics and methods of regulation and supervision of banking, insurance, stock and non-bank credit markets, and also frequent

changes of legislation; insufficient level of independence of regulators of financial services, which negatively affects the quality of management decisions; imperfect regulation and prudential supervision of activity of financial institutions on a consolidated basis; lack of effective tools for removing from the market problematic financial institutions; low level of transparency of financial institutions' activity, especially non-bank credit and insurance companies, and also state regulators: The National Commission for Regulation of Financial Services Markets; The Securities and Stock Market National Commission; ineffective protection of investor rights and consumers of financial services; absence of an effective system of communication between currently existing agencies of regulation and supervision of financial market.

To overcome these problems selected vector on increasing the efficiency of regulation of markets of financial services by consolidating the functions of state regulators: National Bank of Ukraine, The National Commission for Regulation of Financial Services Markets and The Securities and Stock Market National Commission. In the Draft Law about amendments to some legislative acts of Ukraine about consolidation of the functions of state regulation of financial services markets [18] described ideas of transition from the sectoral model of regulation of financial markets to cross-sectoral regulation.

The transition to cross-sector regulation and supervision caused by the influence of many factors, to which it is appropriate to include:

- interpenetration of different market segments, that reflected in the convergence of services and the integration of financial institutions, which is rapidly expanding its activities and increase the impact on the financial market [15, p. 14];

- concentration and aggregation of financial capital by bringing together financial institutions in financial conglomerates and holding companies which presented by banking, insurance and investment business at the same time, which reflected in spreading of cross sales, the emergence of combined, integrated and complex financial products, that leads to generation of higher level of the system risk, that can not be adequately assessed and not subjected to control within the sectoral approach to financial supervision and regulation [12, p. 28; 14, p. 322];

- legal, organizational and functional complications of business in the financial sphere [10];

- presence of some regulatory privileges for certain groups of financial institutions, that leads to disproportionate development of some sectors of the financial market and reduces the competitiveness of capital [15, p. 16];

- the possibility of cost savings on maintenance of regulatory and supervisory bodies, and provision of information exchange between government agencies [15, p. 16];

- the need at consolidation of efforts of regulators with the purpose of resisting the influence of the risks and overcoming the consequences of the crisis [12, p. 28; 14, p. 321; 20];

- the need to provide equal implementation and compliance of international regulatory and supervisory standards on financial markets, and also establishing communications between national and international regulators [13];
- widespread electronic payment, providing financial services through the Internet by different types of financial institutions [2, p. 60].

Research of global experience in building cross-sector regulation and supervision allowed to identify the following approaches:

- consolidation of regulatory and supervisory functions in the central bank (the model used in Singapore, Russia, Kazakhstan);
- creating separate mega regulator of financial market that provides both regulation and supervision of financial institutions. In this case the central bank acts only as a monetary authority (this approach is implemented in Canada and some European countries – Norway, Sweden, Germany and Finland);
- separation of the functions of regulation and supervision of financial institutions between different authorities (model "Twin Peaks"), as was done in Japan, the UK and Australia.

Scientists have no consensus about the best model of cross-sectoral regulation. Among supporters of the first approach can be identified A. Adambekova [1], D. Vavulina, S. Simonova [3], A. Yekmalyan [11]. K. Miroshyna also supports the idea of consolidation of the regulatory and supervisory functions of the central bank, but draws attention to a conflict of interests, due to the fact that the central bank, on the one hand, is both the regulator and supervisor, and on the other – is a member of the financial market [8, p. 380].

According to other researchers, in particular A. Medvedev and T. Makshanova, more acceptable is the second and third approaches to building of model of regulation and supervision of financial institutions [7, p. 356].

In the article "The structure of cross-sectoral financial regulation" R. Herring and David Harmassi argue in favor of the transfer from central bank functions of supervision of financial institutions to another controller. They note that financial stability will be enhanced in the case that central banks will focus exclusively on markoprudential supervision, despite mikroprudential supervision and conduct of business oversight [15, c. 17].

Among domestic researchers there are also opponents of Ukraine's transition to cross-regulation of financial services, including A. Dzyun, L. Krivenko and A. Isayev, who emphasized on the unavailability of the Ukrainian financial market to such fundamental institutional reform [4; 5, p. 36], T. Andreikiv and B. Shmorhay insist on the need to preserve the sectoral approach to regulation of financial market [2, p. 63]. Their opinion supports S. Lobozyńska, arguing that the domestic financial market is dispersed and not segmented, there is no clear specialization, financial products and Ukrainian financial institutions have a simplified structure [6, p. 196].

In our opinion, Ukraine's transition from a sector model that assumes the existence of several state regulatory authorities (National Bank of Ukraine, The National Commission for Regulation of Financial Services Markets and The Securities and Stock Market National Commission), each of which is responsible for a specific market to cross-sector regulation and supervision of activity of financial institutions is actual and requires implementation.

Introducing a model of cross-sector regulation and supervision provides determining its quality characteristics, which are still haven't found reflection in the economic literature. Considering global and national trends in regulation and supervision in the financial sector, and in view of lessons of the global financial crisis, it is appropriate to allocate such *quality characteristics of cross-sectoral model*:

- systemically regulation and supervision of financial market, encompassing all its sectors and based on full concentration of powers on the regulation of activity of financial institutions in one institution – The National Commission for financial market regulation; supervision – in The National Commission for prudential supervision;

- equal stressed regulation and supervision of the different types of financial institutions, that operate in one segment of the financial market that avoids or minimize regulatory arbitrage;

- transparent regulation and supervision of financial market, which should be based on international standards of public disclosure of information about the results of activity of supervisory authorities and financial institutions;

- risk-oriented regulation and supervision, which aim is to provide financial stability and reliability both separate financial institutions and the financial market as a whole by adopting preventive measures in response to the appearance of certain types of risks and systemic risk;

- proactive regulation and supervision, the objective need for which arises due to increased levels of volatility in the commodity and financial markets. For this purpose it seems appropriate for national regulator to carry out the stress testing of the state of both separate financial institutions and the financial market as a whole. By the results of stress testing will be implementing forecast of vectors of their future development with indicating the complex of stabilization measures upon the occurrence of the worst scenario of the macroeconomic situation.

In view of the stated we propose definition of *cross-sector regulation and supervision* – this is a model that covers all its sectors, distinguishes by high levels of transparency and equal conditions of functioning of financial institutions, the presence of effective mechanisms of early response on reducing financial stability of financial markets and protecting it from systemic risks.

The first step to the introduction of a cross-sector regulation and supervision of financial market in Ukraine is the development appropriate conception, which structure may consist of the following sections: general provisions; goal, objectives and principles; a summary of the model; participants of cross-sector regulation and supervision of financial market, their rights and obligations and areas of interaction; final provisions.

The purpose of cross-sectoral regulation is to minimize systemic risks and providing financial stability of the financial market, and also the introduction of a unified approach to regulation and supervision of financial institutions on methodological grounds, formulated by international financial institutions, which will allow gradually implement the national financial market into the international financial space.

Achieving this goal is realized through solving the following *tasks*:

- support of financial balance of financial market and the efficiency of financial institutions activity;
- reforming of institutional support for regulation and supervision of financial institutions due to the rational allocation of rights and obligations among the various regulators;
- introduction of market mechanism for protection interests of consumers of financial services;
- building a unified informational architecture to ensure transparency in of results of activity of regulators and financial institutions, and also in conditions of financial services to consumers;
- creation of a unified informational space based on the software and hardware tools of the The national Commission for financial market regulation, that allows to increase the quality of economic analysis and reduce the time for decision-making with a purpose of ensuring stability of financial market;
- monitoring the level of financialisation of economy of the country, identification of financial imbalances, forecasting their possible impact on the trajectory of development of banking, insurance, securities and non-bank credit markets and also financial market in general;
- establishing procedures for measuring systemic risk and proving analysis results of its influence on the financial market for stakeholders (rating agencies, customers, contractors, etc.);
- conducting a through and continuous monitoring sectors of financial market and the development of complex preventive measures in case of beginning of crisis situations;
- development of methodical bases of evaluation of effectiveness of activities of regulators and supervisors and establishing responsibility for their management decisions.

Cross-sector regulation and supervision of financial market in Ukraine should be based on compliance of a number of principles (*table 1*).

Table 1

**Principles of cross-sector regulation and supervision
of financial market in Ukraine ***

Principle	Contents, purpose
Independence of regulatory and supervisory institutions	Providing political and economic independence of regulatory and supervisory institutions to avoid any pressure on them from the government
Separation (segregation) functions of supervisory of regulation	Providing deconcentration of power; improving the objectivity of the decisions about the development of the financial market and of activity of individual financial institutions; improving the formation of a single platform of informational, organizational and methodological support of regulation and supervision; increasing the responsibility of public officials for accepted decisions
Selective choice	The possibility of using specific regulatory methods, tools, levers and approaches for a brief period to stabilize the financial situation. Validity of selective choice in the regulatory practice should depend on the depth of the financial crisis in the country
Flexibility of regulatory and supervisory institutions	Possibility quickly direct financial flows in those areas and sectors, which need it, that will allow to avoid imbalances and stabilize situation on financial market and the economy
Synergetic effect	Strengthening the stimulating effect of the financial services market on social and economic development of the country by improving the efficiency of activity of financial institutions, creation of a unified legal contour to eliminate regulatory arbitrage and support free (perfect) competition, consolidation of efforts of regulators, aimed at countering the impact of systemic risks and overcome the consequences of the crisis, and also creation of effective mechanism for protection of interests of subjects of financial services markets, exclusion of discriminatory decisions and prevention of conflict of interests

* *Developed by authors.*

Considering outlined principles it's appropriate to introduce a model of "Twin Peaks" (task-based model), which provides singling out:

- macroprudential regulation, that it is advisable to assign to by the Financial Stability Council (starting from 2017 year);
- mikroprudential regulation of financial market – to newly established authority – the National Commission for financial market regulation (in 2020 year);
- mikroprudential supervision – to newly established authority – the National Commission for prudential supervision (in 2020 year).

In this case the National Bank of Ukraine will be responsible for development and implementation of monetary policy.

For *the Financial Stability Council* proposed to fix the following key functions:

- development and implementation of the progress strategy of financial market;
- coordination of activity of members (Ministry of Finance of Ukraine, the National Bank of Ukraine, the National Commission for financial market regulation, the National Commission for prudential supervision, the Deposit Guarantee Fund) regarding response to real or potential occasion of financial instability and assistance in resolving any issues, which are the subject of joint activities;
- harmonization of regulation and reporting requirements emphasising on the need to minimize the cost of regulation;
- coordination of proactive measures and fast reaction on signs of unstable financial condition, and also circumstances, which threaten the stability of the financial market;
- development of methods and regular exercising a stress testing of the impact of risk-factors on the financial market, accepting decisions about improvement of financial market regulation system on the basis of stress tests results;
- preparation of recommendations about reacting on systemic risks, that threaten the stability of the financial market.

The National Commission for financial market regulation must:

- formulate and ensure the implementation of state policy of regulation of financial services markets;
- develop and approve binding normative and legal acts on financial services and markets, as well as proposals about their improvement;
- issue relevant permits and licenses on provision of financial services by financial institutions, to determine the order of their cancellation;
- determine the criteria and standards of liquidity, capital, solvency, profitability, asset quality and risk of operations, quality of management systems and administrative personnel, compliance rules about provision of financial services, and also other requirements for transactions with financial assets;
- define the criteria for systemic importance of financial institutions and financial groups, establish for them special economic standards of activity;
- identify, analyze and monitor current and potential external and internal threats, and also report about them to the Financial Stability Council;

• organize and methodologically maintain a system of statistical information about the state of financial market, analyse and forecast state of financial market and diagnose its financial stability, and also provide this information to the Financial Stability Council.

Tasks of the *National Commission for prudential supervision* are:

- the supervision of financial institutions on individual and consolidated basis;
- withdrawal insolvent financial institutions from the market;
- the enforcement of effective competition between institutions on the financial services markets and conscientious of their behavior when interacting with clients;
- protection of financial services consumers' rights.

The model of cross-sector regulation also provides for equal protection of depositors interests in financial institutions. In this regard, it is proposed to add to the list of participants of the Households Deposit guarantee Fund (DGFI) credit unions, insurance companies, private pension funds and construction financing funds. In addition, with the aim of improving the system of protection of depositors interests and supporting the development of entrepreneurship in Ukraine it is expedient to guarantee also the deposits representatives of small- and medium-sized enterprises, and rename the Households Deposit guarantee Fund into Deposit guarantee Fund.

According to the Concept of cross-sectoral financial market regulation, it is appropriate to delegate the liquidation of insolvent financial institutions from the g Households Deposit guarantee Fund to the new regulatory body – the National Commission for prudential supervision. This will allow to form a unified mechanism of withdrawal of insolvent financial institutions from the market regardless of their type (banks, insurance companies, non-bank credit institutions).

The Concept of cross-regulation of the financial market will be carried out in two stages. In the first stage, it is implemented a complex of actions directed on formation of favourable conditions for the consolidation of the functions of existing regulatory authorities; the second – creation of the National Commission for financial market regulation and the National Commission for prudential supervision by the transferring to them functions of regulation and supervision over all financial institutions, including banks.

The roadmap of the transition to cross-sectoral regulation of financial services markets of Ukraine is shown in (*table. 2*).

Road map of transition to cross-sectoral regulation and supervision of financial services market of Ukraine*

The time horizon, year	Measures	Responsible Agencies	Effect
I stage (2017–2019 yy.)			
2017	Clarification of priorities of the state financial policy and improvement of the strategy of financial market development taking into account organizational and structural changes in the system of regulation and supervision	The Supreme Council of Ukraine; The Ministry of Finance of Ukraine; The Financial Stability Council (FSC)	Specification of changes in the regulatory legal acts necessary for implementation of the Concept and avoid their declarative character
2017	The extension of the functions of the financial stability Board (FSB) The cancellation of clause of a recommendatory nature of decisions of the FSB and definitions of tools of its influence on financial market	The Financial Stability Council (FSC)	The establishment of mechanisms of macroprudential financial market supervision
2017	Reforming the regulatory framework, rules and procedures regulating the activities of financial institutions in the context of implementation of international legislation, optimization of license conditions and harmonization of regulatory requirements, methods of supervision of banking and non-banking financial institutions, the construction of certain provisions of the protection of the rights of consumers of financial services, set out in various documents into a single document (the Code), as well as the development and implementation of "Methods of stress testing of the financial market in case of unforeseen events", "Corporate governance code of financial institutions", "Key attributes of recovery and rehabilitation of financial institutions", "Standard of transparency of financial institutions", "Quality standard of financial services", "Compensation policy (remuneration policy)" and other documents	The Supreme Council of Ukraine; The Financial Stability Council (FSC); The National Bank of Ukraine (NBU); The National Commission for Regulation of Financial Services Markets (NCRFSM); The Securities and Stock Market National Commission (SSMNC)	Actualization and harmonization of Ukrainian legislation with EU directives. The decrease of the level of regulatory arbitrage. Implementation of standards of transparency activities of financial institutions and quality of financial services. The increase of transparency and sustainability of financial services markets
2018	The creation of a single database on the activities of financial institutions, ensuring a reliable system of information exchange on the basis of bilateral agreements and memoranda on cooperation between regulators	The National Bank of Ukraine (NBU); The National Commission for Regulation of Financial Services Markets (NCRFSM); The Securities and Stock Market National Commission (SSMNC)	The creation of the information base cross-sectoral regulation of the financial market

Table 2

The time horizon, year	Measures	Responsible Agencies	Effect
2018	A discussion (quarterly) of the results of the activity of NBU, SCRFSM, SSMSC at the meetings of the financial stability Board. Holding the quarterly meetings with FSB-regulatory organizations to discuss topical issues of regulation and supervision of financial market	The Ministry of Finance of Ukraine; The National Bank of Ukraine (NBU); The National Commission for Regulation of Financial Services Markets (NCRFSM); The Securities and Stock Market National Commission (SSMNC)	Ensuring transparency of financial market regulators. Establishing control over the execution of functions by regulators.
2018	Carrying out of explanatory and consultative work, training, retraining and advanced training of employees of regulatory bodies and financial institutions, and improvement of residents financial literacy	The National Bank of Ukraine (NBU); The National Commission for Regulation of Financial Services Markets (NCRFSM); The Securities and Stock Market National Commission (SSMNC)	Creating a favorable climate for implementation of institutional reforms
2019	Reasons of general goals and objectives which are planned to be achieved by implementing the concept of cross-sectoral regulation	The Financial Stability Council (FSC)	Determination of the effect from the introduction of the concept and control establishing over its achievement
II stage (2020 y.– ...)			
2020	The reform of the institutional structure of NCRFSM, SSMNC, the Households Deposit Guarantee Fund (HDGF) and NBU	NBU; NCRFSM; SSMNC; HDGF	The creation of institutional prerequisites for the transition to cross-sectoral regulation of the financial market
2020	The distinction between the functions of monetary regulation, microprudential regulation and microprudential supervision of financial market and creation of the National Commission for financial market regulation and the National Commission for prudential supervision. The transfer of functions for regulation and supervision of banks from the NBU to newly established commissions.	NBU; The national Commission for financial market regulation; The national Commission for prudential supervision	The establishment of the systemically important, equally stressed, transparent, risk-oriented, proactive regulation and supervision of financial market
2021	The assignments of new functions of the Deposit Guarantee Fund (DGF). The establishment of the Deposit guarantee system for small and medium-sized businesses. Additions credit unions, insurance companies, private pension funds and funds of construction financing to the list of participants of DGF	The Deposit Guarantee Fund	The development of the Deposit guarantee system and protection of financial services consumers' rights

* Developed by author.

Conclusion. The result of the study proves that cross-sector regulation and supervision over financial market is a model that covers all of its sectors, has a high level of transparency of financial institutions and regulators, and provides for the creation of equally stressed conditions of activity of financial institutions, introduction of mechanisms for early response on the decline of financial stability of financial market and protection against systemic risks.

The model of "Twin Peaks" which provides separation of the functions of regulation and supervision between the two independent bodies is seen as an effective to reform the institutional structure of regulation and supervision of financial market in Ukraine. In this regard, it was proposed to establish the National Commission on financial market regulation and the National Commission for prudential supervision.

The roadmap defines the sequence of implementation of cross-sectoral regulation of Ukrainian financial market:

- 2017–2020 – the creation of information, technical and institutional precondition for the transition to cross-sectoral regulation and supervision;
- 2020 – the introduction of the concept of cross-sectoral regulation and supervision of financial market, the distribution regulatory and supervisory functions between the Supreme Council of Ukraine (responsible for macroprudential supervision), the National Bank of Ukraine (monetary regulation), the National Commission on financial market regulation (macroprudential regulation), National Commission for prudential supervision (microprudential supervision), Deposit guarantee Fund (guarantee deposits and contributions of individuals and small and medium-sized enterprises in banks, insurance companies, credit unions, construction financing funds, private pension funds).

In contrast to existing research, for the first time it was proposed the structure of the concept of cross-sectoral regulation of financial market of Ukraine.

Implementation of the proposed concept of cross-sectoral regulation and supervision of financial market will contribute to the harmonization of activities of financial institutions in the domestic financial markets and their progressive integration into the world financial space.

REFERENCES

1. *Adambekova A.* The Central Bank as the megaregulator of the financial market. *Money and credit.* 2012. № 10. P. 68–71.
2. *Andreikiv T. Y., V. Smorgy.* Modern mechanisms of regulation of the financial market in Ukraine. *Sib. Technology audit and production reserves.* 2015. № 7 (21). T. 1. P. 60–64.
3. *Vaulin D. A., Simonov S. V.,* Central Bank of the Russian Federation as a mega-regulator of the Russian financial market. *Finance and credit.* 2014. 5 (581). P. 21–31.
4. *June O.* World experience of creation of a megaregulator on the financial market. *Electronic Sciences. specialty. "Public administration: improvement and development"*. URL: <http://www.dy.nayka.com.ua/?op=1&z=695>.

5. Krivenko L., Isaeva O. Feasibility of the model of the megaregulator of the financial market in Ukraine. Economic journal-XXI. 2015. № 3–4(2). P. 33–36.
6. Lobodzinska S. M. To the question of creation of a megaregulator of the financial market in Ukraine and improvement of banking regulation. VSN. Saponi. NAT. UN-Tu. 2012. № 3(15). P. 194–199.
7. Medvedev A. E. Makshanova T. V. Advantages and disadvantages of a megaregulator on the Russian financial market. Vector of science of Togliatti. state University. 2013. Vol. № 3 (25). URL : <http://cyberleninka.ru/article/n/preimuschestva-i-nedostatki-sozdaniya-megaregulyatora-na-finansovom-rynke-rossii>.
8. Miroshina K. A. Regulation of financial markets and banking in Russia on the basis of a mega-regulator. A young scientist. 2014. № 21. P. 377–381.
9. Pinchuk A. P. Modern world experience of the activities of the 'megaregulators' financial services markets and the possibility of its application in Ukraine. The efficiency of public administration. 2012. Vol. 33. P. 363-370.
10. Roth A., Zakharov A. Mirkin, J., Bernard G., Barenboim P., Brucki. Bases of state regulation of the financial market. Foreign experience. M. : Yustitsinform, 2002. P. 411.
11. Ekmalian A. M., Bank of Russia as the regulator of the financial market: activity goals, functions and powers. Lawyer. 2015. № 7. P. 4–11.
12. Atila Yanpar. Cross-Border Regulation of Financial Markets. Capital Markets Board of Turkey June 19, 2013. Islamic Finance News Vol. 10. Is. 24, 2013. P. 28.
13. Erik Denters. Regulation and supervision of the global financial system. A proposal for institutional reform. URL : <http://amsterdamlawforum.org/article/view/84/147>.
14. Masahiro Kawai and Eswar Prasad. Financial market regulation and reforms in emerging markets. Brookings Institution Press, Asian Development Bank, 2011. P. 423.
15. Richard J. Herring, Jacopo Carmassi. The Structure of Cross-Sector Financial Supervision. URL : <http://fic.wharton.upenn.edu/fic/papers/07/0734.pdf>.
16. Overview of the financial services markets. Official website NC. Commission, carrying out state regulation in the sphere of financial services markets. URL : <http://nfp.gov.ua/content/oglyad-rinkiv.html>.
17. Indicators of the banking system . Official website N. Bank of Ukraine. URL : https://bank.gov.ua/control/uk/publish/article?art_id=34661442&cat_id=34798593.

Articles submitted to editors office of 22.11.2016.

Шульга Н., Гордієнко Т. Концепція регулювання фінансового ринку.

Постановка проблеми. Крос-секторне регулювання фінансового ринку – це модель, яка охоплює усі його сектори, характеризується високим рівнем прозорості фінансових установ і регуляторів та передбачає створення рівнонапружених умов функціонування фінансових установ, впровадження механізмів раннього реагування на зниження фінансової стійкості фінансового ринку та захисту від системних ризиків.

Аналіз останніх досліджень і публікацій. Дискусійні питання стосовно крос-секторного регулювання фінансового ринку розкрито в наукових публікаціях вітчизняних та зарубіжних авторів, зокрема А. Адамбекової, Т. Андрейків, О. Барановського, П. Баренбойма, Р. Бернарда, Б. Брукслі, Д. Вавуліна, Л. Вартії,

Е. Дентерса, О. Дзюнь, А. Екмаляна, А. Захарова, О. Ісаєвої, М. Каваї, Дж. Кармассі, Дж. Каруана, С. Кобаякаві Л. Кривенко, С. Лобозинської, Т. Макишанової, О. Медведєвої, Я. Міркіна, К. Мірошина, В. Міщенко, С. Науменкової, А. Пінчук, І. Прасада, А. Рота, А. де Серра, С. Сімонова, Т. Слока, Р. Херрінга, В. Шморгаї, А. Янпара.

Попри наявність окремих наукових доробок залишаються невирішеними проблеми стосовно визначення спрямованості моделі крос-секторного регулювання фінансового ринку, а також переліку органів регулювання та нагляду за фінансовим ринком України, їх функцій та повноважень.

***Метою** дослідження є аналіз існуючого стану та розробка концепції крос-секторного регулювання і нагляду за фінансовим ринком в Україні, а також дорожньої карти її реалізації.*

***Матеріали та методи.** У процесі дослідження використано методи порівняння, табличний, індукції та дедукції.*

***Результати дослідження.** Вперше розроблено структуру та змістовне наповнення Концепції крос-секторного регулювання фінансового ринку України, в якій визначено особливості запропонованої моделі регулювання та нагляду, його мету та завдання. Наведено новий перелік органів регулювання й нагляду за фінансовим ринком України завдяки формуванню двох нових комісій – Національної комісії з регулювання фінансового ринку та Національної комісії з пруденційного нагляду, а також розкрито їх основні функції. Уточнено функції Національного банку України, рекомендовано змінити назву та функції Фонду гарантування вкладів фізичних осіб. Запропоновано дорожню карту реалізації Концепції крос-секторного регулювання фінансового ринку України.*

***Висновки.** На відміну від існуючих публікацій, вперше запропоновано структуру Концепції крос-секторного регулювання фінансового ринку України, яка складається з розділів: загальні положення, мета, завдання та принципи, короткий зміст моделі, учасники крос-секторного регулювання та нагляду за фінансовим ринком, прикінцеві положення, а також визначено зміст кожного з них.*

У дорожній карті визначено таку послідовність впровадження крос-секторного регулювання фінансового ринку України:

з 2017р. по 2020 р. – створення інформаційних, технічних та інституційних передумов для переходу до крос-секторного регулювання і нагляду;

з 2020 р. – впровадження концепції крос-секторного регулювання і нагляду за фінансовим ринком та закріплення повноважень щодо макрорегулювання за Радою фінансової стабільності; мікропруденційного регулювання – Національною комісією з регулювання фінансового ринку; мікропруденційного нагляду – Національною комісією з пруденційного нагляду; розробки та реалізації монетарної політики – Національним банком України; гарантування вкладів та внесків фізичних осіб й малого і середнього бізнесу до банків, страхових компаній, кредитних спілок, фондів фінансування будівництва, недержавних пенсійних фондів – Фондом гарантування вкладів.

Викладені концептуальні положення потребують подальшого наукового дослідження в напрямі: зміни регулятивних вимог до фінансових установ, у тому числі системно важливих; розробки "Методики стрес-тестування фінансового ринку на випадок непередбачених подій", "Кодексу корпоративного управління фінансовими установами", "Ключових атрибутів оздоровлення і санації фінансових установ", "Керівництва з управління ризиками в фінансових установах", "Стандарту прозорості діяльності фінансових установ", "Стандарту якості фінансових послуг", "Компенсаційної політики (політика винагород)" та інших документів, впровадження яких сприятиме гармонізації діяльності фінансових установ на вітчизняному фінансовому ринку та поступовій їх інтеграції у світовий фінансовий простір.

***Ключові слова:** дорожня карта, крос-секторне регулювання, Національна комісія з регулювання фінансового ринку, Національна комісія з нагляду за фінансовим ринком, регулятивний арбітраж, регулятор, фінансові установи, Фонд гарантування вкладів, центральний банк.*