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DRAFT LAW

**ON THE CABINET OF MINISTERS
AND CENTRAL PUBLIC EXECUTIVE AUTHORITIES
OF UKRAINE**

*Draft***LAW OF UKRAINE****ON THE CABINET OF MINISTERS
AND CENTRAL PUBLIC EXECUTIVE AUTHORITIES****SECTION I. GENERAL PROVISIONS****Article 1. The Cabinet of Ministers of Ukraine in the System of Public Executive Authorities of Ukraine**

1. According to the Constitution of Ukraine, the system of public executive authorities shall consist of the Cabinet of Minister of Ukraine, central public executive authorities, the Council of Ministers of the Autonomous Crimean Republic, and local public executive authorities.

2. The Cabinet of Ministers of Ukraine (the Government of Ukraine) shall be the highest authority in the system of public executive authorities.

3. Central public executive authorities shall be public executive authorities set up in accordance with the Constitution and laws of Ukraine with the competence in the defined public administration sectors extending to the entire territory of the state. Central public executive authorities shall be set up in the form of ministries, governmental bodies or public authorities with special status established by the Constitution and laws of Ukraine.

4. Local public executive authorities shall be public executive authorities set up in accordance with the Constitution and laws of Ukraine with the competence extending to the territory of individual administrative and territorial units. Local public executive authorities shall include local state administrations and territorial offices of central public executive authorities.

5. The Cabinet of Ministers of Ukraine shall exercise its executive power directly and through ministries, other central public executive authorities, governmental bodies, the Council of Ministers of the Autonomous Crimean Republic, and local state administrations. It shall direct, coordinate, and control the operation of these authorities.

6. The Cabinet of Ministers of Ukraine shall be responsible to the President of Ukraine and the Verkhovna Rada of Ukraine, as well as controlled by and accountable to the Verkhovna Rada of Ukraine within the limits envisaged by the Constitution of Ukraine.

Article 2. Definitions

The terms below are used herein in the following meaning:

The term “public policy” shall mean the strategic objectives of the state development and state priorities conditioned thereby, which are formed and implemented by public executive authorities upon their approval by authorised public authorities;

The term “political programme” shall mean the definition of objectives of a political party, a party’s parliamentary faction, an individual politician, and the means to achieve such objectives;

The term “public political office” shall mean a position in the public authorities occupied by an individual for the implementation of a political programme on the results of direct elections to public authorities or through appointment/election by the Verkhovna Rada of Ukraine, the President of Ukraine, or the Cabinet of Ministers of Ukraine;

The term “political responsibility” shall mean resignation of the entire composition of any public authority (collective political responsibility) or an individual occupying public political office (personal political responsibility) due to loss of political support resulting from the assessment of the implementation of the declared political programme and principles of public policy.

Article 3. Main Tasks of the Cabinet of Ministers of Ukraine and Other Public Executive Authorities

1. As their main tasks, the Cabinet of Ministers of Ukraine and other public executive authorities shall ensure:

- 1) human and civil rights;
- 2) state sovereignty, economic independence, and national security of Ukraine;
- 3) design of the state development strategy, implementation of public policies, design and implementation of nationwide programmes, as well as implementation of publicly-important reforms;
- 4) enforcement of the Constitution and laws of Ukraine, acts of the President of Ukraine, and resolutions of the Verkhovna Rada of Ukraine;
- 5) fair distribution of the public wealth, rational use of natural resources, and efficient management of public property; and
- 6) proper functioning of the public service system.

Article 4. Operation Principles of the Cabinet of Ministers of Ukraine and Other Public Executive Authorities

1. The Cabinet of Ministers of Ukraine and other public executive authorities shall function on the basis of the following principles:

- 1) rule of law – they shall direct their activities to enforce human and civil rights and freedoms and act on the basis of justice and humanism;
- 2) legality – they shall exercise their powers within the limits and in accordance with the procedure set by the Constitution and laws of Ukraine;
- 3) openness – they shall inform the public on a regular basis on their operation, as well as guarantee that anybody has access to such information in the volumes and in accordance with the procedure set by law; they shall also arrange public discussions of the most important acts of public executive authorities, as well as acts that affect the exercise of rights and duties of Ukrainian citizens;
- 4) integrity of public policy – they shall develop public policies on the basis of principles determined by the Verkhovna Rada of Ukraine and with due account of acts of the President of Ukraine, as well as ensure their uniform implementation on the territory of the state;
- 5) continuity – constant and uninterrupted functioning of public authorities, independently of political processes inside and outside the state;
- 6) controlled functioning – they shall ensure internal control and external oversight of public executive authorities by other public authorities;
- 7) efficiency – they shall ensure that they achieve maximally positive results at the expense of the minimum necessary use of resources and time;
- 8) subsidiarity and decentralisation – maximum transfer of powers on provision of administrative services, management of public property, and resolution of other issues to the lower public executive authorities, local self-governance bodies, institutions and organisations, including the non-governmental ones;

9) sustainable development – they shall ensure careful attitude to human, natural, financial, and other resources in the interests of the current and future generations on the basis of balanced combination of economic, social, environmental, and other public interests;

10) prevention of the conflict of interests – members of the Cabinet of Ministers of Ukraine and other officials of public executive authorities shall not participate in the adoption of decisions which are or may be related to their personal interests or interests of their close relatives.

11) rationalisation – they shall ensure continuous improvement of their organisation, operation, and efficiency;

2. The Cabinet of Ministers of Ukraine shall act as a collective body. It shall make decisions upon discussion of relevant issues at its meetings, if another is not envisaged hereby.

Article 5. Legal Basis for the Operation of the Cabinet of Ministers of Ukraine

1. Organisation, powers, and operation procedures of the Cabinet of Ministers of Ukraine and other public executive authorities shall be set by the Constitution, this and other laws of Ukraine.

2. In the cases envisaged by the Constitution and laws of Ukraine, the Cabinet of Ministers of Ukraine and other public executive authorities shall be also governed by acts of the President of Ukraine and resolutions of the Verkhovna Rada of Ukraine.

3. In accordance with the Constitution and laws of Ukraine, the Cabinet of Ministers of Ukraine shall approve the Rules of Procedure of the Cabinet of Ministers of Ukraine and determine other operational issues.

Article 6. Location of the Cabinet of Ministers of Ukraine

The Cabinet of Ministers of Ukraine shall be located in Kyiv, capital of Ukraine.

SECTION II. COMPOSITION OF THE CABINET OF MINISTERS OF UKRAINE

Chapter 1. Composition and Formation of the Cabinet of Ministers of Ukraine

Article 7. Composition of the Cabinet of Ministers of Ukraine and Status of its Members

1. The Cabinet of Ministers of Ukraine shall include the Prime Minister of Ukraine, the First Deputy Prime Minister, and not more than three Vice Deputy Prime Ministers of Ukraine.

2. On the submission of the Prime Minister of Ukraine, the Verkhovna Rada of Ukraine may appoint ministers heading no ministries. The Cabinet of Ministers of Ukraine may have not more than two such ministers.

3. The total number of members of the Cabinet of Ministers of Ukraine shall be determined by the office composition of the Cabinet of Ministers of Ukraine on the basis of the submission on appointment of the Cabinet of Ministers of Ukraine in accordance with Parts 1-3 of Article 8 hereof.

4. Offices of members of the Cabinet of Ministers of Ukraine shall be political. The civil service and labour legislation shall not extend to the members of the Cabinet of Ministers of Ukraine.

5. The status of members of the Cabinet of Ministers of Ukraine shall be defined by the Constitution, this and other laws of Ukraine. No offices within public executive authorities may be equalled by their status to members of the Cabinet of Ministers of Ukraine.

6. The Cabinet of Ministers of Ukraine shall be formed not later than within sixty days after the resignation of the previous Cabinet of Ministers of Ukraine or preterm termination of its powers.

Article 8 Requirements to Members of the Cabinet of Ministers of Ukraine

1. Individuals entitled to be appointed to the Cabinet of Ministers of Ukraine shall be Ukrainian citizens, who hold the right to vote and a university degree, and speak the state language. Individuals, who have a previous conviction for commitment of an intentional crime with such conviction not having been cleared in accordance with the procedure set by law, cannot be appointed to the Cabinet of Ministers of Ukraine.

2. Members of the Cabinet of Ministers of Ukraine shall not combine their service activities with any other work (excluding pedagogical, research, and creative work after working hours), be a member of a management body or a supervisory board of a company or a profit-making organisation.

3. If the Verkhovna Rada of Ukraine considers a submission on appointment of a Member of Parliament to the Cabinet of Ministers of Ukraine, such submission shall include the Member of Parliament's personal request to terminate his/her parliamentary powers in case of appointment to the Cabinet of Ministers of Ukraine.

Article 9. Appointment of the Prime Minister of Ukraine

1. The Prime Minister of Ukraine shall be appointed by the Verkhovna Rada of Ukraine on the submission of the President of Ukraine made on the proposal of the coalition of parliamentary factions in the Verkhovna Rada of Ukraine.

2. The proposals of the coalition of parliamentary factions in the Verkhovna Rada of Ukraine on the Prime Minister's candidacy shall be authenticated by signatures of members of parliament making no less than half of the constitutional composition of the Verkhovna Rada of Ukraine and being part of the coalition of parliamentary factions in the Verkhovna Rada of Ukraine.

3. The President of Ukraine shall forward to the Verkhovna Rada of Ukraine a submission on appointment of the Prime Minister of Ukraine not later than on the fifteenth day after receiving a proposal from the coalition of parliamentary factions in the Verkhovna Rada of Ukraine.

4. The submission on the appointment of the Prime Minister of Ukraine shall be filed together with the information on education and profession; party affiliation, labour record and the most significant biographical facts; property, financial liabilities and incomes; membership in management bodies or supervisory boards of any company or profit-making organisation, as well as information on conviction, including the conviction which has not been cleared in accordance with the procedure set by law. Such information shall be signed by the candidate for the position of the Prime Minister of Ukraine.

5. Should requirements of the Constitution of Ukraine and this Law be violated as concerns the submission of the Prime Minister's candidacy or should the proposed candidate fail to meet the requirements established by legislation for a member of the Cabinet of Ministers of Ukraine, the President of Ukraine shall provide a reasoned answer to the Verkhovna Rada of Ukraine and the coalition of parliamentary factions in the Verkhovna Rada of Ukraine on the impossibility of such submission.

6. On the request of parliamentary factions, the candidate for the position of the Prime Minister of Ukraine shall meet with parliamentary factions and answer their questions before his/her appointment is considered at the plenary session of the Verkhovna Rada of Ukraine.

7. The Verkhovna Rada of Ukraine shall consider the appointment of the Prime Minister of Ukraine not later than within fifteen days after the President of Ukraine makes a relevant submission.

8. The candidate for the position of the Prime Minister of Ukraine shall be introduced by the President of Ukraine at a plenary session of the Verkhovna Rada of Ukraine.

9. Upon introduction, the candidate for the position of the Prime Minister of Ukraine shall make a report on the main priorities of the future Cabinet of Ministers of Ukraine and answer the questions of members of Parliament.

10. The resolution of the Verkhovna Rada of Ukraine on appointment of the Prime Minister of Ukraine shall be adopted by roll-call voting. The decision shall be passed by the majority of the constitutional composition of the Verkhovna Rada of Ukraine.

11. Should the Verkhovna Rada of Ukraine decline the candidate for the position of the Prime Minister of Ukraine, the President of Ukraine shall submit another candidacy for the consideration of the Verkhovna Rada of Ukraine in accordance with the procedure set by Part 2 of this Article.

Article 10. Formation of the Composition of the Cabinet of Ministers of Ukraine

1. Members of the Cabinet of Ministers of Ukraine, excluding the Minister of Defence of Ukraine and the Minister of Foreign Affairs of Ukraine, shall be appointed by the Verkhovna Rada of Ukraine on the submission of the Prime Minister of Ukraine. The Minister of Defence of Ukraine and the Minister of Foreign Affairs of Ukraine shall be appointed by the Verkhovna Rada of Ukraine on the submission of the President of Ukraine.

2. The Prime Minister of Ukraine shall make a submission on appointment of members of the Cabinet of Ministers of Ukraine as a single list not later than on the fifteenth day after the Verkhovna Rada of Ukraine appoints the Prime Minister of Ukraine. Only one candidacy shall be proposed for each office of a member of the Cabinet of Ministers of Ukraine.

3. The submission on appointment of members of the Cabinet of Ministers of Ukraine shall be filed together with the information on education and profession; party affiliation, labour record and the most significant biographical facts; property, financial liabilities and incomes; membership in management bodies or supervisory boards of any company or profit-making organisation, as well as information on conviction, including the conviction which has not been cleared in accordance with the procedure set by law. Such information shall be signed by the candidate to the office of a member of the Cabinet of Ministers of Ukraine. The Verkhovna Rada of Ukraine shall consider the submissions filed by the President of Ukraine and the Prime Minister of Ukraine and appoint members of the Cabinet of Ministers of Ukraine by open roll-call voting.

4. Decision on appointment of members of the Cabinet of Ministers of Ukraine shall be made by the majority of constitutional composition of the Verkhovna Rada of Ukraine. Simultaneously with the appointment of a Member of Parliament to the position of a member of the Cabinet of Ministers of Ukraine, the issue on preterm termination of parliamentary powers of such Member of Parliament shall be solved.

5. Should the Verkhovna Rada of Ukraine decline a candidate for the position of a member of the Cabinet of Ministers of Ukraine, a new submission on a candidate shall be made within a seven-day period.

Article 11. Acquisition of Powers by the Cabinet of Ministers of Ukraine

1. Members of the Cabinet of Ministers of Ukraine shall start holding their offices upon swearing the following Oath at a plenary session of the Verkhovna Rada of Ukraine:

“Aware of the high responsibility of a member of the Cabinet of Ministers of Ukraine, I solemnly swear to be loyal to the Ukrainian people. I commit to respect the Constitution and laws of Ukraine, strengthen the sovereignty and independence of Ukraine, defend human and civil rights and freedoms, care for the well-being of the Ukrainian people, and sustainable democratic development of the society.”

2. The Oath shall be read by the Prime Minister of Ukraine, and its text shall be signed by each member of the Cabinet of Ministers of Ukraine.

3. A signed copy of the Oath shall be kept in the personal file of the member of the Cabinet of Ministers of Ukraine.

4. The Cabinet of Ministers of Ukraine shall acquire its powers since the moment when the Oath has been sworn by no less than two thirds of its composition.

Article 12. Action Programme of the Cabinet of Ministers of Ukraine

1. Not later than within thirty days upon the acquisition of its powers, the Cabinet of Ministers of Ukraine shall submit for the consideration of the Verkhovna Rada of Ukraine its Action Programme covering the term of its powers and defining the operation strategy and tasks of the Cabinet of Ministers of Ukraine.

2. The Action Programme of the Cabinet of Ministers of Ukraine shall take into account the Address of the President of Ukraine to the Verkhovna Rada of Ukraine on the domestic and foreign status of Ukraine as concerns foreign, defence, and security policies.

3. The Verkhovna Rada of Ukraine shall consider the adoption of the Action Programme of the Cabinet of Ministers of Ukraine at its plenary session within fifteen days after its submission to the Verkhovna Rada of Ukraine.

4. Before its consideration at the plenary session of the Verkhovna Rada of Ukraine, the Action Programme of the Cabinet of Ministers of Ukraine shall be discussed within the committees of the Verkhovna Rada of Ukraine and parliamentary factions.

5. The Prime Minister of Ukraine shall personally present the Action Programme of the Cabinet of Ministers of Ukraine at a plenary session of the Verkhovna Rada of Ukraine and answer to the questions of members of Parliament.

6. The Verkhovna Rada of Ukraine may provide the Cabinet of Ministers of Ukraine with a possibility to work out its Action Programme on the basis of proposals and observations expressed in the course of its discussion within the committees, parliamentary factions, and at the plenary session of the Verkhovna Rada of Ukraine.

7. The Action Programme of the Cabinet of Ministers of Ukraine shall be adopted by a law of Ukraine.

Article 13. Changes in the Composition of the Cabinet of Ministers of Ukraine

1. Powers of a member of the Cabinet of Ministers of Ukraine shall be terminated by the Verkhovna Rada of Ukraine:

1) if such member is dismissed on the submission of the Prime Minister of Ukraine, and as concerns the Minister of Defence of Ukraine and the Minister of Foreign Affairs of Ukraine – on the submission of the President of Ukraine;

2) on the resignation request of a member of the Cabinet of Ministers of Ukraine, including in the cases when he/she is incapable to exercise his/her powers due to the physical condition.

2. Powers of a member of the Cabinet of Ministers of Ukraine shall be terminated due to the reasons mentioned in this Article by a resolution passed by the majority of the constitutional composition of the Verkhovna Rada of Ukraine

3. New members of the Cabinet of Ministers of Ukraine shall be appointed in accordance with the procedure set by Article 9 hereof, and they shall acquire their powers upon swearing the Oath mentioned in Article 10 hereof before the Verkhovna Rada of Ukraine.

Chapter 2. Termination of Powers of the Cabinet of Ministers of Ukraine

Article 14. Resignation of the Cabinet of Ministers of Ukraine Due to the Election of a New Verkhovna Rada of Ukraine

1. The Cabinet of Ministers of Ukraine shall resign with the election of a Verkhovna Rada of Ukraine.

2. The request on the resignation of the Cabinet of Ministers of Ukraine shall be submitted by the Prime Minister of Ukraine or the person acting as the Prime Minister of

Ukraine and it shall be announced at the first meeting of the newly elected Verkhovna Rada of Ukraine.

Article 15. Preterm Resignation of the Cabinet of Ministers of Ukraine

The powers of the Cabinet of Ministers of Ukraine shall be terminated if:

- 1) the Cabinet of Ministers of Ukraine resigns due to the no-confidence vote by the Verkhovna Rada of Ukraine;
- 2) the Prime Minister of Ukraine resigns on his request;
- 3) the Prime Minister of Ukraine resigns due to inability to exercise his/her powers because of physical condition;
- 4) more than one third of members of the Cabinet of Ministers of Ukraine resign; and
- 5) if the Prime Minister of Ukraine dies.

Article 16. Resignation of the Cabinet of Ministers of Ukraine Due to the No-Confidence Vote by the Verkhovna Rada of Ukraine

1. On the proposal of the President of Ukraine or no less than one third of the constitutional composition of the Verkhovna Rada of Ukraine, the Verkhovna Rada of Ukraine may consider the issue on responsibility of the Cabinet of Ministers of Ukraine and vote no-confidence in the Cabinet of Ministers of Ukraine.

2. The issue on responsibility of the Cabinet of Ministers of Ukraine shall be considered at a plenary session of the Verkhovna Rada of Ukraine not earlier than in ten days after the submission of the proposal with invitation of the entire Cabinet of Ministers of Ukraine.

3. The time for the consideration of the issue on the responsibility of the Cabinet of Ministers of Ukraine on the proposal of the President of Ukraine shall be reconciled with the President of Ukraine.

4. The no-confidence resolution is considered to be passed if the majority of the constitutional composition of the Verkhovna Rada of Ukraine vote in favour of it.

5. Adoption of the no-confidence resolution results in the resignation of the Cabinet of Ministers of Ukraine.

6. The Verkhovna Rada of Ukraine cannot consider the issue on responsibility of the Cabinet of Ministers of Ukraine more than once during one ordinary session, as well as over one year upon adoption of the Action Programme of the Cabinet of Ministers of Ukraine or during the last session of the Verkhovna Rada of Ukraine.

Article 17. Resignation of the Cabinet of Ministers of Ukraine Due to Resignation or Death of the Prime Minister of Ukraine

1. The Prime Minister of Ukraine shall be entitled to submit his/her resignation from the Verkhovna Rada of Ukraine.

2. Within ten days after the submission of the resignation, the Verkhovna Rada of Ukraine shall decide on the resignation of the Prime Minister of Ukraine.

3. Resignation of the Prime Minister of Ukraine shall take effect on the day when the Verkhovna Rada of Ukraine decides on his/her resignation at its plenary session.

4. Decision on resignation of the Prime Minister of Ukraine due to inability to exercise his/her powers because of physical condition shall be made by the Verkhovna Rada of Ukraine on the basis of a medical opinion provided by a medical board formed by the Ministry of Public Health Care.

5. In case of the Prime Minister's death, his/her powers are considered to be terminated on the day of death confirmed by a death certificate.

6. Termination of powers of the Prime Minister of Ukraine shall result in the resignation of the entire Cabinet of Ministers of Ukraine.

Article 18. Resignation of the Cabinet of Ministers of Ukraine Due to Resignation of More Than One Third of Members of the Cabinet of Ministers of Ukraine

1. If more than one third of members of the Cabinet of Ministers of Ukraine simultaneously submit their resignations, the Prime Minister of Ukraine may, within ten days, make submission on new candidacies for the positions of members of the Cabinet of Ministers of Ukraine that have resigned or request his/her own resignation. If resignation is requested by the Minister of Defence of Ukraine or the Minister of Foreign Affairs, the submission with new candidacies for these positions shall be made by the President of Ukraine.

2. The Verkhovna Rada of Ukraine shall consider the resignation of members of the Cabinet of Ministers of Ukraine and appointment of new candidates to these positions within ten days after the day when the submission envisaged by part 1 of this Article is made.

3. If the Verkhovna Rada of Ukraine fails to appoint new members of the Cabinet of Ministers of Ukraine, and the Cabinet of Ministers of Ukraine consists of less than three thirds of its members, this shall result in the resignation of the entire Cabinet of Ministers of Ukraine.

Article 19. Fulfilment of Powers by the Resigned Cabinet of Ministers of Ukraine

1. The Cabinet of Ministers of Ukraine, that has resigned to the newly elected Verkhovna Rada of Ukraine or resigned preterm due to the reasons mentioned in Article 14 hereof, shall continue exercising its powers till the new Cabinet of Ministers of Ukraine begins its work.

2. In case of resignation or death of the Prime Minister of Ukraine, the First Deputy Prime Minister of Ukraine shall exercise the powers of the Prime Minister of Ukraine for the period until the new Cabinet of Ministers of Ukraine is formed.

SECTION III. COMPETENCE OF THE CABINET OF MINISTERS OF UKRAINE

Chapter 1. General Competence of the Cabinet of Ministers of Ukraine

Article 20. General Issues of the Competence of the Cabinet of Ministers of Ukraine

1. The Cabinet of Ministers of Ukraine shall direct its activities to ensure the interests of the Ukrainian people by means of enforcing the Constitution and laws of Ukraine, resolutions of the Verkhovna Rada of Ukraine, acts of the President of Ukraine, and fulfilling the Action Programme of the Cabinet of Ministers of Ukraine, approved by the law of Ukraine, implementing the policy of Ukraine's integration into the European Union, solving the issues of public administration as concerns the enforcement of human and civil rights and freedoms, legal policy, economy and finance, social policy, labour and employment, public health care, education, science, culture, sport, tourism, environmental protection and security, use of natural resources, defence capacity, civil protection, and other tasks of domestic and foreign policy.

2. All issues of public policy shall be divided among members of the Cabinet of Ministers of Ukraine.

3. When forming and implementing public policies in the areas of national security, finance and loans, development of competition, privatisation of public property, TV and radio broadcasting, the Cabinet of Ministers of Ukraine shall cooperate in accordance with the law with the National Bank of Ukraine, the Security Service of Ukraine, the Antimonopoly

Committee of Ukraine, the State Property Fund of Ukraine, and the State Committee on TV and Radio Broadcasting of Ukraine.

4. The Cabinet of Ministers of Ukraine shall continuously oversee how public executive authorities observe the Constitution and other legal acts of Ukraine, and take measures to clear up defects in the operation of such authorities.

Article 21. Competence of the Cabinet of Ministers of Ukraine by Public Policy Priorities

1. In the area of legal policy, the main task of the Cabinet of Ministers of Ukraine shall be to enforce the rule of law in Ukraine, human and civil rights and freedoms. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

- 1) develop and implement public legal policy;
- 2) promote systemic development of legislation;
- 3) endure registration of by-laws;
- 4) provide organisation and financial support to the operation of the judicial branch;
- 5) ensure enforcement of judicial decisions of all jurisdictions;
- 6) ensure provision of administrative services in the legal area (registration of real estate, acts of civil status, individuals and legal entities);
- 7) promote functioning of free legal professions (lawyers, notaries etc);
- 8) ensure legal aid and forensic enquiry;
- 9) organize international legal cooperation; and
- 10) represent the state in courts.

2. In the area of domestic policy, the main task of the Cabinet of Ministers of Ukraine shall be to ensure stable and efficient functioning of public institutions, public security, law and order. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

- 1) develop and implement the domestic policy of the state;
- 2) ensure development and strengthening of the local self-governance;
- 3) ensure protection of the state border and territory of Ukraine;
- 4) ensure public order;
- 5) ensure fight against crime and investigation of crimes;
- 6) ensure fire security, prevent other emergencies and clear up their consequences, exercise civil defence and ensure nuclear safety;
- 7) ensure safety of road traffic;
- 8) ensure state security of objects and persons;
- 9) ensure legality in the inter-ethnic and inter-confession relations;
- 10) regulate the issues of migration and refugees;
- 11) ensure information security, state and service secrets;
- 12) organize international cooperation in fight against crime;
- 13) ensure fight against corruption.

3. In the area of financial policy, the main task of the Cabinet of Ministers of Ukraine shall be to ensure the increase of the revenues of the National Budget of Ukraine, maintenance of its deficit within the limits set by legislation, as well as transparent and efficient use of public

finance. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

- 1) develop and implement public budget and tax policies;
- 2) participate in development and implementation of financial and loan policies;
- 3) draft National Budget bill and ensure implementation of the National Budget of Ukraine approved by the Verkhovna Rada of Ukraine, and submit a Budget implementation report for the consideration of the Verkhovna Rada of Ukraine;
- 4) ensure the inflow of taxes and charges;
- 5) organize and ensure the exercise of customs affairs;
- 6) regulate the securities and non-banking financial services market.

4. In the area of economic policy, the main task of the Cabinet of Ministers of Ukraine shall be to ensure protection of interests of efficient owners, create the most favourable conditions for the development of business and investments. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

- 1) develop and implement public economic policy;
- 2) forecast and regulate development of economy by market methods;
- 3) implements regional socio-economic policy;
- 4) ensure functioning of the state statistics;
- 5) regulate foreign trade;
- 6) ensure development of entrepreneurship, competition, and demonopolisation;
- 7) develop and implement public investment policy;
- 8) develop and implement public pricing policy;
- 9) ensure formation and oversight of the material reserve;
- 10) protect consumer rights, namely through establishment of standards for goods and services;
- 11) introduce license regime in accordance with legislation;
- 12) perform state regulation of construction and municipal housing;
- 13) perform standardisation and metrology;
- 14) ensure cooperation with international organisations in economic relations;
- 15) manage corporate rights of the state for receiving maximum income from the state property;
- 16) ensure intervention at commodity markets;
- 17) develop and implement public policy in industrial production;
- 18) organise market research;
- 19) support national producers in foreign trade;
- 20) stimulate development of the Ukrainian industry;
- 21) manage state companies.

5. In the area of labour and social policy, the main task of the Cabinet of Ministers of Ukraine shall be to ensure proper conditions for labour activities and social security of citizens.

For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

- 1) develop and implement public labour and social policy;
- 2) promote public employment;
- 3) develop and implement public pension policy;
- 4) guarantee human right to sufficient living standards and civil right to social security;
- 5) ensure targetness of privileges and subsidies;
- 6) organise mandatory state social insurance;
- 7) ensure setup and operation of the network of public institutions to care for disabled individuals;
- 8) take measures to provide citizens who need social protection with free or affordable dwelling.

6. In the area of fuel and energy complex, the main task of the Cabinet of Ministers of Ukraine shall be to ensure sufficient and stable functioning of the fuel and energy resource market. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

- 1) develop and implement public policy in the area of fuel and energy complex;
- 2) ensure diversification of energy resources and energy security of the state;
- 3) ensure implementation of the energy saving policy in industry and municipal housing;
- 4) regulate coal and oil industries, as well as electricity generation and distribution;
- 5) manage state fuel and energy companies;
- 6) ensure control of the use of energy and energy transportation equipment;
- 7) develop energy infrastructure and export potential;
- 8) perform foreign economic activity in the area of energy.

7. In the area of information and transport complex, the main task of the Cabinet of Ministers of Ukraine shall be to ensure uninterrupted functioning and development of the information and transport infrastructure of the society. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

- 1) develop and implement public policy in the area of information and transport complex;
- 2) ensure public regulation in the area of information and transport complex;
- 3) manage state companies in the area of information and transport complex;
- 4) exercise international cooperation in the area of information and transport complex;
- 5) oversee construction and use of roads, railways, airports, sea ports, cable networks, and other objects of information and transport infrastructure;
- 6) oversee the security in aviation, railway, water, and urban transport;
- 7) ensure the informatisation of the society.

8. In the area of agroindustrial policy, the main task of the Cabinet of Ministers of Ukraine shall be to support efficient functioning of the agroindustrial complex, guarantee provision of the Ukrainian market with food and ensure its security. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

- 1) develop and implement public agroindustrial policy;
- 2) perform state regulation of the agroindustrial production;
- 3) develop and implement land policy;
- 4) organise registration and assessment of land resources;
- 5) support development of agricultural and fishery production;
- 6) stimulate export of agricultural products;
- 7) ensure development of rural infrastructure;
- 8) support development of forestry;
- 9) ensure veterinary oversight.

9. In the area of education and science, the main task of the Cabinet of Ministers of Ukraine shall be to ensure efficient functioning of the system of free, high quality, and affordable education, and development of Ukraine's fundamental and applied sciences. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

- 1) develop and implement public policy in education and science;
- 2) ensure affordable and free pre-school, full secondary, vocational, and higher education at state and municipal educational institutions;
- 3) ensure development of pre-school, full secondary, vocational, higher and post-graduate education and various forms of training;
- 4) ensure provision of state scholarships and privileges to pupils and students;
- 5) ensure that citizens who belong to national minorities can exercise their right to study in their native language or learn their native language at state and municipal educational institutions or through national cultural societies;
- 6) define state priorities in the development of fundamental science;
- 7) promote establishment of scientific relations between Ukraine and world community;
- 1) take measures to protect intellectual property;
- 2) ensure development of standards of chargeable education and controls them.

10. In the area of environmental policy, the main task of the Cabinet of Ministers of Ukraine shall be to protect and recreate the environment that would be secure for life and health of people. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

- 1) develop and implement public policy in the area of environmental protection;
- 2) guarantee free public access to the information on the condition of environment, quality of food and everyday use items;
- 3) ensure rational, efficient, and chargeable use of natural resources;
- 4) ensure compensation of damage caused by the environment dangerous for health and life;
- 5) take measures to prevent violation of environmental legislation;
- 6) perform state regulation of hunting and fishing.

11. In the area of public health care, the main task of the Cabinet of Ministers of Ukraine shall be to ensure the civil right to protection of health and medical aid. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

- 1) develop and implement public policy in the area of public health care;
- 2) ensure mother, father, and child care;

3) ensure state funding to public health care programmes, in particular socio-economic, medical and sanitary, and recreation and prevention programmes;

4) create conditions for effective medical care affordable to all citizens;

5) promote development of treatment institutions of all forms of property;

6) support functioning of the existing network of state and municipal health care institutions;

7) ensure free provision of medical aid at state and municipal health care institutions;

8) ensure sanitary and epidemiological well-being;

9) oversee quality, security, and production of medicines and products used for medical purposes;

10) promote functioning of free medical professions and oversee their activities;

11) ensure production of medical service standards and oversee them.

12. In the areas of culture, tourism, sport, and youth policy, the main task of the Cabinet of Ministers of Ukraine shall be to ensure protection of cultural heritage, tourism and sport, and to create beneficial conditions for the self-actualisation of young people in Ukraine. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

1) develop and implement public policy in the area of culture, ethnic and national development in Ukraine and inter-ethnic relations;

2) develop and implement public policies in the youth, tourism, and sport affairs;

3) ensure preservation of historic monuments and other objects of cultural value, as well as take measures to return cultural values of the Ukrainian people from abroad to Ukraine;

4) provide state support to the development of culture;

5) develop the infrastructure of cultural institutions;

6) promote development of tourist infrastructure in Ukraine;

7) regulate the tourist market;

8) provide state support to the development of physical training and sport;

9) develop the infrastructure of sport institutions;

10) ensure functioning of free artistic professions and sport associations;

11) ensure comprehensive development and functioning of the Ukrainian language in all areas of social life in Ukraine all over Ukraine;

12) ensure free development of languages of national minorities in Ukraine;

13) promote the learning of languages of international communication;

14) care for satisfaction of national, cultural, and language needs of Ukrainians living abroad.

13. In the area of foreign policy, the main task of the Cabinet of Ministers of Ukraine shall be to ensure Ukraine's national interests abroad and form a positive image of Ukraine in the world. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

1) participate in the development of foreign policy of the state and implement it in accordance with laws of Ukraine and decrees of the President of Ukraine;

2) represent Ukraine in foreign countries and international organisations;

3) ensure signature and implementation of Ukraine's international treaties;

4) protect Ukrainian citizens and legal entities abroad and assist with the representation of their interests.

14. In the area of defence policy, the main task of the Cabinet of Ministers of Ukraine to maintain a sufficient level of the defence capacity of the state and defend Ukraine in case of an armed aggression against it or an armed conflict, and participate in the system of collective security in accordance with international treaties. For this aim, the Cabinet of Ministers of Ukraine shall exercise the following main functions and powers:

- 1) participate in development of public defence policy and implement it in accordance with laws of Ukraine and decrees of the President of Ukraine;
- 2) maintain the combat readiness of the army;
- 3) support peaceful and mutually beneficial cooperation with members of international community;
- 4) perform mobilisation training and ensure mobilisation reserve;
- 5) organise participation military servants in peacemaking operations abroad;
- 6) ensure social security of former military servants.

Article 22. Other Functions and Powers of the Cabinet of Ministers of Ukraine

1. The Cabinet of Ministers of Ukraine shall take systemic measures to improve the functioning of public administration and civil service. To this end, the Cabinet of Ministers of Ukraine together with the High Civil Service Council of Ukraine shall:

- 1) organise implementation of the single public policy in the area of civil service;
- 2) take measures for formation and functioning of the single high-professional civil service corps;
- 3) develop and implement measures aiming at improvement of the system of public executive authorities to improve their efficiency and optimise expenses for the maintenance of their apparatuses.

2. The Cabinet of Ministers of Ukraine shall develop and implement regional policies for:

- 1) development of the regions;
- 2) support of local self-governance bodies in the exercise of their powers;
- 3) promotion of improvement of the financial capacity of the regions and local self-governance bodies.

3. The Cabinet of Ministers of Ukraine shall also exercise other powers defined by the Constitution and laws of Ukraine.

Article 23. Delegation of Powers by the Cabinet of Ministers of Ukraine

1. The Cabinet of Ministers of Ukraine may delegate, for a limited or unlimited term, some of its powers to other public executive authorities with a concurrent transfer of financial and material resources necessary for proper fulfilment of such powers within the limits set by the Constitution and laws of Ukraine.

2. The Cabinet of Ministers of Ukraine shall oversee the performance of the delegated powers and be responsible for the results of such performance.

**Chapter 2. Powers of the Cabinet of Ministers of Ukraine as concerns
the Administration of system of Public Executive Authorities**

Article 24. Powers of the Cabinet of Ministers of Ukraine in Relations with Ministries and Other Central Public Executive Authorities

1. The Cabinet of Ministers of Ukraine shall direct and coordinate the operation of ministries and other central public executive authorities which ensure performance of public policy in the relevant areas of social and public life, as well as enforcement of the Constitution and laws of Ukraine, resolutions of the Verkhovna Rada of Ukraine, and acts of the President of Ukraine in such areas.

2. Ministries shall be responsible and accountable to the Cabinet of Ministers of Ukraine, as well as controlled thereby.

3. Governmental bodies shall be responsible and accountable to the Cabinet of Ministers of Ukraine, relevant ministries, within the system of which they are functioning, and controlled thereby.

4. The ministries' issues shall be represented in the Cabinet of Ministers of Ukraine by the relevant ministers. The issues of governmental bodies shall be represented in the Cabinet of Ministers of Ukraine by ministers responsible for the ministries, within the system of which such governmental bodies are functioning.

5. The Cabinet of Ministers of Ukraine shall set up, reorganise, and abolish ministries and governmental bodies (services, inspections, and agencies) acting within the limits of costs envisaged for the maintenance of public executive bodies and approve the regulations on such bodies.

6. The Cabinet of Ministers of Ukraine shall approve the cap limit for the number of civil servants and members of staff of ministries and other central public executive authorities with the funds envisaged for the maintenance of public executive authorities.

7. The Cabinet of Ministers of Ukraine shall appoint and dismiss:

1) on the submission of the Prime Minister of Ukraine – heads of governmental bodies. The Prime Minister of Ukraine shall submit candidacies for the positions of heads of governmental bodies on the proposals of the minister responsible for the ministry within the system of which such governmental body functions;

2) on the submission of ministers – deputy ministers. Candidacies for the positions of Deputy Ministers of Defence and Deputy Ministers of Foreign Affairs shall be reconciled with the President of Ukraine;

3) in accordance with the civil service legislation – state secretaries of ministries and their deputies.

8. The Cabinet of Ministers of Ukraine may fully or partially abolish acts of central public executive authorities (excluding ministries).

9. The particular features of relations between the Cabinet of Ministers of Ukraine and the Antimonopoly Committee of Ukraine, the State Property Fund of Ukraine, the State Committee for TV and Radio Broadcasting of Ukraine, the Security Service of Ukraine and other public executive authorities with special status shall be set by the Constitution and relevant laws of Ukraine. The Cabinet of Ministers of Ukraine may decide to set up another public executive authority with a special status, concurrently submitting a bill on its status to the Verkhovna Rada of Ukraine.

Article 25. Powers of the Cabinet of Ministers of Ukraine in Relations with the Council of Ministers of the Autonomous Republic of Crimea (the ARC) and Its Subordinated Bodies

1. The Cabinet of Ministers of Ukraine shall direct and coordinate the operation of the ARC Council of Ministers as concerns the enforcement of the Constitution and laws of Ukraine,

resolution of the Verkhovna Rada of Ukraine, acts of the President of Ukraine and the Cabinet of Ministers of Ukraine on the ARC territory. The Cabinet of Ministers of Ukraine shall be entitled to receive from the ARC Council of Ministers information on its operation.

2. The ARC Council of Ministers shall be accountable to and controlled by the Cabinet of Ministers of Ukraine as concerns the exercise of state functions and powers by the Council.

3. The Cabinet of Ministers of Ukraine shall listed the report of the Head of the ARC Council of Ministers as concerns the exercise of state functions and powers by the Council.

4. The Cabinet of Ministers of Ukraine shall set the procedure for the participation of the ARC Council of Ministers and its subordinated bodies in the implementation of the nationwide programmes, and other nationwide events.

5. The Cabinet of Ministers of Ukraine shall ensure cooperation of the ARC Council of Ministers with ministries and other central public executive authorities of Ukraine, as well as arrange reconciliation of candidacies to the positions of members of the ARC Council of Ministers and heads of its subordinated bodies with heads of central public executive authorities.

6. Should the Head of the ARC Council of Ministers improperly fulfil his/her powers, the Cabinet of Ministers of Ukraine shall be entitled to file a request with the ARC Verkhovna Rada to dismiss such Head of the ARC Council of Ministers on the consent of the President of Ukraine.

7. Should the ARC Council of Ministers pass a decision that contradicts the Constitution and laws of Ukraine, as well as other legislative acts, the Cabinet of Ministers of Ukraine shall file a submission with the President of Ukraine requesting to abolish such decision.

8. The Cabinet of Ministers of Ukraine shall be entitled to abolish acts issued by the bodies subordinated to the ARC Council of Ministers.

Article 26. Powers of the Cabinet of Ministers of Ukraine in Relations with Local State Administration

1. The Cabinet of Ministers of Ukraine shall direct and coordinate the operation of local state administrations as concerns enforcement of the Constitution and laws of Ukraine, resolutions of the Verkhovna Rada of Ukraine, acts of the President of Ukraine, the Cabinet of Ministers of Ukraine, higher public executive authorities, as well as exercise of other powers vested into such state administrations on the relevant territory.

2. At its meetings, the Cabinet of Ministers of Ukraine shall consider the issues related to the appointment or dismissal of heads of local state administrations and make relevant submissions to the President of Ukraine.

3. When exercising their powers, local state administrations and their heads shall be accountable to and controlled by the Cabinet of Ministers of Ukraine. When exercising their powers, heads of local state administrations shall be responsible to the Cabinet of Ministers of Ukraine.

4. The Cabinet of Ministers of Ukraine shall receive from local state administrations information on their operation and listen to regular reports by heads of local state administrations on the activities. Should any head of local state administration improperly fulfil his/her powers, the Cabinet of Ministers of Ukraine shall be entitled to bring him/her to disciplinary account or address itself to the President of Ukraine with a request to dismiss such head of local state administrations.

5. The Cabinet of Ministers of Ukraine shall approve model rules of procedure of local state administrations, a model list of departments, divisions and other offices of local state administrations and typical regulations thereon, as well as set a cap amount of civil servants and members of staff of local state administrations, including their apparatuses, as well as expenses for the maintenance of such apparatuses.

6. Draft legislative acts related to the development of administrative and territorial units shall be sent to the relevant local state administrations. Before adopting such acts, the Cabinet of Ministers shall study the observations and proposals submitted by local state administrations.

7. The Cabinet of Ministers of Ukraine shall consider proposals from oblast, Kyiv and Sevastopol City State Administrations as concerns the issues that need to be settled by the Cabinet of Ministers of Ukraine. Heads of such administration shall be entitled to participate in the meetings of the Cabinet of Ministers where their proposals are considered with the right of advisory vote.

Article 27. Powers of the Cabinet of Ministers of Ukraine in Relations with State Business Associations, State Companies, Institutions, and Organisations

1. Within the limits of funds envisaged by the National Budget of Ukraine, the Cabinet of Ministers of Ukraine may set up, reorganise, and liquidate in accordance with the law state business associations, state companies, institutions, and organisations, in particular to exercise individual functions on management of state property. The Cabinet of Ministers of Ukraine shall approve regulations on (charter of) the above state business associations, companies, institutions, and organisation, set cap amount of their employees and the sum of allocations to be provided for the maintenance of state institutions and organisations, appoint and dismiss their executives and deputy executives, and apply disciplinary sanctions to them.

2. Within the limits, envisaged by legislation, the Cabinet of Ministers of Ukraine shall coordinate and control the operation of the above state business associations, state companies, institutions, and organisations.

3. Executives of state business associations, state companies, institutions, and organisations set up by the Cabinet of Ministers of Ukraine shall be personally responsible to the Cabinet of Ministers of Ukraine for the results of work of their associations, companies, institutions, and organisations and efficient use of public property.

Chapter 3. Powers of the Cabinet of Ministers of Ukraine in Relations with the President of Ukraine And Bodies set up under the President of Ukraine

Article 28. Relations of the Cabinet of Ministers of Ukraine with the President of Ukraine

1. The Cabinet of Ministers of Ukraine shall be responsible to the President of Ukraine.

2. The Cabinet of Ministers of Ukraine shall ensure the enforcement of the acts of the President of Ukraine, and support the head of state in the exercise of his/her powers as the guarantor of state sovereignty, territorial integrity of Ukraine, observance of human and civil rights, state independence, national security, defence and succession of the state, management of foreign policies of the state, as well as exercise of his/her other powers set by the Constitution of Ukraine.

3. Acts of the President of Ukraine issued within his powers envisaged by Paragraphs 5, 18, 21, and 23 of Part 1 of Article 106 of the Constitution of Ukraine shall be without delay countersigned by the Prime Minister of Ukraine and the minister responsible for the act and its implementation.

4. The President of Ukraine shall submit to the Verkhovna Rada of Ukraine the issue on the responsibility of the Cabinet of Ministers of Ukraine which shall be considered in accordance with Article 87 of the Constitution of Ukraine within thirty days after its submission.

5. The Cabinet of Ministers of Ukraine shall respond to the addresses of the President of Ukraine and shall keep the President of Ukraine constantly informed on its operation and most important decisions and actions planned to be passed or taken in the area of ensuring state sovereignty and independence of Ukraine, performance of domestic and foreign policy of the state, enforcement of acts of the President of Ukraine, and, if necessary, conducts preliminary consultations with the President of Ukraine.

6. Ministries shall implement the instructions of the President of Ukraine issued within his/her constitutional powers.

7. The President of Ukraine or his/her authorised representative may participate in the meetings of the Cabinet of Ministers of Ukraine.

8. Individuals authorised by the President of Ukraine shall be authorised to participate in the meetings of governmental committees with the right of advisory vote.

Article 29. Submission of Proposals by the Cabinet of Ministers of Ukraine on the Issues Attributed to the Powers of the President of Ukraine

1. On its own initiative or for the enforcement of acts of the President of Ukraine, the Cabinet of Ministers of Ukraine shall submit proposals and drafts relevant bills and acts of the President of Ukraine on the issues attributed to the powers of the President of Ukraine.

2. The Cabinet of Ministers of Ukraine may address itself to the President of Ukraine with a request to define any bill as an urgent one.

Article 30. Relations of the Cabinet of Ministers of Ukraine with the National Security and Defence Council of Ukraine

1. The Cabinet of Ministers of Ukraine shall be under the control of the National Security and Defence Council of Ukraine in the area of national security and defence, and it shall coordinate its activities in this area with the Council.

2. The Cabinet of Ministers of Ukraine shall implement the decision of the National Security and Defence Council of Ukraine enacted by decrees of the President of Ukraine.

3. The National Security and Defence Council of Ukraine shall ex-officio include the Prime Minister of Ukraine, the Minister of Defence of Ukraine, the Head of the Security Service of Ukraine, the Minister of Internal Affairs of Ukraine, and the Minister of Foreign Affairs of Ukraine.

4. The procedure for the relations between the Cabinet of Ministers of Ukraine and the National Security and Defence Council of Ukraine is set by the Constitution, this and other laws of Ukraine, as well as by decrees of the President of Ukraine.

Article 31. Relations of the Cabinet of Ministers of Ukraine with Consultative, Advisory, and Other Support Bodies and Services Set Up by the President of Ukraine

1. The Cabinet of Ministers of Ukraine cooperates with consultative, advisory, and other support bodies and services set up by the President of Ukraine.

2. The Cabinet of Ministers of Ukraine shall reply to the requests of consultative, advisory, and other support bodies and services set up by the President of Ukraine, as well as provide them with the necessary information.

3. The procedure for the cooperation between the Cabinet of Ministers of Ukraine and consultative, advisory, and other support bodies and services set up by President of Ukraine, shall be set by this and other laws of Ukraine, as well as by the decrees of the President of Ukraine within the powers envisaged by the Constitution of Ukraine.

4. Members of the Cabinet of Ministers of Ukraine and heads of other public executive authorities may participate in consultative, advisory, and other support bodies and services set up by the President of Ukraine.

Chapter 4. Powers of the Cabinet of Ministers of Ukraine
In Relations with Verkhovna Rada of Ukraine and its Bodies

Article 32. Exercise of the Right of Legislative Initiative by the Cabinet of Ministers of Ukraine

1. According to the Constitution of Ukraine, the Cabinet of Ministers of Ukraine holds the right of legislative initiative at the Verkhovna Rada of Ukraine.

2. Only the Cabinet of Ministers of Ukraine shall be entitled to submit to the Verkhovna Rada of Ukraine bills on amendment of the Law on the National Budget of Ukraine, including on the basis of proposals made by other subjects of legislative initiative.

3. The Cabinet of Ministers of Ukraine shall submit bills for the consideration of the Verkhovna Rada of Ukraine in accordance with the Rules of Procedure of the Verkhovna Rada of Ukraine.

4. To present a bill submitted by the Cabinet of Ministers of Ukraine in the Verkhovna Rada of Ukraine, the Prime Minister of Ukraine shall define a member of the Cabinet of Ministers of Ukraine. As an exception, a bill may be presented in the Verkhovna Rada of Ukraine by a deputy minister.

5. The Cabinet of Ministers of Ukraine shall be entitled to call back its bill submitted to the Verkhovna Rada of Ukraine in accordance with the procedure set by the Rules of Procedure of the Verkhovna Rada of Ukraine.

6. Any newly formed Cabinet of Ministers of Ukraine may call back bills submitted for the consideration of the Verkhovna Rada by the Cabinet of Ministers of Ukraine, the powers of which have been terminated, before such bills are passed in the first reading.

Article 33. Powers of the Cabinet of Ministers of Ukraine in the Course of Consideration of Issues by the Verkhovna Rada of Ukraine

1. To implement the decision of the Verkhovna Rada of Ukraine or on its own initiative, the Cabinet of Ministers of Ukraine shall provide its conclusions on the completeness of economic grounding and financial support to the legislative proposals and bills, the implementation of which requires material and other expenses from the national and local budgets.

2. The Verkhovna Rada of Ukraine shall forward to the Cabinet of Ministers of Ukraine, for its expert analysis, all bills submitted for its consideration by other subjects of legislative initiative.

3. Members of the Cabinet of Ministers of Ukraine shall be entitled to provide their opinions on the bills concerning the issues related to their competence. Such opinion shall be sent to the key committee of the Verkhovna Rada of Ukraine for the development of such bill.

4. The Prime Minister of Ukraine, other members of the Cabinet of Ministers of Ukraine, and deputy ministers shall be entitled to be present at the meetings of the Verkhovna Rada of Ukraine and speak on the issues discussed in accordance with the Rules of Procedure of the Verkhovna Rada of Ukraine.

5. If at the meeting of the Verkhovna Rada of Ukraine its members bring up the issues related to the operation of the Cabinet of Ministers of Ukraine or other public executive authorities, the Prime Minister of Ukraine and other members of the Cabinet of Ministers of Ukraine shall be entitled to a remark in accordance with the procedure envisaged by the Rules of Procedure of the Verkhovna Rada of Ukraine.

6. Members of the Cabinet of Ministers of Ukraine or, on their commission, officials of ministries, other public executive authorities, and the Secretariat of the Cabinet of Ministers of Ukraine may participate in meetings of committees and temporary commissions of the Verkhovna Rada of Ukraine on their invitation when they consider issues related to the powers of the Cabinet of Ministers of Ukraine.

Article 34. Powers of the Cabinet of Ministers of Ukraine in Development and Implementation of the National Budget of Ukraine

1. In accordance with the Budget Code of Ukraine, not later than 15 September of each year, the Cabinet of Ministers of Ukraine shall submit to the Verkhovna Rada of Ukraine a bill on the National Budget of Ukraine for the subsequent year.

2. The National Budget bill shall be developed with due consideration of the main budget policy priorities for the subsequent year (the budget resolution) approved by the Verkhovna Rada of Ukraine. Deviation from the main priorities shall be mentioned separately and grounded.

3. The National Budget bill may not contain provisions on suspension or abolishment of any laws of Ukraine or their parts.

4. The National Budget bill shall be presented at a plenary session of the Verkhovna Rada of Ukraine by the Minister of Finance of Ukraine.

5. The procedure for the participation of the Cabinet of Ministers of Ukraine in the consideration by the Verkhovna Rada of Ukraine of the National Budget bill shall be set by law.

6. Not later than 1 May, the Cabinet of Ministers of Ukraine shall submit to the Verkhovna Rada of Ukraine and publish a report on the implementation of the National Budget of Ukraine in the previous year which shall be considered within a two-week term upon its submission.

6. If necessary, the Cabinet of Ministers of Ukraine shall submit for the consideration of the Verkhovna Rada of Ukraine a bill on amendment of the Law of Ukraine on the National Budget of Ukraine.

Article 35. Powers of the Cabinet of Ministers of Ukraine in Development and Implementation of Nationwide Programmes

1. The Cabinet of Ministers of Ukraine shall develop and submit for the consideration of the Verkhovna Rada of Ukraine draft nationwide programmes for economic, research and technology, social, national and cultural development of Ukraine, environmental protection and other issues.

2. Together with the report on the implementation of the National Budget of Ukraine for the previous year, the Cabinet of Ministers of Ukraine shall submit to the Verkhovna Rada of Ukraine reports on the implementation of the nationwide programmes.

Article 36. Relations between the Cabinet of Ministers of Ukraine and the Accounting Chamber of Ukraine

1. On the request of the Accounting Chamber of Ukraine, the Cabinet of Ministers of Ukraine shall provide statistical, financial, accounting, and other information and documents necessary for the fulfilment by the Chamber of its tasks, functions and powers set by the Constitution and laws of Ukraine.

2. The Cabinet of Ministers of Ukraine shall receive from the Accounting Chamber of Ukraine information on results of inspections, audits, and revisions, as well as proposals on application of sanctions to the individuals guilty of violation of the legislative requirements, non-target and inefficient use of funds, material injure to the state. The Cabinet of Ministers of Ukraine shall consider such information and proposals, take relevant measures within its competence, and inform the Accounting Chamber of Ukraine thereof.

Article 37. Relations Between the Cabinet of Ministers of Ukraine and the Ombudsman of Ukraine

1. Activities of the Cabinet of Ministers of Ukraine related to the observance of constitutional human and civil rights and freedoms shall be under the parliamentary control of the Ombudsman of Ukraine.

2. Within the limits set by law, the Cabinet of Ministers of Ukraine shall provide the Ombudsman of Ukraine with access to the acts and other documents of the Cabinet of Ministers of Ukraine and bodies, companies, institutions, and organisations subordinated thereto. The Cabinet of Ministers of Ukraine shall support the Ombudsman of Ukraine in the exercise of his/her powers set by law.

3. In case there are grounds in the Ombudsman's address, the Cabinet of Ministers of Ukraine shall take measures within its competence to fix violations of human rights and inform the Ombudsman of Ukraine thereon.

Article 38. Consideration of Addresses and Interpellations of Members of Parliament of Ukraine

1. The Cabinet of Ministers of Ukraine or members of the Cabinet of Ministers of Ukraine that receive an address or an interpellation from a Member of Parliament of Ukraine, are obliged to reply thereto in accordance with the procedure set by law.

2. A reply to the address or interpellation of a Member of Parliament of Ukraine sent to the Cabinet of Ministers of Ukraine shall be signed by the Prime Minister of Ukraine or, on his/her commission, by any other member of the Cabinet of Ministers of Ukraine. A reply to the address or interpellation of a Member of Parliament of Ukraine sent to other members of the Cabinet of Ministers of Ukraine shall be signed by the member of the Ministers of Ukraine to whom such an address or interpellation is directed.

3. If replies to parliamentary interpellations are discussed at a plenary session of the Verkhovna Rada of Ukraine, the members of the Cabinet of Ministers of Ukraine, to whom such interpellations have been addressed, should be invited to the session.

4. The Prime Minister of Ukraine and other members of the Cabinet of Ministers of Ukraine shall without delay receive Members of Parliament of Ukraine on the issues attributed to their parliamentary activities in accordance with the procedure set by law.

Article 39. Consideration of Addresses of Committees and Temporary Commissions of the Verkhovna Rada of Ukraine

1. The Cabinet of Ministers of Ukraine shall arrange consideration of the addresses of committees and temporary commissions of the Verkhovna Rada of Ukraine on the issues related to its operation.

2. Replies to the addresses of committees and temporary commissions of the Verkhovna Rada of Ukraine shall be signed by the Prime Minister of Ukraine or any other member of the Cabinet of Ministers of Ukraine on the commission of the Prime Minister of Ukraine or the member of the Cabinet of Ministers of Ukraine to whom such addresses are directed.

Article 40. Provision of Information on the Operation of the Cabinet of Ministers of Ukraine to the Verkhovna Rada of Ukraine

1. Every week when the Verkhovna Rada of Ukraine holds its meetings, an hour shall be provided for the questions to members of the Cabinet of Ministers of Ukraine ("Question Hour"). The day, duration, and procedure of the Question Hour shall be set by the Rules of Procedure of the Verkhovna Rada of Ukraine.

2. During the Question Hour in the Verkhovna Rada of Ukraine, the entire Cabinet of Ministers of Ministers of Ukraine shall be present.

3. During the Question Hour, members of the Cabinet of Ministers of Ukraine shall answer to the questions of the Members of Parliament and parliamentary factions. Members of Parliament and parliamentary factions may forward the questions that members of the Cabinet of Ministers will be asked beforehand in writing.

4. Questions during the Question Hour shall not go beyond the competence of the Cabinet of Ministers of Ukraine and central executive authorities.

5. Members of the Cabinet of Ministers of Ukraine shall answer the questions within the limits of their powers. If necessary, their answers may be complemented by other members of the Cabinet of Ministers of Ukraine.

6. The Question Hour shall be broadcast live by nationwide TV and radio channels.

Chapter 5. Relations between the Cabinet of Ministers of Ukraine and other Public Authorities, Local Self-Governance Bodies and Civil Associations

Article 41. Relations between the Cabinet of Ministers of Ukraine and the Constitutional Court of Ukraine

1. The Cabinet of Ministers of Ukraine shall address itself to the Constitutional Court of Ukraine to receive opinions as concerns compliance with the Ukrainian Constitution of the valid international treaties of Ukraine or the international treaties to be filed with the Verkhovna Rada of Ukraine for their ratification, as well as to get official interpretation of the Constitution and laws of Ukraine.

2. The Cabinet of Ministers of Ukraine or a representative authorised thereby may participate in constitutional proceedings held by the Constitutional Court of Ukraine. A representative of the Cabinet of Ministers of Ukraine shall be a mandatory participant of the constitutional proceedings concerning the contestation of the constitutionality of the acts issued by the Cabinet of Ministers of Ukraine.

3. On the request of the Board or a judge of the Constitutional Court of Ukraine, the Cabinet of Ministers of Ukraine, the Prime Minister of Ukraine and other members of the Cabinet of Ministers of Ukraine shall provide the necessary documents, materials, and other information on the issues prepared for consideration by the Constitutional Court of Ukraine and its boards.

Article 42. Relations between the Cabinet of Ministers of Ukraine and the General Jurisdiction Courts

1. The Cabinet of Ministers of Ukraine may be a plaintiff and a defendant at general jurisdiction courts.

2. At general jurisdiction courts, interests of the Cabinet of Ministers of Ukraine shall be represented by the Ministry of Justice of Ukraine, if another is not envisaged by laws or acts of the Cabinet of Ministers of Ukraine.

3. On the request of the Cabinet of Ministers of Ukraine or the Ministry of Justice of Ukraine, and within the terms established thereby, public executive authorities, state companies, institutions, and organisations shall provide materials necessary for their judicial considerations.

Article 43. Relations between the Cabinet of Ministers of Ukraine and the National Bank of Ukraine and Other Public Authorities

1. In accordance with the Constitution and laws of Ukraine, the Cabinet of Ministers of Ukraine shall cooperate with the National Bank of Ukraine and other public authorities on the issues within its competence.

Article 44. Relations between the Cabinet of Ministers of Ukraine and Local Self-Governance Bodies

1. The Cabinet of Ministers of Ukraine shall direct the public executive authorities to promote efficient functioning and development of local self-governance, compliance with the rights of local self-government defined by law, ensure cooperation of central and local authorities with local self-government bodies on the issues of local significance, in particular social, economic and cultural development of relevant administrative and territorial units.

2. Draft acts of the Cabinet of Ministers of Ukraine, that directly concern the functioning of the local self-governance or interests of territorial communities, shall be preliminary forwarded to relevant local self-government bodies.

3. The Cabinet of Ministers of Ukraine shall compensate the local self-government bodies their expenses caused by decisions of the Cabinet of Ministers of Ukraine or other executive authorities at the expense of funds envisaged by the National Budget of Ukraine.

4. The Cabinet of Ministers of Ukraine may submit for the consideration of the Verkhovna Rada of Ukraine the bills related to the provision of local self-governance bodies with powers of public executive authorities. Concurrently, the Cabinet of Ministers of Ukraine shall provide proposals on full financial support to the exercise of such powers.

5. According to the Constitution and laws of Ukraine, the Cabinet of Ministers of Ukraine shall ensure oversight of how local self-governance bodies exercise the public executive powers delegated to them.

Article 45. Relations between the Cabinet of Ministers of Ukraine Civil Organisations

1. Directly or through public executive authorities, the Cabinet of Ministers of Ukraine shall ensure the exercise of rights of civil organisations envisaged by law.

2. The Cabinet of Ministers of Ukraine shall consider proposals of civil organisations as concerns the issues attributed to its competence.

**SECTION IV. ORGANISATION OF OPERATION
OF THE CABINET OF MINISTERS OF UKRAINE**

Article 46. Prime Minister of Ukraine

1. The Prime Minister of Ukraine shall:

1) manage the work of the Cabinet of Ministers of Ukraine and direct its activities to ensure the implementation of the domestic and foreign policy of the state, the Action Programme of the Cabinet of Ministers of Ukraine approved by law, as well as other powers vested into the Cabinet of Ministers of Ukraine;

2) direct, coordinate, and oversee activities of members of the Cabinet of Ministers of Ukraine; the Prime Minister of Ukraine shall direct, coordinate, and oversee the activities of the Minister of Defence of Ukraine and the Minister of Foreign Affairs of Ukraine with due consideration of acts and commissions of the President of Ukraine;

3) direct, coordinate, and oversee activities of heads of central public executive authorities with special status, the ARC Council of Ministers, oblast, Kyiv and Sevastopol City Administrations within the limits set by laws of Ukraine;

4) submit for consideration of the Cabinet of Ministers of Ukraine submissions on the setup, reorganisation and abolishment of ministries and governmental bodies, as well as submissions on the setup of central public executive authorities with special status together with a bill on the status of such authorities;

5) submit for consideration of the Verkhovna Rada of Ukraine submissions on appointment and dismissal of members of the Cabinet of Ministers of Ukraine (excluding the Minister of Defence of Ukraine and the Minister of Foreign Affairs of Ukraine), the Head of the Antimonopoly Committee of Ukraine, the Head of the State TV and Radio Committee of Ukraine, and the Head of the State Property Fund of Ukraine;

6) submit for consideration of the Cabinet of Ministers of Ukraine proposals on candidacies for the positions of local state administration and proposals on their dismissal;

7) submit for consideration of the Cabinet of Ministers of Ukraine submission on appointment and dismissal of heads of governmental bodies made on proposals of the ministers responsible for the ministries, to which such bodies belong;

8) submit for consideration of the Cabinet of Ministers of Ukraine proposals on the setup of governmental committees and their composition;

9) submit draft agenda of meetings of the Cabinet of Ministers of Ukraine;

10) call and chair meetings of the Cabinet of Ministers of Ukraine;

11) sign acts of the Cabinet of Ministers of Ukraine;

12) countersign acts of the President of Ukraine in the cases envisaged by Paragraphs 5, 18, 21, and 23 of Part 1 of Article 106 of the Constitution of Ukraine;

13) represent the Cabinet of Ministers of Ukraine in relations with other authorities, companies, institutions, and organisations in Ukraine and outside its border;

14) enter into relations with governmental of foreign countries, negotiate and sign international treaties in accordance with the law and acts of the President of Ukraine;

15) submit for consideration of the Cabinet of Ministers of Ukraine proposals on approval of heads of joint intergovernmental cooperation commissions set up on the basis of international treaties concluded on behalf of the Cabinet of Ministers of Ukraine;

16) perform general management of the Secretariat of the Cabinet of Ministers of Ukraine.

2. The Prime Minister of Ukraine may exercise other powers envisaged by the Constitution, this and other laws of Ukraine.

3. The Prime Minister of Ukraine shall be an ex-officio member of the National Security and Defence Council of Ukraine.

4. In case of his, her temporary absence, the duties of the Prime Minister of Ukraine shall be performed by the First Deputy Prime Minister of Ukraine or any other Deputy Prime Ministers of Ukraine in accordance with the duty division defined by the Cabinet of Ministers of Ukraine.

Article 47. First Deputy Prime Minister of Ukraine and Deputy Prime Ministers of Ukraine

1. In accordance with the division of duties, the First Deputy Prime Minister and Deputy Prime Ministers of Ukraine shall:

1) ensure implementation of the Action Programme of the Cabinet of Ministers of Ukraine on the relevant priorities;

2) coordinate the work of ministries and governmental bodies to solve individual public policy tasks vested into them, as well as direct and coordinate relevant governmental bodies outside any ministry system;

3) head governmental committees;

4) ensure preparation of issues for consideration at the meetings of the Cabinet of Ministers of Ukraine, promote reconciliation of positions between members of the Cabinet of Ministers of Ukraine; make proposals to the agenda of the meetings of the Cabinet of Ministers of Ukraine;

5) submit for the consideration of the Prime Minister of Ukraine proposals on the setup, reorganisation, and abolishment of ministries, other central public executive authorities to solve individual public policy tasks vested into them;

6) ensure cooperation of the Cabinet of Ministers of Ukraine with the President of Ukraine and the Verkhovna Rada of Ukraine on the issues of activities of the Cabinet of Ministers of Ukraine and other public executive authorities;

7) participate in consideration of issues at the meetings of the Cabinet of Ministers of Ukraine, be entitled to be present at the meetings of the Verkhovna Rada of Ukraine and its bodies, may participate in the work of boards of ministries and other central executive authorities, and in the meetings of the ARC Council of Ministers;

8) manage, on the decision of the Cabinet of Ministers of Ukraine, consultative, advisory and other support bodies set by the Cabinet of Ministers of Ukraine, as well as participate in the work of consultative, advisory, and other support bodies and services set by the President of Ukraine;

9) represent the Cabinet of Ministers of Ukraine, in accordance with the established procedure, in relations with other authorities, companies, institutions, and organisations in Ukraine and outside its borders;

10) negotiate and sign international treaties in accordance with the powers granted to them.

Article 48. Ministers as Members of the Cabinet of Ministers of Ukraine

1. Ministers as members of the Cabinet of Ministers of Ukraine shall:

1) ensure implementation of the Action Programme of the Cabinet of Ministers of Ukraine, as well as development and implementation of public policy in the relevant public administration area;

2) submit to the Prime Minister of Ukraine proposals on the setup, reorganisation, and abolishment of governmental bodies;

3) reconcile draft laws and acts of the President of Ukraine and the Cabinet of Ministers of Ukraine on the issues attributed to the competence of their ministries;

4) countersign acts of the President of Ukraine issues within the powers envisaged by Paragraphs 5, 18, 21, and 23 of Part 1 of Article 106 of the Constitution of Ukraine on the issues attributed to the competence of the ministry and ensure their implementation;

5) submit for the consideration of the Cabinet of Ministers of Ukraine draft laws and acts of the President of Ukraine and the Cabinet of Ministers of Ukraine;

6) ensure preparation of issues for the consideration of the Cabinet of Ministers of Ukraine;

7) participate in the consideration of issues at the meetings of the Cabinet of Ministers of Ukraine and make proposals on the agenda of the Cabinet of Ministers of Ukraine;

8) participate in the meetings of governmental committees;

9) make submissions to the Cabinet of Ministers of Ukraine for the appointment and dismissal of deputy ministers;

11) represent the Cabinet of Ministers of Ukraine, in accordance with the established procedure, in relations with other authorities, companies, institutions, and organisations in Ukraine and outside its borders;

12) negotiate and sign international treaties in accordance with the powers granted to them;

13) manage, on the decision of the Cabinet of Ministers of Ukraine, consultative, advisory and other support bodies set by the Cabinet of Ministers of Ukraine, as well as participate in the work of consultative, advisory, and other support bodies and services set by the President of Ukraine.

2. In addition to the powers defined hereby, ministers of Ukraine may have other powers envisaged by law.

Article 49. Responsibility of Members of the Cabinet of Ministers of Ukraine

1. Members of the Cabinet of Ministers of Ukraine shall be politically responsible for the results of the activities of the Cabinet of Ministers of Ukraine as a collective executive authority.

2. Members of the Cabinet of Ministers of Ukraine shall bear personal political responsibility for the state of affairs in the public administration areas vested into them, as well as criminal, administrative, and civil liability envisaged by the current legislation.

Article 50. Meetings of the Cabinet of Ministers of Ukraine

1. The work of the Cabinet of Ministers of Ukraine shall be organised in meetings.

2. The meetings of the Cabinet of Ministers of Ukraine shall be called up by the Prime Minister of Ukraine and, as a rule, shall be held on Wednesdays starting with 10 o'clock in the morning at the Governmental Building.

3. Meetings of the Cabinet of Ministers of Ukraine shall be deemed authorised if not less than two thirds of the members of the Cabinet of Ministers of Ukraine are present.

4. Should any minister be unable to participate in the meeting of the Cabinet of Ministers of Ukraine, he/she shall be replaced by a deputy minister with the right of advisory vote.

5. On proposals of its members, the Cabinet of Ministers of Ukraine shall define individuals entitled to participate in its meetings with the right of advisory vote.

6. The President of Ukraine shall be invited to the meetings of the Cabinet of Ministers of Ukraine, should it consider the issues envisaged by acts of the President of Ukraine, attributed to the competence of the President of Ukraine, or related to the adjacent areas of activities of the Cabinet of Ministers of Ukraine and the President of Ukraine.

7. The meetings of the Cabinet of Ministers of Ukraine shall be presided by the Prime Minister of Ukraine and, in case of his/her absence, by the First Deputy Prime Minister.

8. Agendas shall be drafted by the Prime Minister of Ukraine with due consideration of proposals made by other members of the Cabinet of Ministers of Ukraine. The agenda of the meetings of the Cabinet of Ministers of Ukraine shall be approved by the Cabinet of Ministers of Ukraine.

9. Meetings of the Cabinet of Ministers of Ukraine shall be taken down shorthand and formalised in the minutes to be signed by the chairman of the meeting.

10. The procedure of meetings of the Cabinet of Ministers of Ukraine, their shorthand recording and formalisations in the minutes, preparation and adoption of decisions, and other procedural issues related to the operation of the Cabinet of Ministers of Ukraine shall be defined by the Rules of Procedure of the Cabinet of Ministers of Ukraine.

11. The shorthand report of the meeting of the Cabinet of Ministers of Ukraine shall be a document of confidential nature.

12. The minutes and the shorthand report of the meeting of the Cabinet of Ministers of Ukraine shall be official documents. They shall be provided to members of the Cabinet of Ministers of Ukraine for their acquaintance on their written request to the State Secretary of the Cabinet of Ministers of Ukraine.

Article 51. Governmental Committees

1. Governmental committees are set up to coordinate the activities of members of the Cabinet of Ministers of Ukraine, as well as for preliminary consideration of draft concepts, programmes and other public policy documents and draft regulations submitted for the consideration of the Cabinet of Ministers of Ukraine.

2. The list of governmental committees and their composition shall be approved by the Cabinet of Ministers of Ukraine on the submission of the Prime Minister of Ukraine. The Cabinet of Ministers of Ukraine shall appoint heads of governmental committees on the submission of the Prime Minister of Ukraine.

3. Members of the Cabinet of Ministers who do not participate in any governmental committee may participate in the work of governmental committees with the right of decisive vote.

4. If any minister as a member of a governmental committee cannot participate in the meeting of his/her governmental committee, he/she shall be replaced by the deputy minister with the right of deciding vote.

5. Individuals authorised by the President of Ukraine shall be entitled to participate in the meetings of governmental committees with the right of advisory vote.

6. On the decision of the head of governmental committee or on his/her consent, heads of central and local public executive authorities, local self-governance bodies, and other officials whose participation is necessary for the discussion of any issue on the agenda, may participate in the meeting of the governmental committee with the right of advisory vote.

7. Meetings of governmental committees shall be authorised, if no less than two thirds of their members are present.

8. Decisions of governmental committees shall be passed by consensus and formalised in the minutes. If no consensus is achieved at the meeting of any governmental committee, the decision shall be passed by the Cabinet of Ministers of Ukraine.

9. Organisation procedure for the operation of governmental committees shall be set by the Rules of Procedure of the Cabinet of Ministers of Ukraine.

Article 52. Main Functions and Powers of Governmental Committees

1. Governmental committees shall:

1) consider and approve public policy documents, concepts of regulations and other documents subject to development;

2) consider draft regulations and other documents submitted for the consideration of the Cabinet of Minister of Ukraine, regulate discrepancies related to them, and make decisions on their preliminary approval or rejections, or return for improvement; and

3) consider other issues related to the formation and implementation of public policy in the relevant area;

2. To support their operation, governmental committees shall:

- 1) set up, if necessary, subcommittees, expert boards and task forces for the consideration of individual issues within their competence;
- 2) receive, in accordance with established procedure, from public authorities the information necessary for their operation; and
- 3) invite to their meetings representatives of public executive authorities, as well as other experts on the issues considered.

Article 53. Acts of the Cabinet of Ministers of Ukraine

1. On the basis and within its powers, as well as by means envisaged by the Constitution and laws of Ukraine, the Cabinet of Ministers of Ukraine shall issue resolutions and instructions which shall be mandatory for implementation.
2. Normative acts of the Cabinet of Ministers of Ukraine shall be issued in the form of resolutions of the Cabinet of Ministers of Ukraine.
3. Acts of the Cabinet of Ministers of Ukraine on organisation, administrative and other day-to-day affairs shall be issued in the form of instructions of the Cabinet of Ministers of Ukraine.
4. Acts of the Cabinet of Ministers of Ukraine shall be signed by the Prime Minister of Ukraine.
5. Validity of the acts of the Cabinet of Ministers of Ukraine may be suspended by an instruction of the President of Ukraine on the reason of their incompliance with the Constitution of Ukraine. Concurrently, the President of Ukraine shall address the Constitutional Court of Ukraine with a request to verify the constitutionality of such acts.
6. The Constitutional Court of Ukraine may recognise entire acts of the Cabinet of Ministers of Ukraine or their individual provisions unconstitutional. Such acts or their individual provisions shall become ineffective on the day when the Constitutional Court of Ukraine issues its ruling on their unconstitutionality.
7. Acts of the Cabinet of Ministers of Ukraine or their individual provisions may be contested at administrative courts in accordance with the procedure set by the procedural law.
8. Resolutions of the Cabinet of Ministers of Ukraine shall be published on the website of the Cabinet of Ministers of Ukraine and on the Official Herald of Ukraine.

Article 54. Preparation of Draft Acts of the Cabinet of Ministers of Ukraine

1. The right of initiative in adoption of acts of the Cabinet of Ministers of Ukraine shall be held by members of the Cabinet of Ministers of Ukraine, the President of Ukraine, the public executive authorities with special status, the ARC Council of Ministers, oblast, Kyiv and Sevastopol City State Administrations.
2. Acts of the Cabinet of Ministers of Ukraine shall be drafted by ministries, other central executive authorities, the ARC Council of Ministers, oblast, Kyiv and Sevastopol City State Administrations.
3. Acts of the Cabinet of Ministers of Ukraine may be drafted with involvement of Members of Parliament, researchers, and other experts on their consent.
4. Draft acts of the Cabinet of Ministers of Ukraine submitted for its consideration shall be registered by the Secretariat of the Cabinet of Ministers of Ukraine. All registered draft acts of the Cabinet of Ministers of Ukraine shall be entered into the database of the electronic computer network and published on the website of the Cabinet of Ministers of Ukraine.
5. Draft acts of the Cabinet of Ministers of Ukraine, which have special social significance and influence the implementation of rights and exercise of duties by citizens of Ukraine, shall be submitted for public discussion in accordance with the procedure defined by the Rules of Procedure of the Cabinet of Ministers of Ukraine.

Article 55. Expert Analysis and Preliminary Discussion of Draft Regulations of the Cabinet of Ministers of Ukraine

1. All draft regulations submitted for the consideration of the Cabinet of Ministers of Ukraine shall be forwarded to one of the governmental committees in accordance with the division of competence between them for the preliminary discussion, reconciliation and provision of their opinions.

2. If it is necessary to improve the draft, it shall be forwarded to its initiator on the decision of the governmental committee.

3. On the decision of the governmental committee, draft regulation may be forwarded to research institutions or individual experts for their expert analysis, or to public executive authorities, local self-governance bodies, non-governmental associations and other organisations for them to provide their opinions. It can also be published for discussion and collection of proposals.

4. On the decision of the governmental committee, draft regulation together with expert opinions and other documents shall be passed for the consideration of the Cabinet of Ministers of Ukraine.

5. Draft regulations and other documents subject to consideration by the Cabinet of Ministers of Ukraine may be preliminary discussed at the meetings of relevant consultative, advisory, and other support bodies.

Article 56. Consideration of Issues and Adoption of Decisions at Meetings of the Cabinet of Ministers of Ukraine

1. The Cabinet of Ministers of Ukraine shall pass its decisions at its meetings by the majority of votes from the composition of the Cabinet of Ministers of Ukraine. In case of a tie, the Prime Minister of Ukraine shall hold a casting vote.

2. To prevent emergencies and to clear up consequences of emergencies, on the decision of the Prime Minister of Ukraine, the instruction of the Cabinet of Ministers of Ukraine may be passed by a survey of members of the Cabinet of Ministers of Ukraine in accordance with the procedure set by the Rules of Procedure of the Cabinet of Ministers of Ukraine. A draft of such instruction shall be sent to all members of the Cabinet of Ministers of Ukraine.

Article 57. Official Promulgation, Enactment and Registration of Acts of the Cabinet of Ministers of Ukraine

1. Resolutions of the Cabinet of Ministers of Ukraine shall be signed by the Prime Minister of Ukraine and sent to the Ministry of Justice of Ukraine for their inclusion, in accordance with the established procedure, to the Single State Register of Regulations and published in the Official Herald of Ukraine and in the Governmental Herald within seven days upon their adoption by the Cabinet of Ministers of Ukraine.

2. Resolutions of the Cabinet of Ministers of Ukraine shall come into effect on the day of their publication if they do not envisage a later term of their enactment. In the cases, envisaged by law, resolutions of the Cabinet of Ministers of Ukraine or their individual provisions containing limited access information shall not be subject to publication and shall come into force on the moment when they are brought to the attention of the implementers, if such resolutions do not establish a later term for their enactment.

3. Instructions of the Cabinet of Ministers of Ukraine shall come into effect on their adoption, if they do not establish a later term of their enactment.

4. Instructions of the Cabinet of Ministers of Ukraine shall be brought to the attention of their implementers by the Secretariat of the Cabinet of Ministers of Ukraine, and, if necessary, they can also be promulgated in accordance with another procedure.

Article 58. Consultative, Advisory, and Other Support Bodies Set Up by Cabinet of Ministers of Ukraine

1. To ensure the exercise of its powers, the Cabinet of Ministers of Ukraine may set up permanent and temporary consultative, advisory, and other support bodies.
2. The work of such bodies may involve civil servants, as well as Members of Parliament, researchers and other experts on their consent.
3. Tasks, composition, and organisation of work of consultative, advisory, and other support bodies shall be set by the Cabinet of Ministers of Ukraine.
4. The work of experts involved in the work of consultative, advisory, and other support bodies of the Cabinet of Ministers of Ukraine may be remunerated at the expense of the funds envisaged for the support of the operation of the Secretariat of the Cabinet of Ministers of Ukraine or a relevant central public executive authority.

Article 59. Secretariat of the Cabinet of Ministers of Ukraine

1. The Secretariat of the Cabinet of Ministers of Ukraine shall provide organisation, information, legal, other expert and analysis, and logistic support to the operation of the Cabinet of Ministers of Ukraine.
2. The Secretariat of the Cabinet of Ministers of Ukraine shall ensure preparation and conduct of meetings of the Cabinet of Ministers of Ukraine, governmental committees and activities of members of the Cabinet of Ministers of Ukraine, as well as to ensure the continuity in the operation of the a Cabinet of Ministers of Ukraine. The Secretariat of the Cabinet of Ministers of Ukraine shall ensure control of the timeliness with which public executive authorities submit draft laws and draft acts of the Cabinet of Ministers of Ukraine, as well as other documents for the consideration by the Cabinet of Ministers of Ukraine and governmental committees.
3. The Secretariat of the Cabinet of Ministers of Ukraine shall be headed by the State Secretary of the Cabinet of Ministers of Ukraine appointed on the competitive basis and dismissed by the Cabinet of Ministers of Ukraine on the submission of the Prime Minister of Ukraine and consent of the High Civil Service Council in accordance with the procedure set by the civil service legislation.
4. The State Secretary of the Cabinet of Ministers of Ukraine shall have its deputies appointed on the competitive basis and dismissed by the Cabinet of Ministers of Ukraine on the submission of the Prime Minister of Ukraine and consent of the High Civil Service Council in accordance with the procedure set by the civil service legislation. The State Secretary of the Cabinet of Ministers of Ukraine shall make submissions to the Prime Minister of Ukraine on the appointment of Deputy State Secretaries of the Cabinet of Ministers of Ukraine.
5. Civil servants of the Secretariat of the Cabinet of Ministers of Ukraine shall be appointed and dismissed by the State Secretary of the Cabinet of Ministers of Ukraine in accordance with the civil service legislation.
6. Rights, duties, and responsibility of civil servants of the Secretariat of the Cabinet of Ministers of Ukraine shall be set by the civil service legislation.
7. Termination of powers of the Cabinet of Ministers of Ukraine shall not be used as a ground for the dismissal of civil servants of the Secretariat of the Cabinet of Ministers of Ukraine.
8. The structure of the Secretariat of the Cabinet of Ministers of Ukraine shall be approved by the Cabinet of Ministers of Ukraine on the submission of the State Secretary of the Cabinet of Ministers of Ukraine.
9. The Secretariat of the Cabinet of Ministers of Ukraine shall be a legal entity and shall act on the basis of this Law and the Regulation on the Secretariat of the Cabinet of Ministers of Ukraine approved by the Cabinet of Ministers of Ukraine.

10. The estimate of the Secretariat of the Cabinet of Ministers of Ukraine shall be approved by the State Secretary of the Cabinet of Ministers of Ukraine on the consent of the Ministry of Finance of Ukraine within the budget allocation provided to support the operation of the Secretariat of the Cabinet of Ministers of Ukraine.

SECTION V. MINISTRIES

Chapter 1. General Issues of Competence of Ministries

Article 60. Definition of the Area of Competence of Ministries

1. Ministries of Ukraine (further referred as “ministries”) are the key bodies in the system of central public executive authorities that form and implement public policies in the relevant public administration areas aiming at the implantation of the Action Programme of the Cabinet of Ministers of Ukraine.

2. The ministries shall be directly responsible to and controlled by the Cabinet of Ministers of Ukraine, as well as the President of Ukraine as concerns his/her constitutional powers.

3. The Cabinet of Ministers of Ukraine shall attribute to the ministry systems governmental bodies, institutions, organisations, and companies, if another is not envisaged by law.

Article 61. General Functions and Powers of Ministries

1. The Ministries shall:

- 1) form and implement public policies in the relevant public administration sectors;
- 2) take measure to ensure respect of human and civil rights;
- 3) monitor and analyse the state of affairs in the relevant public administration sector and develop recommendation on the possible operation for its improvement;
- 4) take measure to improve the provision of administrative service in the relevant public administration areas;
- 5) develop and implement target development programmes in the relevant public administration sectors;
- 6) develop concepts and draft laws of Ukraine, draft acts of the President of Ukraine, the Cabinet of Ministers of Ukraine, and ministries;
- 7) participate in the development of the bill on the National Budget of Ukraine, and ensure efficient use of budget funds provided for the development in the relevant public administration areas;
- 8) develop nationwide programmes for economic, research and technology, social, national and cultural development of Ukraine, environmental protection etc, and ensure their implementation;
- 9) participate in formation and implementation of policy related to the performance of works and services, and delivery of goods for state purposes, setup of state reserve funds, financial and logistic resources, and act as state customer for the above works and services;
- 10) manage, within the limits set by legislation, public property;
- 11) inform, in accordance with the procedure set by legislation, public authorities and reply to the addresses of their officials;
- 12) negotiate, on their own or with participation of employers representing non-state companies, and conclude sector agreements with employees;

13) ensure, within the limits set by legislation, implementation of public policy on state secrets and control of their preservation;

14) conduct seminars and workshops, as well as other events for the exchange of experience in the relevant public administration sector;

15) participate in taking measures to ensure the defence capacity of the state, and ensure fulfilment of tasks for the mobilisation training and readiness of the state within the limits set by legislation;

16) participate in bringing the Ukrainian legislation in compliance with its international commitments and norms;

17) raise public awareness, consider appeals of the public, companies, institutions, and organisations, as well as local self-governance bodies;

18) exercise other powers envisaged by laws of Ukraine and other functions, envisaged by acts of the President of Ukraine and the Cabinet of Ministers of Ukraine.

Article 62. Transfer and Delegation of Powers by Ministries

1. Within the limits set by laws of Ukraine, ministries may, by their acts and by acts of the Cabinet of Ministers of Ukraine, transfer their individual powers to the subordinated governmental bodies, relevant structural offices of local state administration, and in the cases envisaged by laws of Ukraine also delegate such powers to institutions, organisations and companies.

2. Transfer and delegation of powers of ministries to other subjects shall envisage their obligatory provision with funds and material resources necessary for proper exercise of the transferred and delegated powers.

3. Ministers shall be responsible to the Cabinet of Ministers of Ukraine for the exercise of the transferred and delegated powers.

4. Agents that exercise the transferred and delegated powers shall be responsible to and controlled by the ministers as concerns the exercise of such powers and the use of the funds and property transferred for such purposes.

Article 63. Setup, Reorganisation and Abolishment of Ministries

1. Ministries shall be set up, reorganised, and abolished by the Cabinet of Ministers of Ukraine on the submission of the Prime Minister of Ukraine within the limit of funds envisaged for the maintenance of public executive authorities.

2. A submission on the setup or reorganization of a ministry shall contain proposals on the key functions and powers of the setup or reorganized ministry, as well as on the cap number and amount of allocation for its support. Ministries should be normally set up or reorganised with the new budget year.

3. A submission on the abolishment of the ministry shall contain a grounding of the necessity to abolish the relevant ministry and proposals on the redistribution of its functions and powers between other public executive authorities or on the expediency to reject the performance of such functions by the state.

4. The procedure for the implementation of organisation measure on the setup, reorganisation, and abolishment of ministries shall be set up by the Cabinet of Ministers of Ukraine.

Chapter 2. Organisation of Ministries

Article 64. Ministry Composition and System

1. Any ministry shall include a minister, deputy ministers, civil servants, and staff of the ministry apparatus.

2. Any ministerial system shall include governmental bodies, as well as institutions, organisations, and companies. In the cases envisaged by legislation, ministry territorial offices may be set up.

Article 65. Ministers as Heads of Ministries

1. As heads of ministries, ministers shall:

1) heads relevant ministries and direct their operation, as well as be responsible for the state of affairs in the relevant public administration sector and fulfilment of tasks vested into their ministries;

2) organise implementation of the public policy in the relevant public administration sector in accordance with the Action Programme of the Cabinet of Ministers of Ukraine;

3) submit proposals to the Prime Minister of Ukraine on the candidacies to the positions of heads of governmental bodies;

4) submit to the consideration of the Cabinet of Ministers of Ukraine proposals on the settlement of issues related to the exercise of their powers as heads of ministries and powers provided to them by legislation for direction and coordination of other public executive authorities;

5) on their own initiative or on the commission of the Cabinet of Ministers of Ukraine or the Prime Ministers of Ukraine, prepare issues for the consideration of the Cabinet of Ministers of Ukraine;

6) participate in the consideration of issues at the meetings of the Cabinet of Ministers of Ukraine and make proposals to the agendas of such meetings;

7) participate in the work of governmental committees;

8) on the commission of the Prime Minister of Ukraine, represent the Cabinet of Ministers of Ukraine in relations with public authorities, local self-governance, companies, institutions, and organisations in Ukraine and outside its border;

9) within its powers, negotiate and sign international treaties of Ukraine;

10) on the decision of the President of Ukraine or the Cabinet of Ministers of Ukraine, manage relevant advisory and other collective bodies;

11) approve programmes and action plans of their ministries, consider and approve reports of ministerial state secretaries on their implementation;

12) represent their ministries in relations with the Verkhovna Rada of Ukraine and its bodies, presents bills and other issues related to the competence of their ministries at the Verkhovna Rada of Ukraine;

13) represent their ministries in relations with other bodies, institutions, and organisations in Ukraine and outside its borders;

14) submit, in accordance with the established procedure, for the consideration of the Cabinet of Ministers of Ukraine concepts of laws, bills, acts of the President of Ukraine and the Cabinet of Ministers of Ukraine developed by their ministries;

15) make submissions to the Prime Minister of Ukraine on appointment and dismissal of deputy ministers. Submissions on Deputy Ministers of Defence and Deputy Ministers of Foreign Affairs shall be made upon their reconciliation with the President of Ukraine;

16) make proposals to the Prime Minister of Ukraine on reorganisation of their ministries;

17) adopt, on the submission of state secretary of ministry, decisions on the distribution of budget funds managed by the ministry; consider and approve the report of the state secretary of ministry on the implementation of such decisions;

18) approve the structure of the ministry apparatus on the submission of the state secretary of ministry;

19) submit to the Cabinet of Ministers of Ukraine proposals on the setup, reorganisation, and abolishment of governmental bodies in the system of their ministries;

20) submit to the Prime Minister of Ukraine proposals on the candidacies for the positions and dismissal of heads of governmental bodies in the system of their ministries; appoint and dismiss deputy heads of governmental bodies on the submission of heads of governmental bodies;

21) approve the structure of governmental bodies in the system of their ministries on the submission of the heads of governmental bodies;

22) direct and coordinate the operation of governmental bodies in the system of their ministries;

23) be entitled to abolish orders of heads of governmental bodies in the system of their ministries in case of their incompliance with the legislation;

24) setup, reorganise, and abolish institutions, organisations, and companies in the system of their ministries on the submission of the state secretary of their ministries; approve regulations on them (their charters);

25) appoint and dismiss heads of institutions, organisations, and companies in the system of their ministries on the submission of the state secretary of ministry and in accordance with the established procedure;

26) appoint off-staff advisers (not more than ten) and establish the procedure of their work;

27) initiate, in accordance with the established procedure, the issue on application of disciplinary sanctions to state secretaries of ministries, apply disciplinary sanctions to heads of governmental bodies, institutions, organisations, and companies within the systems of ministries;

28) form the composition of the ministerial boards, organise their work and chair their meetings;

29) propose, in accordance with the established procedure, civil servants and members of staff of ministries and subordinated bodies, institutions, organisations, and companies for decoration by state awards of Ukraine and insignia of the President of Ukraine;

30) issue acts of their ministries;

31) sign agreement with employer organisations and trade unions functioning in the areas for which they are responsible;

32) issue instructions to their deputies, state secretaries, and other officials of the ministry apparatuses, and control their execution;

33) exercise other powers attributed to the ministries of their ministries by laws of Ukraine, as well as other functions in accordance with acts of the President of Ukraine and the Cabinet of Ministers of Ukraine.

Article 66. Deputy Ministers

1. Deputy ministers shall exercise the ministers' duties in case of their absence or inability to exercise their powers, replace ministers at the meetings of the Cabinet of Ministers of Ukraine (with the right of advisory vote) and governmental committees, represent their

ministries, on the commission of the ministers, in relations with public authorities and non-state organisations, manage relevant consultative and advisory bodies under the ministry, participate in the formation of their ministers' patronage services, and exercise other duties.

2. Positions of deputy ministers belong to the state political positions. Deputy ministers shall be subject to the requirements and compatibility restrictions set for members of the Cabinet of Ministers of Ukraine.

3. The number of deputy ministers shall be set by the Cabinet of Ministers of Ukraine for each ministry on the submission of the relevant minister, but cannot be more than three. Duties between deputy ministers shall be distributed by the minister.

Article 67. Appointment of Deputy Ministers and Termination of Their Powers

1. Deputy ministers shall be appointed and dismissed by the Cabinet of Ministers of Ukraine on the submission of the minister reconciled with the Prime Minister of Ukraine. Deputy Ministers of Defence and Deputy Minister of Foreign Affairs shall be appointed and dismissed by the Cabinet of Ministers of Ukraine on the submission of the relevant ministers reconciled with the President of Ukraine.

2. Powers of deputy ministers shall be terminated in the following cases:

- 1) resignation due to appointment of a new minister;
- 2) voluntary resignation or resignation on political or personal reasons;
- 3) discharge by the Cabinet of Ministers of Ukraine.

3. If a new minister is appointed, deputy ministers shall immediately resign. A resignation request shall be filed with the minister who shall make a relevant submission for the consideration of the Cabinet of Ministers of Ukraine within a three-day period. Should any deputy minister fail to request without delay their resignation, the newly appointed minister shall make a submission on the discharge of such deputy minister for the consideration of the Cabinet of Ministers of Ukraine on his/her own initiative. Deputy ministers whose resignation has been accepted, on the commission of the minister and on their own consent, may continue exercising their powers until new deputy ministers acquire their powers.

Article 68. Ministry Apparatus

1. The ministry apparatuses shall ensure the exercise by the ministers of their functions and powers, oversee the enforcement of legislation and implementation of the Action Programme of the Cabinet of Ministers of Ukraine in the area of the ministers' responsibility.

2. The ministry apparatuses shall be headed by state secretaries of ministries and shall consist of departments and a secretariat.

Article 69. State Secretaries of Ministries

1. Any State Secretary of Ministry shall be the top civil servant in the ministry. State Secretaries shall be responsible to and controlled by the minister.

2. The main task of the State Secretary is to ensure the activities of the minister as the head of the ministry and a member of the Cabinet of Ministers of Ukraine; to organise the day-to-day work related to the performance of the tasks vested into the ministry, including the control of the implementation of legislation and the Action Programme of the Cabinet of Ministers of Ukraine within the system of the ministry; and to ensure stability and continuity in the work of the ministry apparatus.

3. In accordance with their tasks, state secretaries of ministries shall:

- 1) organise operation of the ministry apparatus, including the work with documents within the ministries;

- 2) ensure implementation of orders and commissions of the minister;
- 3) organise and control the enforcement of laws, acts of the President of Ukraine and the Cabinet of Ministers of Ukraine;
- 4) prepare and provide for the minister's approval programmes and plans of work of the ministry, organise and control their implementation, and report on their implementation to the minister;
- 5) ensure development of concepts of regulations, bills, and draft acts of the Cabinet of Ministers of Ukraine within the competence of their ministries, as well as other documents, and submit them for the minister's consideration;
- 6) organise the drafting of acts to be passed by their ministries and submit them for the minister's signature;
- 7) submit proposals to the minister on the structure of their ministries;
- 8) approve the regulations on the structural offices of the ministry apparatuses;
- 9) submit for the minister's approval regulations (charters) on institutions, organisations, and companies belonging to the systems of their ministries;
- 10) submit proposals to their ministers on the distribution of budget funds managed by the ministry, ensure and control the implementation of the ministers' decisions on the distribution of such funds, as well as report to their ministers on this issue;
- 11) manage budget funds envisaged for the maintenance of the ministry apparatuses, and inform their ministers on the use of such funds;
- 12) approve the staff plan and the estimate of expenses of ministry apparatuses on the consent of the Ministry of Finance of Ukraine;
- 13) appoint and dismiss, in accordance with the procedure set by the civil service legislation, civil servants of ministry apparatuses; employ and dismiss, in accordance with the labour legislation, employees of the ministry apparatuses;
- 14) reconcile appointment and dismissal of heads of relevant structural offices of oblast, Kyiv and Sevastopol City State Administrations;
- 15) approve job descriptions of heads of structural offices of ministry apparatuses;
- 16) decide on conferring civil service ranks to civil servants of ministry apparatuses in accordance with established procedure, and on their encouragement;
- 17) decide on application of disciplinary sanctions to civil servants of ministry apparatuses in accordance with the established procedure;
- 18) form and approve the staff reserve of the ministry apparatuses and leadership of governmental bodies and institutions, ensure organisation of training, re-training, and improvement of qualification of civil servants of the ministry;
- 19) ensure implementation of the single public policy in the area of public service and exercise other powers of civil service heads within public authorities in accordance with the legislation;
- 20) ensure protection of state secrets and take measures for mobilisation training within their powers envisaged by legislation;
- 21) manage the property assigned to their ministries;
- 22) represent the ministry as a legal entity in civil and legal relations;
- 23) receive, in accordance with the established procedures, from other public executive authorities, ARC authorities, apparatuses of the Verkhovna Rada of Ukraine, the President of Ukraine, judicial authorities, public prosecution bodies, and local self-governance authorities information, documents, and materials, and from state statistics bodies – statistics data necessary for fulfilment of the duties vested into the ministry;
- 24) issue orders on the issues within their competence and control their execution.

4. The state secretaries shall not be members of political parties. State secretaries of ministries shall not demonstrate their political views in public or be governed thereby when fulfilling their service duties.

5. In case of absence of the state secretary or inability to exercise his/her powers on other reasons, his/her duties shall be performed by the deputy state secretary of ministry.

Article 70. Appointment and Dismissal of State Secretaries of Ministries

1. State secretaries of ministries shall be appointed by the Cabinet of Ministers of Ukraine on the submission of the State Secretary of the Cabinet of Ministers of Ukraine and consent of the relevant minister for the term of five years with the right of re-appointment.

2. Candidacies for the positions of state secretaries of ministries shall be selected on the basis of an open competition to be conducted in accordance with the procedure set by the Cabinet of Ministers of Ukraine as envisaged by the civil service legislation.

3. Candidates for the positions of state secretaries of ministries shall be Ukrainian citizens with higher education and general term of experience of work of no less than seven years, including the managerial experience of no less than three years. They shall also meet other requirements envisaged by legislation.

4. State secretaries of ministries may be dismissed on the consent of the High Civil Service Council in case of improper fulfilment of their duties in accordance with the disciplinary liability procedure, due to the termination of their powers or inability to perform their duties due to physical condition, due to the conviction by the court, as well as on other grounds envisaged by the Civil Service Act of Ukraine.

5. Termination of powers of the Cabinet of Ministers of Ukraine and changes in its composition shall not be used as a ground for the dismissal of the state secretary of any ministry.

6. Deputy state secretaries of ministries shall be appointed by the Cabinet of Ministers of Ukraine on the submission of state secretaries of ministries in accordance with the procedure envisaged by the civil service legislation.

Article 71. Departments of Ministries

1. Departments of ministries shall be the biggest structural offices of the ministry apparatuses set up for the fulfilment of the main tasks of ministries.

2. Directors of departments shall lead individual functional or sector priorities in the work of the ministries and shall have relevant sections subordinated to them. Directors of departments may have deputies.

3. Directors and deputy directors of departments shall be appointed by ministers on the submission of state secretaries of ministries from the number of candidates selected on the results of an open competition conducted in accordance with the procedure set by the civil service legislation.

4. Heads of other sections of the ministry apparatuses shall be appointed and dismissed by state secretaries of ministries in accordance with the procedure envisaged by the civil service legislation.

5. Replacement of the minister or termination of powers of the state secretary of ministry shall not

Article 72. Ministerial Secretariat

1. The ministerial secretariat shall operate to provide legal, organisational, and logistic support to the operation of the ministry and fulfilment of other support functions. The ministerial secretariat shall include structural sections dealing with the following issues:

- 1) document circulation and informatisation;
 - 2) legal support;
 - 3) information and analysis support;
 - 4) coordination of policy development and strategic planning;
 - 5) international contacts and protocol;
 - 6) security and information protection;
 - 7) reception of citizens;
 - 8) staff;
 - 9) mobilisation training;
 - 10) budget and finance;
 - 11) public procurement;
 - 12) material and technical support;
 - 13) other support services.
2. The ministerial secretariat shall be headed by a deputy state secretary of the ministry.

Article 73. Ministry Boards

1. Ministry boards shall be permanent consultative and advisory bodies of ministries with their main tasks being information and analysis support to the definition of the priorities of the ministries' operation, procession of draft decisions, and prediction of the results of the ministries' operation.

2. Any ministry board shall include ex-officio the minister (chairman of the board), deputy ministers, the ministry state secretary, heads of governmental bodies within the ministry system, as well as representatives of the President of Ukraine, relevant committees of the Verkhovna Rada of Ukraine, and other public authorities, institutions, non-governmental organisations, researchers, and other individuals (on their consent). The personal composition of the ministry boards shall be approved by the minister.

3. The board shall meet on the decision of the minister as necessary, but not less frequently than once a month.

4. At its meetings, the boards shall:

1) develop recommendations on the public policy issues in the relevant public administration sector;

2) discuss the most important draft normative legal acts, development programmes in the area of the minister's responsibility, and other strategic documents;

3) discuss the ways to settle conflicts and other discrepancies in the ministry system or a relevant public administration sector;

4) organize scientific and expert consultation and information on the issues related to the activities of the ministry; and

5) consider other issues on the proposal of the members of the board.

5. Decisions of the board shall be formalised in the minutes to be signed by the chairman of the meeting.

Article 74. Temporary Consultative and Advisory Bodies of Ministries

1. The minister may set up temporary consultative and advisory bodies of the ministry in the form of commissions and councils for provision of scientific recommendations and expert consultations, as well as other issues.

2. The ministry state secretary may set up task forces to draft normative legal acts and other documents and other expert analysis.

3. In addition to civil servants and members of staff of ministries, governmental bodies, institutions, organisations and companies which are part of ministries, the work of ministry consultative and advisory bodies and task forces may be conducted within involvement of representatives of other public authorities, local self-governance bodies, research and academic institutions, non-governmental associations on their consent or on the consent of their leadership, including on the contractual basis.

Article 75. Ministry Territorial Office

1. In the cases envisaged by legislation, the Cabinet of Ministers of Ukraine may set up territorial bodies of ministries. Territorial bodies of ministries shall coordinate, oversee, and control the operation of the ministry systems in the relevant region, as well as fulfilment of functions envisaged by the regulation on the relevant ministry.

2. Ministries without territorial bodies shall implement their powers in terms of coordination, oversight, and control of operation of the ministry system in the regions through relevant offices of local state administrations.

Article 76. Acts of Ministries

1. Acts of ministries shall be issued as orders of minister.

2. In the cases envisaged by laws, acts of ministries shall be mandatory for execution by governmental bodies, local public executive authorities, local self-governance bodies, companies, institutions, and organisations, independently of their form of ownership, and citizens.

3. Normative legal acts of ministries shall be prepared, adopted and enacted in accordance with the procedure set by law.

4. Normative legal acts of ministries shall be registered by the Ministry of Justice in accordance with the procedure set by law.

5. Normative legal acts of ministries shall be entered into the database of the electronic computer network and published on the ministry's website.

6. Acts of ministries or their individual provisions may be contested by individuals and legal entities, as well as local self-governance bodies at administrative courts in accordance with the procedure set by law.

Chapter 3. Governmental Bodies

Article 77. Functions and Status of Governmental Bodies

1. Governmental bodies shall be set up within the systems of ministries to fulfil individual functions related to manage certain sections and areas of activities (services), provide registration, permission and other administrative service to individuals and legal entities, as well as manage public property (agencies), or perform control and oversight functions (inspections).

2. Governmental bodies shall be set up, reorganised, and liquidated by the Cabinet of Ministers of Ukraine on the submission of the relevant minister, while governmental bodies outside any ministry system – on the submission of the relevant Deputy Prime Minister.

3. Tasks, functions, subordination, accountancy, funding, territorial offices of governmental bodies and other issues related to its operation shall be defined in the regulation on the relevant body approved by the Cabinet of Ministers of Ukraine on the submission of the relevant minister.

4. Model regulation on the governmental body shall be approved by the Cabinet of Ministers of Ukraine.

Article 78. Heads of Governmental Bodies

1. Heads of governmental bodies shall be appointed and dismissed by the Cabinet of Ministers of Ukraine on the submission of the Prime Minister of Ukraine on basis of the proposals on the candidacy to the position of the head of governmental body made by the relevant minister. Candidates to the positions of governmental bodies shall be selected on the competition basis in accordance with the procedure envisaged by the civil service legislation.

2. Heads of governmental bodies shall:

1) manage the operation of the governmental body and be responsible for the observance of legislation by their governmental bodies;

2) appoint and dismiss civil servants and members of staff of governmental bodies;

3) make proposals to the ministers on the regulation of the operation of the governmental body;

4) approve, on the ministers' consent, the structure, staff plan and estimate of the governmental body, and control execution of the estimate;

5) define the level of responsibility of deputy heads of governmental bodies and heads of structural offices of governmental bodies, and approve regulations on structural offices of governmental bodies;

6) applies disciplinary sanctions to heads of structural offices and other members of staff of the governmental bodies, excluding deputy heads of governmental bodies;

7) sign orders of governmental bodies and organise the oversight of their implementation;

8) exercise other powers in accordance herewith and other legislative acts.

3. Heads of governmental bodies shall have their deputies to appointed and dismissed by the relevant ministers on the submission of heads of governmental bodies from the candidacies selected on a competition basis in accordance with the procedure envisaged by the civil service legislation.

Article 79. Direction and Coordination of Governmental Bodies

1. The ministers that head ministries the systems of which include any governmental body shall:

1) approve the strategy of operation and development of such governmental body;

2) approve the estimate of the governmental body, as well as control its budget expenses and observance of legislative requirements in its operation;

3) approve cap number of civil servants and employees of a governmental body;

4) assess the efficiency of a governmental body and make a submission to the Cabinet of Minister of Ukraine with a proposal to encourage or reward the head of governmental body, or apply disciplinary sanctions to such head;

5) control tariffs for paid services provided by agencies.

Governmental bodies outside any ministry system shall be directed and coordinated by relevant Deputy Prime Ministers of Ukraine within the limits envisaged by this Article.

2. Heads of governmental bodies shall report to ministers on operation of their governmental bodies and use of funds in accordance with the procedure set by regulation of such body.

3. Ministers may commission relevant officials of their ministry apparatus to take oversight measures as concerns the operation of governmental bodies.

4. To exercise their powers, ministers and officials commissioned to take oversight measures as concerns the operation of governmental bodies shall be entitled to request and receive from governmental bodies any information on their operation.

5. Ministerial officials shall not be entitled to issues instructions or interfere in the operation of governmental bodies acting on the basis of the law and regulation on such governmental bodies.

Article 80. Territorial Offices of Governmental Bodies

1. Governmental bodies may set up their territorial offices in the Crimean Autonomous Republic, oblasts, districts, cities of Kyiv and Sevastopol and their borough, and in other cities and towns. If necessary, joint territorial offices of governmental bodies may be set up for a number of oblasts, districts, districts and cities/towns, and city boroughs. Territorial office networks shall be established and changed by heads of governmental offices on the consent of ministers and in accordance with the regulations on such bodies.

2. Heads of territorial offices of governmental offices shall be appointed and dismissed by heads of governmental bodies in accordance with the civil service legislation.

3. Regulations on territorial offices of governmental bodies shall be approved by heads of governmental bodies.

Article 81. Acts of Governmental Bodies

1. Within the limits of their powers, the heads of governmental bodies and their territorial offices may issue orders related to the internal organisation of operation of the relevant body.

2. Upon consideration of cases of individuals and legal entities, officials of governmental bodies and their territorial offices shall pass administrative acts.

3. Administrative acts of officials of governmental bodies may be contested with the head of the relevant territorial office or governmental body.

4. To consider complaints of individuals and legal entities, agencies and inspections shall set up special appeal sections, including with involvement of representative of the public. The procedure for the formation and organisation of operation of such sections shall be set by the regulation on the relevant government body.

5. Administrative acts of heads of governmental bodies may be contested with the relevant minister.

6. Acts of governmental bodies or their individual provisions may be contested by individuals and legal entities at administrative courts in accordance with the procedure set by law.

Article 82. Funding of Governmental Bodies

1. Expenses for the maintenance of governmental bodies shall be provided from the national budget.

2. Proceeds of agencies received from the services that they provide shall be used for the organisation of provision of such services by adding such funds to the National Budget of Ukraine in accordance with the procedure and in the amount established by the Cabinet of Ministers of Ukraine.

**Section VI. SUPPORT TO MEMBERS OF THE CABINET OF MINISTERS
OF UKRAINE AND DEPUTY MINISTERS**

Article 83. Patronage Services

1. Members of the Cabinet of Ministers of Ukraine shall be entitled to form their patronage services within the limits set for number of staff and salaries by the Cabinet of Ministers of Ukraine. Any minister's patronage service shall consist of not more than 10 members of staff.

2. Patronage service shall provide consultations to their member of the Cabinet of Ministers of Ukraine, prepare necessary materials, arrange meetings and contacts with the public and mass media, support relations with other members of the Cabinet of Ministers of Ukraine, as well as exercise other functions defined by the member of the Cabinet of Ministers of Ukraine.

3. Patronage services of the Prime Minister of Ukraine, Deputy Prime Ministers of Ukraine and ministers without ministries shall be set up within the Secretariat of the Cabinet of Ministers of Ukraine. Patronage services of ministers with ministries shall be set up within the apparatuses of the relevant ministries.

4. Every member of the Cabinet of Ministers of Ukraine shall be entitled to form the personal composition of their patronage services on their own. Members of staff of patronage services shall be hired and discharged by the State Secretary of the Cabinet of Ministers of Ukraine or ministerial state secretaries on the submission of the relevant member of the Cabinet of Ministers of Ukraine.

5. Members of staff of patronage services of members of the Cabinet of Ministers of Ukraine shall not be entitled to issue instructions of civil servants and employees of public executive authorities.

6. On their consent, civil servants may be transferred to the patronage services of members of the Cabinet of Ministers of Ukraine.

7. Members of staff of patronage services of members of the Cabinet of Ministers of Ukraine shall be discharged due to the termination of powers of the relevant member of the Cabinet of Ministers of Ukraine, on the submission of the Cabinet of Ministers of Ukraine or on other grounds envisaged by the labour legislation. When discharged due to the termination of powers of their member of the Cabinet of Ministers of Ukraine, members of staff of the patronage service shall receive a severance pay of their average monthly salary and they shall keep their average monthly salary for the period until they get employed, but not longer than for three months. Civil servants transferred to the patronage service shall be restored in their previous position or in an equal position upon discharge.

Article 84. Remuneration and Leaves of Members of the Cabinet of Ministers of Ukraine

1. Conditions of remuneration of members of the Cabinet of Ministers of Ukraine shall be set in accordance with the legislation.

2. Members of the Cabinet of Ministers of Ukraine shall be entitled to an annual leave of thirty calendar days with payment of material assistance for improvement of health in the amount of their average monthly salary.

Article 85. Monetary Support to a Member of the Cabinet of Ministers That Has Resigned Due to

Physical Condition

1. Should any member of the Cabinet of Ministers with record of service sufficient for receiving a pension (25 years for men and 20 years for women) resign due to physical condition, he/she shall be granted monetary support until he/she reaches the pension age.

2. Payment of monetary support to a member of the Cabinet of Ministers of Ukraine shall be stopped as soon as such individual starts receiving a pension, gets employed or convicted for having committed a crime.

Article 86. Material and Everyday Support to Members of the Cabinet of Ministers of Ukraine

1. A member of the Cabinet of Ministers of Ukraine shall be provided with a service car.

2. A member of the Cabinet of Ministers of Ukraine who needs better housing conditions shall be entitled to the monetary compensation for the rent of his/her dwelling for his/her period of office.

3. A member of the Cabinet of Ministers of Ukraine shall be entitled to buy tickets to all kinds of intercity transport within Ukraine out of turn.

4. Life and health of a member of the Cabinet of Ministers of Ukraine shall be subject to mandatory state insurance. The insurance conditions shall be set by legislation.

5. The Prime Minister of Ukraine, the First Deputy Prime Minister of Ukraine, the Minister of Foreign Affairs and their family members shall be provided with personal security. Other members of the Cabinet of Ministers of Ukraine shall be provided with security only in the cases and in accordance with the procedure set by law.

6. For the period of his/her powers, a member of the Cabinet of Ministers of Ukraine shall receive a diplomatic passport in accordance with the established procedure.

7. In case of death of a member of the Cabinet of Ministers of Ukraine, assistance shall be provided for his/her burial.

Article 87. Remuneration and Material Support to Deputy Ministers

1. Salaries of deputy ministers shall make up 85% of the ministers' salaries.

2. Conditions set for members of the Cabinet of Ministers of Ukraine as concerns material and everyday, social, pension, and other support shall extend to deputy ministers.

Article 88. Liability of Officials and Servants of Public Executive Authorities

1. Officials and servants of public executive authorities shall be liable in accordance with the legislation.

2. Damage caused by illegal decisions, actions or omission of action by officials and servants of central public executive authorities when they were exercising their powers shall be compensated by the state.

3. The state shall be entitled to a regress claim to an official and a servant of a public executive authority that has caused damage within the limits and in accordance with the procedure set by legislation.

Section VII. CLOSING AND TRANSITIONAL PROVISIONS

1. This Law shall come into force on the day of its publication, with the exception of Chapters 2 and 3 of Section V "Ministries", which shall come into force in three months upon the day of its publication, and provisions on the High Civil Service Council, which shall come into force on the moment of its setup in accordance with the civil service legislation.

2. The Law of the Ukrainian SSR "On the Council of Ministers of the Ukrainian SSR" (Vidomosti Verkhovnoi Rady URSR, 1979, No. 1, Art. 7; 1980, No. 7, Art. 115; 1981, No. 24, Art. 364, No. 49, Art. 841; 1984, No. 4, Art. 83; 1985, No. 49, Art. 1167; 1986, No. 29, Art. 584, No. 39, Art. 797; 1987, No. 35, Art. 675, No. 47, Art. 947; 1988, No. 18, Art. 450) shall be invalidated.

3. In Part 2 of Article 25 of the Law of Ukraine "On Civil Service" (Vidomosti Verkhovnoi Rady Ukrayiny, 1993, No. 52, Art.490):

In Paragraph 2:

- the words "heads of state committees who are not members of the Government of Ukraine, heads of other central public executive authorities under the Cabinet of Ministers of Ukraine" shall be replaced by the words "the State Secretary of the Cabinet of Ministers of Ukraine and his/her deputies, state secretaries of ministries, heads of governmental bodies and their deputies";

- the words "first deputy ministers, first deputy heads of state committees that are part of the Government" shall be excluded;

In Paragraph 3:

After the words "second category – positions", the paragraph shall be supplemented with the words "deputy heads of state secretaries of ministries, deputy heads of governmental bodies";

The words "deputy ministers, deputy heads of state committees that are part of the Government, first deputy heads and deputy heads of committees and other central public executive authorities under the Cabinet of Ministers of Ukraine" shall be excluded.

4. Part 6 of Article 5 of the Law of Ukraine "On Mobilisation Training and Mobilisation" (Vidomosti Verkhovnoi Rady Ukrayiny, 1993, No. 44, Art.416; 2005, No. 16, Art.255) shall be supplemented with the following sentence: "A mobilisation office shall be set up at ministries within the structure of the ministry secretariats and shall be subordinated to the state secretary of ministry".

5. The Cabinet of Ministers of Ukraine shall:

1) within three months upon the publication hereof:

draft and submit for the consideration of the Verkhovna Rada of Ukraine proposals on the amendment of laws of Ukraine proceeding herefrom;

bring its regulations in accordance herewith;

2) within four months upon the publication hereof, appoint the State Secretary of the Cabinet of Ministers of Ukraine, his/her deputies, and state secretaries of ministries.

6. Before the State Secretary and Deputy State Secretaries of the Cabinet of Ministers of Ukraine are appointed in accordance herewith, but not later than for four months upon the publication hereof, their powers shall be exercised by the Minister and Deputy Ministers of the Cabinet of Ministers of Ukraine.

7. Before the procedure for the conduct of competitions for the occupation of the vacant offices of the State Secretary and Deputy State Secretaries of the Cabinet of Ministers of Ukraine, state secretaries of ministries is set in the civil service legislation, the following procedure is established for such competitions:

1) To conduct a competition for the occupation of the vacant offices of the State Secretary and Deputy State Secretaries of the Cabinet of Ministers of Ukraine, a specially authorised central public executive authority shall organise a commission consisting of nine members, and for the competition for the vacant offices of state secretaries of ministries – a commission of eleven members.

2) The competition commission for the occupation of offices of the State Secretary and Deputy State Secretaries of the Cabinet of Ministers of Ukraine, state secretaries of ministries shall include the chairman of the commission – the head of the specially authorised central public executive authority for civil service, a representative of the Prime Minister of Ukraine, a relevant minister or his/her representative (only as concerns the office of a state secretary of ministry), the State Secretary of the Cabinet of Ministers of Ukraine or his/her representative (only as concerns the office of a state secretary of ministry), the head of the National Public Administration Academy, as well as two representatives of the President of Ukraine, the coalition of parliamentary factions in the Verkhovna Rada of Ukraine, and all parliamentary factions outside the governmental coalition.

3) Meetings of the competition commission shall be authorised if not less than two thirds of its members are present. The commission shall make its decision by the majority of votes from the total number of commission members. The meeting of the competition commission shall be formalised in the minutes to be signed by members of the commission present in the meeting. Each member of the commission shall be entitled to add their individual opinion to the minutes.

4) A candidate for the office of the State Secretary or Deputy State Secretary of the Cabinet of Minister of Ukraine, or a state secretary of ministry may be denied access to the participation in the competition due to his/her failure to meet the requirements set for the relevant vacant office, as well as due to the restrictions set by the Law of Ukraine on Civil Service.

5) A candidate for the office of the State Secretary or Deputy State Secretary of the Cabinet of Minister of Ukraine, or a state secretary of ministry who has been denied access to the competition may contest this decision in accordance with the current legislation.

8. Within one year upon the publication hereof, the Cabinet of Ministers of Ukraine shall:

1) undertake a functional examination of the public executive authorities, as well as state companies, institutions and organisations subordinated thereto, and, on the results of such examination, reorganise the system of central state executive authorities and governmental bodies;

2) develop and approve the Public Sector Reform Concept (state companies, institutions, and organisations); and

3) develop a concept for the introduction of independent regulators in the system of public authorities and submit a relevant bill drafted on its basis for the consideration of the Verkhovna Rada of Ukraine.

9. Before the system of central public executive authorities is reorganised in accordance herewith, but not longer than over one year after this Law comes into force, the central public executive authorities shall be directed and coordinated by the relevant minister in accordance with the previously passed decisions.