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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

DRAFT LAW ON THE JUDICIARY OF UKRAINE
(Comparative table showing amendments to the draft)

LAW OF UKRAINE “ON THE JUDICIARY OF UKRAINE”

Draft new wording

| Text as approved by the National Commission on Strengthening Democracy and the Rule of Law, 11 July 2006 | Text as submitted by the President of Ukraine to the Verkhovna Rada of Ukraine, 27 December 2006 |
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| This law determines legal fundamentals of functioning of judiciary in Ukraine – organization of judicial power and justice execution, system of courts of general jurisdiction, system of bodies, responsible for adequate level of judiciary establishment, system and procedures of judiciary self-government, and also determines general procedures of court operation and regulates other matters of judicature. | This law determines legal fundamentals of functioning of judiciary in Ukraine – organisation of judicial power and administration of justice, system of courts of general jurisdiction, system of bodies, responsible for adequate level of judicial corps, system and procedures of judiciary self-government, and also determines general procedures of court operation and regulates other matters of judicature. |
| Section I. FUNDAMENTALS OF THE JUDICIAL POWER | Section I. FUNDAMENTALS OF ORGANISATION OF THE JUDICIARY |
| Article 1. Judicial power | Article 1. Judicial power |
| 1. Judicial power in Ukraine shall be exercised by the courts prescribed by the law on the basis of division of the power, as it is provided by the article 6 of the Constitution of Ukraine. | 1. Judicial power in Ukraine in accordance with the principle of division of the power shall be exercised by independent and impartial courts established pursuant to the law. |
| 2. Judicial power shall be exercised through administration of justice in the form of civil, economic, administrative, criminal and constitutional judicial procedure. Judicial procedure shall be administered by the Constitutional Court of Ukraine and the courts of general jurisdiction. | 2. Judicial power is realised by judges by means of administration of justice within relevant judicial proceedings. |
| | 3. Judicial proceedings are performed by the Constitutional Court of Ukraine and courts of general jurisdiction. |
| Article 2. Objectives of a court | Article 2. Objectives of a court |
| 1. While administering justice on the basis of the rule of law, a court shall secure the protection of the rights and freedoms of a human being and citizen, as guaranteed by the Constitution and laws of Ukraine, the rights and legitimate interests of legal entities, and interests of the public and the state. | While administering justice on the basis of the rule of law principles, a court shall secure to everyone the right to a fair trial and respect for other rights and fundamental freedoms , as guaranteed by the Constitution and laws of Ukraine. |
| Article 3. The court system of Ukraine | Article 3. The court system of Ukraine |
| 1. The court system of Ukraine shall consist of the courts of general jurisdiction and the Constitutional Court of Ukraine. | 1. The court system of Ukraine shall consist of the courts of general jurisdiction and the Constitutional Court of Ukraine. |
| 2. The courts of general jurisdiction shall form the single system of courts. The Constitutional Court of Ukraine shall be the single body of constitutional jurisdiction in Ukraine. | 2. The courts of general jurisdiction shall form the single system of courts. The Constitutional Court of Ukraine is the single body of constitutional jurisdiction in Ukraine. |

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| <p>3. The court system shall provide accessibility of justice for every person in the order, prescribed in the Constitution of Ukraine and laws.</p> | <p>3. The court system shall provide accessibility of justice for every person in the order, prescribed in the Constitution and laws of Ukraine.</p> |
| <p>4. Creation of extraordinary and special courts shall not be permitted.</p> | <p>4. Creation of extraordinary and special courts shall not be permitted.</p> |
| <p>5. The procedure of organization and operation of the Constitutional Court of Ukraine shall be determined by the Constitution of Ukraine and the Law of Ukraine "On the Constitutional Court of Ukraine".</p> | <p>5. The procedure of organisation and operation of the Constitutional Court of Ukraine shall be determined by the Constitution of Ukraine and the Law of Ukraine "On the Constitutional Court of Ukraine".</p> |
| <p>Article 4. Legislation on the judiciary of Ukraine</p> | <p>Article 4. Legislation on the judiciary of Ukraine</p> |
| <p>The judiciary of Ukraine shall be determined by the Constitution of Ukraine and this Law.</p> | <p>The judicial system of Ukraine shall be determined by the Constitution of Ukraine and this Law.</p> |
| <p>Article 5. Justice administered exclusively by courts</p> | <p>Article 5. Justice administered exclusively by courts</p> |
| <p>1. Justice in Ukraine is administered exclusively by courts. The delegation of court functions, and also appropriation of these functions by other bodies or officials shall not be permitted.</p> | <p>1. Justice in Ukraine is administered exclusively by courts. The delegation of court functions, and also appropriation of these functions by other bodies or officials shall not be permitted.</p> |
| <p>2. Persons that have illegally assumed the court functions shall be liable under the law.</p> | <p>2. Persons that have illegally assumed court functions shall be liable under the law.</p> |
| <p>3. The people shall directly participate in administration of justice through people's assessors and jurors. The participation of people's assessors and jurors in administration of justice is their public duty.</p> | <p>3. The people shall directly participate in administration of justice through people's assessors and jurors. The participation of people's assessors and jurors in administration of justice is their public duty.</p> |
| <p>Article 6. Autonomy of courts</p> | <p>Article 6. Autonomy of courts</p> |
| <p>1. Courts have the autonomous authority to administer justice independently. When administering justice, courts shall neither depend on any influence nor shall they be accountable to whatsoever authority; and they shall abide only by the Constitution of Ukraine and the law.</p> | <p>1. <u>Courts shall administer justice autonomously. When administering justice, courts shall not depend on any illegitimate influence, pressure, or intrusion emerging from whatever source. Courts shall administer justice on the basis of the Constitution and laws of Ukraine while being governed by the principle of the rule of law.</u></p> |
| <p>2. Guarantees of the judicial independence and of the independence of judges are fixed by the Constitution of Ukraine, this Law and others laws.</p> | <p>2. Guarantees of the judicial autonomy and of the independence of judges are fixed by the Constitution of Ukraine, this Law and others laws.</p> |
| <p>3. Courts shall not hear the addresses in connection with concrete cases considering by the court submitted by the citizens, organizations or officials that are not the parties to the court proceedings pursuant to the law unless specified otherwise by procedural law.</p> | <p>3. Courts shall not consider addresses in connection with concrete cases under court's consideration by citizens, organisations or officials that are not parties to the court proceedings pursuant to the law unless specified otherwise by law.</p> |
| <p>4. Interference into administration of justice, influence upon a court or judges in any manner, contempt of court or against judges, collection, keeping, use and dissemination of the information in verbal, written or another form with the aim of damaging their authority and affecting the impartiality of justice shall be prohibited and legally liable pursuant to the law.</p> | <p>4. Interference into administration of justice, influence upon a court or judge in any manner, contempt of court or judge, collection, storage, use and dissemination of information in verbal, written or another form with the aim of damaging their authority or affecting the impartiality of justice shall be prohibited and legally liable pursuant to the law.</p> |

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| 5. The judicial self-government shall be applied to solve the problems pertaining to the internal activity of courts pursuant to this Law. | 5. The judicial self-government shall operate to resolve issues pertaining to the internal activity of courts pursuant to this Law. |
| Article 7. The right to judicial protection | Article 7. The right to a judicial remedy |
| 1. All persons shall enjoy a guaranteed protection of their rights, freedoms and interests by an independent and unbiased court created pursuant to the law. | 1. All persons shall enjoy a guaranteed protection of their rights, freedoms and interests by an independent and impartial court established pursuant to the law. |
| 2. The courts of first instance, the courts of appeal and the courts of cassation shall operate in Ukraine for the purpose of impartial, unbiased, and timely consideration of cases and the lawfulness of court decisions. | 2. The courts of first instance, the courts of appeal and the courts of cassation shall operate in Ukraine in order to ensure fair, impartial and timely consideration of cases and the lawfulness of court decisions in Ukraine. |
| This law determines legal fundamentals of functioning of judiciary in Ukraine – organization of judicial power and justice execution, system of courts of general jurisdiction, system of bodies, responsible for adequate level of judiciary establishment, system and procedures of judiciary self-government, and also determines general procedures of court operation and regulates other matters of judicature. | |
| <u>3. Nobody shall be denied the right to have his/her case heard in a court having the jurisdiction over that case prescribed by procedural law.</u> | <u>3. Everyone has the right to take part in consideration of his case in a court of any instance in line with the procedure established by the provisions of procedural law.</u> |
| 4. Everyone has the right to take part in consideration of his/their case in a court of any instance in line with the procedure established by the provisions of procedural law. | <u>4. Foreigners, stateless persons, and foreign legal entities shall enjoy in Ukraine the right to a judicial remedy equally with citizens and legal entities of Ukraine.</u> |
| 5. Foreign residents, persons without nationality, and foreign legal entities enjoy the right in Ukraine to legal protection equally with the citizens and legal entities of Ukraine. | |
| | Article 8. Right to a legitimate court |
| | <u>1. No one shall be deprived of the right to have his case considered by the court which jurisdiction the case is referred to by procedural law.</u> |
| | <u>2. A judge considers cases received according to the procedure of case distribution established in accordance with the law. The case distribution amongst judges shall not be influenced by wish of the judge or any other persons interested in the results of the case consideration.</u> |
| | <u>3. The composition of the court which has received the case in violation of the established order of case distribution can be declared illegitimate by the court of higher instance in accordance with the procedural law.</u> |
| Article 8. Equality before the law and the court | Article 9. Equality before the law and the court |
| 1. Justice in Ukraine is administered on the principles of equality of all participants in legal proceedings before the law and the court without distinction of their sex, race, and color, political, religious and other convictions and beliefs, national or social origin, property status, domicile and other circumstances. | Justice in Ukraine is administered on the principles of equality of all participants in legal proceedings before the law and the court without distinction of their race, colour of skin, political, religious and other beliefs, sex, ethnical or social origin, property status, and domicile, <u>linguistic</u> and other characteristics. |

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| <p>Article 9. Legal assistance during the court hearings</p> | <p>Article 10. Legal assistance <u>in realisation of the right to a fair trial</u></p> |
| <p>1. Each person has the right to legal assistance <u>during the court hearings</u>.</p> | <p>1. Everyone has the right to legal assistance.</p> |
| <p>2. The Bar shall be available for rendering the legal assistance during the court hearings in Ukraine. In cases, fixed by the law, such assistance may be also provided by other persons. The procedure and conditions of rendering the legal assistance are determined by the law. In cases provided for by the law the legal assistance may be given free of charge.</p> | <p>2. To render legal assistance in Ukraine the advocacy [the Bar] shall operate. In cases, envisaged by the law, such assistance may also be provided by other persons. The procedure and conditions of rendering legal assistance are determined by the law. In cases provided for by the law legal assistance shall be given free of charge.</p> |
| <p>Article 10. Openness and transparency of the court proceedings</p> | <p>Article 11. Openness and transparency of court proceedings</p> |
| <p>1. Nobody shall be limited in the right to receive in a court the written or verbal information about the results of consideration of his/their case by court.</p> | <p>1. Nobody shall be limited in the right to receive in a court the written or verbal information about the results of consideration of his case by court.</p> |
| <p>2. The proceedings in all courts shall be open to the public except the cases defined by procedural law. Participants in court proceedings and other persons, attending the open judicial hearings, may use portative audio technical means. Photographing, filming, video and sound recording in a courtroom with the use of standard equipment, also broadcasting of a court session may be allowed by permission of a court <u>in the manner prescribed by procedural law</u>.</p> | <p>2. The proceedings in all courts shall be open to the public except for the cases defined by the procedural law. Participants in court proceedings and other persons, attending open judicial hearings, may use portative audio technical means. Photographing, filming, video and sound recording in a courtroom with the use of standard equipment, also broadcasting of a court sitting may be allowed by court.</p> |
| <p>3. Closed judicial session hearings may be allowed by court's decision in cases set forth by procedural law.</p> | <p>3. Closed judicial hearings shall be allowed by court's decision in cases set forth by the procedural law.</p> |
| <p>4. When hearing a case, the court proceedings are registered by technical facilities in the manner prescribed by procedural law.</p> | <p>4. When hearing a case, the court proceedings are registered by technical facilities in the manner prescribed by the procedural law.</p> |
| <p>Article 11. Language of Judicial procedure</p> | <p>Article 12. Language of judicial procedure</p> |
| <p>1. Judicial procedure in Ukraine shall be carried out in the official national language.</p> | <p>1. Judicial procedure in Ukraine shall be carried out in the official national language.</p> |
| <p>2. Other languages may also be applied in cases provided for by the law and pursuant to the procedure stipulated thereby.</p> | <p>2. Other languages may also be applied in cases provided for by the law and pursuant to the procedure stipulated thereby.</p> |
| <p>3. Persons that have no or incomplete command of the official language are entitled to use their native languages and take advantage of translator/interpreter services in the course of a trial. In cases provided for by procedural law this right shall be secured by state.</p> | <p>3. Persons that have no or incomplete command of the official language are entitled to use their native languages and take advantage of translator/interpreter services in the course of a trial. In cases provided for by procedural law this right shall be secured by state.</p> |
| <p>Article 12. The binding force of court decisions</p> | <p>Article 13. The binding force of court decisions</p> |
| <p>1. The final court decisions shall be approved in the name of Ukraine.</p> | <p>1. Final court decisions shall be approved in the name of Ukraine.</p> |
| <p>2. Court decisions that have become legally valid are binding for all state bodies, local self-government authorities, their officials, public associations and other organizations, citizens and legal entities in the whole territory of Ukraine. The binding force of court decisions for other courts (precedent effect) is specified by procedural law.</p> | <p>2. Court decisions that have become legally valid are binding for all state bodies, local self-government authorities, their officials, civic organisations and other organisations, citizens and legal entities in the whole territory of Ukraine. The binding force of court decisions for other courts (prejudicial effect) shall be determined by the procedural law.</p> |

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| 3. Court decisions of other countries are binding in the territory of Ukraine under the terms established by the law of Ukraine pursuant to the international treaties of Ukraine whose binding force has been approved by the Verkhovna Rada of Ukraine. | 3. Court decisions of other states are binding for enforcement in the territory of Ukraine under the terms established by the law of Ukraine pursuant to international treaties whose binding force has been approved by the Verkhovna Rada of Ukraine. |
| 4. Failure to comply with the court rulings shall entail legal liability under the law. | 4. Failure to comply with court decisions shall entail legal liability under the law. |
| Article 13. The right to appeal against court decisions | Article 14. The right to appeal against a court decision |
| Participants in court proceedings and other persons have the right to appeal against and take review of a court decisions in cases and according to the procedure set forth by procedural law. | Participants in court proceedings and other persons have the right to lodge an appeal or cassation request against a court decision in cases and according to the procedure set forth by the procedural law. |
| Article 14. Collective and single justice consideration of cases | Article 15. Collective and single justice consideration of cases |
| 1. In the courts of first instance the cases may be considered individually by one professional judge, by the panel of professional judges in cases fixed by procedural law, and also with participation of people's assessors or by jury. | 1. Cases in courts are shall be considered by single professional judge, in cases determined by the procedural law – by a panel of professional judges, and also with participation of people's assessors or by jury. |
| 2. In case of single justice examination a judge acts as a court. | 2. In case of single justice examination a judge acts as a court. |
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| Section II. COURTS OF GENERAL JURISDICTION | Section II. COURTS OF GENERAL JURISDICTION |
| Chapter 1. INSTITUTIONAL FRAMEWORK OF THE SYSTEM OF COURTS OF GENERAL JURISDICTION | Chapter 1. ORGANISATIONAL FRAMEWORK OF THE SYSTEM OF COURTS OF GENERAL JURISDICTION |
| Article 15. Types of the courts of general jurisdiction | Article 16. Types of courts of general jurisdiction |
| 1. The system of general jurisdiction courts is based on the principles of territorial division, specialization and hierarchy. | 1. The system of general jurisdiction courts is based on the principles of territorial division, specialisation and instances. |
| 2. The system of courts of general jurisdiction includes the following: | 2. The system of courts of general jurisdiction shall include the following: |
| 1) local courts; | 1) local courts; |
| 2) courts of appeal; | 2) courts of appeal; |
| 3) high specialized courts; | 3) high specialised courts; |
| 4) the Supreme Court of Ukraine. | 4) the Supreme Court of Ukraine. |
| Article 16. Specialization of the courts of general jurisdiction | Article 17. Specialisation of courts of general jurisdiction |
| 1. Courts of general jurisdiction specialize in civil, economic, administrative and criminal cases. | 1. Courts of general jurisdiction shall specialise in civil, economic, administrative and criminal cases. |
| 1. Courts of general jurisdiction specialize in civil, economic, administrative and criminal cases. | 2. Specialisation of judges in specific categories of cases may be introduced in courts of general jurisdictions. |

| <p>Article 17. Procedure of establishment of courts <u>and selection of judges for administrative positions.</u></p> | <p>Article 18. Procedure of establishment of courts</p> |
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| <p>1. Courts of general jurisdiction shall be established and dissolved by the President of Ukraine on the basis of recommendations of the Minister of Justice of Ukraine <u>and agreed with the Head of State Judicial Administration of Ukraine and Council of Judges of Ukraine.</u> The Chief Justice of the Supreme Court of Ukraine or the Chair of a relevant high specialized court may address the Head of the State Judicial Administration of Ukraine with a proposal regarding establishment or dismissal of courts.</p> | <p>1. Courts of general jurisdiction shall be established and dissolved by the President of Ukraine upon submission of the Minister of Justice of Ukraine. <u>The submission of the Minister of Justice of Ukraine shall be appended with conclusions of the President of the Supreme Court of Ukraine, president of the relevant high specialised court, the Head of the State Judicial Administration of Ukraine if they have been provided upon request of the Minister of Justice of Ukraine.</u></p> |
| <p>2. Court location and status shall be determined accounting for territorial, specialization, and hierarchic principles.</p> | <p>2. Court location and status shall be determined accounting for territorial, specialisation, and instance principles.</p> |
| <p>3. Courts shall be established or dissolved on such grounds as changes in the court system as prescribed by this Law and may be the changes in administrative system and territorial division.</p> | <p>3. Courts shall be established or dissolved on such grounds as changes in the court system as determined by this Law and <u>the need to enhance accessibility of justice to people or</u> changes in administrative and territorial division.</p> |
| <p>4. The number of judges at courts shall be determined by the President of Ukraine <u>on the basis of recommendations of the Head of State Judicial Administration of Ukraine, agreed with the Council of Judges of Ukraine,</u> in view of the suggested workload and within the limits of allocations for maintenance of courts, as approved in State Budget of Ukraine</p> | <p>4. The number of judges at courts shall be determined <u>and can be changed</u> by the President of Ukraine <u>upon submission of the Council of Judges of Ukraine,</u> in view of the suggested workload and within the limits of financial allocations for maintenance of courts, as approved in State Budget of Ukraine</p> |
| <p>Chair of a local court, Chair of appellate court and his/her Deputy, Chair of high specialized court and his/her Deputy shall be appointed to these posts for a term of five years from a number of the nominated judges and are released from their posts by the Council of Judges of Ukraine.</p> | |
| <p>5. Under the Council of Judges of Ukraine a reserve of candidates if formed to replace Chairs of local and appellate courts, high specialized courts, Deputy Chairs of the courts of appeal and high courts. Procedure for the reserve and conduction of special examinations of candidates are approved by the Congress of Judges of Ukraine.</p> | |
| <p>6. A judge can be appointed to a position of Chair or Deputy Chair of the court if he/she was on this reserve for at least six months.</p> | |
| <p>7. The Chief Justice of the Supreme Court of Ukraine, Deputy of the Chief Justice of the Supreme Court of Ukraine, Chairs of Judicial Chambers of the Supreme Court of Ukraine are elected to their posts for a term of 5 years from a number of judges of this court accordingly and judges of according chamber, and are dismissed from these posts by the Plenary Meeting of the Supreme Court of Ukraine.</p> | |
| <p>8. A judge can not occupy a post of the Chair of the court more than 2 terms in a row.</p> | |
| <p>9. The fact that a judge occupies any of the posts mentioned in items 5 and 7 of this article, does not liberate him/her from the responsibilities of a judge of a respective court, prescribed by the Law.</p> | |

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| <p>10. Dismissal of a judge from the post mentioned in parts fifth, seventh of this article does not deprive him/her of credentials of a judge. Termination of judge's powers means termination of his/her powers on the post mentioned in items 5 and 7 of this article.</p> | |
| | <p>Article 19. Procedure of appointment of judges to administrative posts</p> |
| | <p>1. President of a local court, president of an appellate court and his/her deputy, president of the high specialised court and his/her deputy shall be appointed to these posts for a term of five years from among the judges of that court and are dismissed from their posts by the Council of Judges of Ukraine.</p> |
| | <p>2. Under the Council of Judges of Ukraine a reserve list of candidates is formed to take posts of presidents of local and appellate courts, high specialised courts, deputy presidents of appellate courts and the high courts.</p> <p><u>Candidates are included in the reserve upon recommendation of gatherings of judges of the relevant court or upon judge's personal application. If such recommendation or application are absent the candidate to the reserve list is proposed by the president of the court of higher level upon consent of the judge.</u></p> <p><u>Candidates included in the reserve list shall receive training for the work in the administrative post in court in the National School of Judges of Ukraine.</u></p> <p>Procedures for keeping the reserve list and conduction of special examinations of candidates are approved by the Congress of Judges of Ukraine.</p> <p>A judge can be appointed to the post of president or deputy president of the court if he/she was on the reserve list for at least six months <u>and received relevant training in the National School of Judges of Ukraine.</u></p> <p><u>When deciding on the appointment of a judge to the administrative post the Council of Judges of Ukraine shall evaluate his/her achievements in work, level of professional knowledge, integrity, results of work, organisational skills, results of training in the National School of Judges of Ukraine.</u></p> |
| | <p>3. The President of the Supreme Court of Ukraine, Deputy President of the Supreme Court of Ukraine, chairs of Judicial Chambers in the Supreme Court of Ukraine shall be elected to their posts for a term of 5 years from among the judges of this court accordingly and judges of relevant chamber, and shall be dismissed from these posts by the Plenary Meeting of the Supreme Court of Ukraine.</p> |
| | <p>4. A judge can not occupy a post of the president of the court more than 2 two terms in a row.</p> |
| | <p>5. The fact that a judge occupies administrative post in the court shall not liberate him/her from the responsibilities of a judge of the respective court, prescribed by the Law.</p> |
| | <p>6. Dismissal of a judge from administrative post shall not discontinue his/her credentials of a judge. <u>Dismissal from the office or</u> end of the judge's term of office he/she was appointed (elected) to shall entail the termination of his/her powers on the administrative post.</p> |

| Chapter 2. LOCAL COURTS | Chapter 2. LOCAL COURTS |
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| Article 18. Types and composition of local courts | Article 20. Types and composition of local courts |
| 1. In the system of courts of general jurisdiction there are local courts which operate as courts of first instance in civil, economic, administrative and criminal cases. | 1. In the system of courts of general jurisdiction there are local courts which operate as courts of first instance in civil, economic, administrative and criminal cases. |
| 2. Local courts are: | 2. Local courts are: |
| 1) district courts - district, district in a city, city and city-district courts; | 1) divisional courts - district, district in a city, city and city-district courts; |
| 2) circuit courts – circuit economic courts, circuit administrative courts and circuit criminal courts, are formed in the circuits as decreed by the President of Ukraine. | 2) circuit courts – circuit economic courts, circuit administrative courts and circuit criminal courts, are formed in the circuits according to decree by the President of Ukraine. |
| 3. Territorial jurisdiction of local courts shall be determined by the President of Ukraine once they shall be formed. | 3. Territorial jurisdiction of local courts shall be determined by the President of Ukraine at the time of their formation. |
| 4. A name of a local court shall include the name of the settlement, where the court is situated. | 4. The name of a local court shall include the name of the settlement, where the court is situated. |
| 5. A local court shall consist of no less than 3 judges of a local court, from the number of which the Chair of the court shall be appointed. | 5. A local court shall consist of no less than 3 judges of a local court, from among of whom the president of the court shall be appointed. |
| Article 19. Jurisdiction of local court | Article 21. Jurisdiction of local court |
| 1. Local court shall be the first instance court and it hears the cases that fall within its jurisdiction as prescribed by procedural law. | 1. Local court shall be the first instance court and it shall hear cases that fall within its jurisdiction as prescribed by the procedural law. |
| 2. Local district courts shall hear all civil cases and also administrative, criminal and other cases within their jurisdiction. | 2. Local divisional courts shall hear all civil cases and also administrative, criminal and other cases referred to their jurisdiction. |
| 3. Circuit economic courts shall hear the cases involving private legal relations in economic sphere that fall within their jurisdiction. | 3. Circuit economic courts shall hear cases involving private law relations in economic sphere that are referred to their jurisdiction. |
| 4. Circuit administrative courts shall hear administrative cases involving public legal relations within their jurisdiction. | 4. Circuit administrative courts shall hear administrative cases involving public law relations that are referred to their jurisdiction. |
| 5. Circuit criminal courts shall hear criminal cases that fall within their jurisdiction. In circuit criminal courts for consideration of separate categories of cases there shall be created a jury trial. | 5. Circuit criminal courts shall hear criminal cases that are referred to their jurisdiction. In circuit criminal courts for consideration of separate categories of cases a jury trial shall be created. |
| Article 20. Judge of a local court | Article 22. Judge of a local court |
| 1. A judge of a local court shall: | 1. Judge of a local court shall: |
| 1) administer justice in accordance with the procedure defined by procedural law; | 1) administer justice in accordance with the procedure defined by the procedural law; |
| 2) take the procedural measures essential for hearing a case; | 2) take procedural measures to ensure the consideration of a case; |

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| 3) monitor according to the law the timely implementation of the rulings made under his/her chairmanship; | 3) control, according to the law, the enforcement of decisions delivered under his/her presidency; |
| 4) exercise other powers vested in him/her by the law. | 4) exercise other powers vested in him/her by the law. |
| Article 21. Chair of a local court | Article 23. President of a local court |
| 1. The Chair of a local court shall: | 1. President of a local court shall: |
| 1) represents a court as a body of the state power in relations with other bodies of the state power, local self-government authorities, citizens, institutions, and organizations; | 1) represent the court as a body of the state power in relations with other bodies of the state power, local self-government authorities, citizens, institutions, and organisations; |
| 2) exercise control over the operation of the court staff; | 2) exercise control over the efficient operation of the court's secretariat; |
| 3) issue a relevant order on the basis of reports on appointment (election) of a judge or dismissal of judge from the post; | 3) issue relevant order on the basis of the act on appointment (election) of a judge or dismissal of judge from the post; |
| 4) inform the High Qualifications Commission of Ukraine about availability of vacant or temporary vacant posts in the court within 10 days term; | 4) inform, within 10 days, the High Qualifications Commission of Ukraine about availability of vacant or temporary vacant posts in the court; |
| 5) determine specialization of judges for consideration of specific categories of cases; | 5) determine specialisation of judges for consideration of specific categories of cases; |
| 6) provide for execution of a decision of the local court judges' meeting; | 6) ensure execution of decisions of the local court judges' meeting; |
| 7) take actions regarding information-analytical support of judges in order to improve the quality of justice; | 7) control the keeping of the court's statistics and organise the study of court's practice , take actions regarding informational and analytical support of judges in order to improve the quality of justice; |
| 8) provide for improvement of skills of the judges of relevant court; | 8) ensure the execution of requirements concerning the improvement of qualifications of judges of the relevant court; |
| 9) provide for keeping the court statistics; | |
| 10) exercise other powers specified by the law. | 9) exercise other powers specified by the law. |
| The Chair of a local court issues the orders and instructions within the limits of power delegated to him. | The president of a local court shall issue orders and instructions on the issues within his/her administrative powers. |
| 2. Should Chair of court be absent his/her administrative powers shall be exercised by a judge of this court, which has the longest experience working as a judge. | 2. In case of absence of the president of a court his/her administrative powers shall be exercised by the judge of this court, who has the longest experience working as a judge. |
| Chapter 3. THE COURTS OF APPEAL | Chapter 3. COURTS OF APPEAL |
| Article 22. Types and composition of the courts of appeal | Article 24. Types and composition of the courts of appeal |
| 1. In the system of courts of general jurisdiction in Ukraine appellate courts operate as courts of appeal in civil, economic, administrative and criminal cases. | 1. In the system of courts of general jurisdiction in Ukraine appellate courts operate as courts of appeal in civil, economic, administrative, and criminal cases. |

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| <p>2. The courts of appeal are: appellate courts for consideration of civil and criminal cases, economic courts of appeal, and administrative courts of appeal, which are formed in the appellate circuits as decreed by the President of Ukraine.</p> | <p>2. The appellate courts shall be: courts of appeal for consideration of civil and criminal cases, economic courts of appeal, and administrative courts of appeal, which are formed in the appellate circuits according to decree by the President of Ukraine.</p> |
| <p>3. The court of appeal shall include judges, elected to the post without time limitation, from the number of which the Chairman shall be appointed. In the courts of appeal that consider civil and criminal cases there shall be two Deputy Chairmen of the court appointed. In economic and administrative courts of appeal there shall be a Deputy Chairman appointed from the judges of these courts.</p> | <p>3. The court of appeal shall consist of judges elected to the post for permanent terms, from among of whom the president shall be appointed. In the courts of appeal that consider civil and criminal cases there shall be two deputy presidents of the court appointed. In economic and administrative courts of appeal there shall be a deputy president appointed from judges of these courts.</p> |
| <p>4. The judicial chamber for consideration of civil cases and the judicial chamber for consideration of criminal cases shall be created in the structure of the court of appeal that considers civil and criminal cases. The Chairs of these chambers shall be Deputy Chairmen of the court of appeal.</p> | <p>4. The judicial chamber for consideration of civil cases and the judicial chamber for consideration of criminal cases shall be set up within the court of appeal that considers civil and criminal cases. The chairs of these chambers shall be deputy presidents of the court of appeal.</p> |
| <p>5. Under the court of appeal there may be specialized boards of judges created for consideration of specific categories of cases within the respective court jurisdiction.</p> | <p>5. Within the court of appeal specialised panels of judges can be created for consideration of specific categories of cases within the respective court's jurisdiction.</p> |
| <p>6. The name of the court of appeal shall include the name of the location, where it is located.</p> | <p>6. The name of the court of appeal shall include the name of the settlement, where it is located.</p> |
| <p>Article 23. Powers of the courts of appeal</p> | <p>Article 25. Powers of the courts of appeal</p> |
| <p>1. Courts of appeal shall:</p> | <p>1. Courts of appeal shall:</p> |
| <p>1) consider the cases of appeal of respective court jurisdiction;</p> | <p>1) consider the cases of appeal of respective court jurisdiction;</p> |
| <p>2) analyze the court statistics;</p> | <p>2) analyse the judicial statistics;</p> |
| <p>3) study and generalize the judicial practice;</p> | <p>3) study and generalise the judicial practice;</p> |
| <p>4) perform other functions pursuant to the law.</p> | <p>4) perform other functions pursuant to the law.</p> |
| <p>Article 24. Judge of a court of appeal</p> | <p>Article 26. Judge of the court of appeal</p> |
| <p>1. Judge of a court of appeal shall:</p> | <p>1. Judge of the court of appeal shall:</p> |
| <p>1) administer justice in accordance with the procedure established by procedural law;</p> | <p>1) administer justice in accordance with the procedure established by the procedural law;</p> |
| <p>2) conduct the court proceedings essential for ensuring of the hearing of the case;</p> | <p>2) take procedural measures to ensure the consideration of a case;</p> |
| <p>3) monitor, pursuant to the law, the timely implementation of the court decisions approved with his/her participation;</p> | <p>3) control, according to the law, the enforcement of decisions delivered under his/her presidency;</p> |
| <p>4) exercise other powers vested in him/her under the law.</p> | <p>4) exercise other powers defined by the law.</p> |

| Article 25. Chair of a court of appeal | Article 27. President of the court of appeal |
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| 1. The Chairman of a court of appeal shall: | 1. President of the court of appeal shall: |
| 1) represent a court as a state body in its relations with other state bodies, local self-government authorities, citizens, institutions and organizations; | 1) represent the court as a body of the state power in its relations with other bodies of the state power, local self-government authorities, citizens, institutions, and organisations; |
| 2) assign the administrative powers of the Deputy Chairman of a court; | 2) determine the administrative powers of the deputy president of the court; |
| 3) control operation of the court staff; | 3) exercise control over the efficient operation of the court's secretariat; |
| 4) issue a relevant order on the basis of reports on appointment (election) of a judge or dismissal of judge from the post; | 4) issue relevant order on the basis of the act on appointment (election) of a judge or dismissal of a judge from the post; |
| 5) inform the High Qualifications Commission of Ukraine about availability of vacant or temporary vacant posts in the court in a ten days term; | 5) inform, within 10 days, the High Qualifications Commission of Ukraine about availability of vacant or temporary vacant posts in the court; |
| 6) shall submit for approval of the meeting of judges of a respective court the personal composition of judicial chambers (in the court of appeal considering civil and criminal cases); | 6) submit for approval of the meeting of judges of the respective court the personal composition of judicial chambers (in the court of appeal considering civil and criminal cases); |
| 7) provide for execution of a decision of the appeal court judges' meeting; | 7) ensure execution of decisions of the court of appeal judges' meeting; |
| 8) provide for keeping and analysis of the court statistics, the study and generalization of judicial practice; | 8) control the keeping and analysis of the court's statistics, organise the study and generalisation of the judicial practice, take action regarding informational and analytical support of judges in order to improve the quality of justice; |
| 9) take actions regarding information-analytical support of judges in order to improve the quality of judicature; | |
| 10) take due measures for improving the skills of judges of a relevant court; | 9) ensure the execution of requirements concerning the improvement of qualifications of judges of the relevant court; |
| 11) exercise other duties as stipulated by law. | 10) exercise other powers defined by the law. |
| Chair of the court of appeals shall issue orders and instructions on the matters within the limits of his/her administrative powers. | President of the court of appeal shall issue orders and instructions on the issues within his/her administrative powers. |
| 2. Should Chair of the appellate court be absent his/her administrative powers shall be exercised by the Deputy Chair, and in case of absence of the Deputy Chair the administrative powers shall be executed by judge of this court, which has the longest experience working as a judge. | 2. In case of absence of the president of the court of appeal his/her administrative powers shall be exercised by the deputy president, and in case of absence of the deputy president - by judge of this court, who has the longest experience working as a judge. |
| Article 26. Deputy Chair of a court of appeal | Article 28. Deputy president of the court of appeal |
| 1. The Deputy Chair of a court of appeal shall exercise administrative powers, determined by the Chair of the court. | 1. The deputy president of the court of appeal shall exercise administrative powers, determined by the president of the court. |

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| <p>2. The Deputy Chair of a court of appeal who is at the same time the Chair of a judicial chamber, beside responsibilities defined by the Chair of the court shall:</p> | <p>2. The deputy president of the court of appeal who is the chair of a judicial chamber, beside responsibilities determined by the president of the court, shall:</p> |
| <p>1) provide for the analysis and generalization of the judicial practice for the cases falling within the chamber's jurisdiction;</p> | <p>1) organise the analysis and generalisation of the judicial practice for cases falling within the chamber's jurisdiction;</p> |
| <p>2) inform the court presidium about the operation of a judicial chamber;</p> | <p>2) inform the meeting of judges about the functioning of the judicial chamber;</p> |
| <p>3) exercise other duties as stipulated by law.</p> | <p>3) exercise other powers defined by the law.</p> |
| <p>3. In case of absence of the Deputy Chair of the court of appeal the functions of the Chair of a judicial chamber shall be performed by the chamber's judge of senior age.</p> | <p>3. In case of absence of the deputy president of the court of appeal – chair of the judicial chamber, the powers of the chair of the judicial chamber shall be performed by the chamber's judge of senior age.</p> |
| <p>Chapter 4. HIGH SPECIALIZED COURTS</p> | <p>Chapter 4. HIGH SPECIALISED COURTS</p> |
| <p>Article 27. Types and composition of high courts</p> | <p>Article 29. Types and composition of high specialised courts</p> |
| <p>1. In the system of courts of general jurisdiction high specialized courts operate as courts of cassation instance in civil, economic, administrative, and criminal cases. In separate cases prescribed by the procedural law, high courts may act as courts of first instance and courts of appeal.</p> | <p>1. In the system of courts of general jurisdiction high specialised courts shall operate as courts of cassation instance in civil, economic, administrative, and criminal cases. In exceptional cases, defined by the procedural law, high courts may act as courts of first instance and courts of appeal.</p> |
| <p>2. The high judicial bodies of specialized courts are represented by the High Civil Court of Ukraine, the High Economic Court of Ukraine, the High Administrative Court of Ukraine, and the High Criminal Court of Ukraine.</p> | <p>2. The high specialised courts shall be: the High Civil Court of Ukraine, the High Economic Court of Ukraine, the High Administrative Court of Ukraine, and the High Criminal Court of Ukraine.</p> |
| <p>3. The high specialized court shall consist of the judges elected to the posts for an unlimited term, the Chair of a court and the Deputy Chair of a court appointed from the number of judges.</p> | <p>3. The high specialised court shall consist of judges elected to the posts for permanent terms, from among of whom the president of the court and the deputy president of the court shall be appointed.</p> |
| <p>4. The specialized Judicial Chambers may be created in the high specialized court to consider specific categories of cases falling within relevant court jurisdiction.</p> | <p>4. Within the high specialised court specialised panels of judges can be created for consideration of specific categories of cases within the respective court's jurisdiction.</p> |
| <p>5. The plenary meeting of a high specialized court shall be held to settle the general issues of operation of relevant specialized courts.</p> | <p>5. The plenary assembly of a high specialised court shall operate to settle the general issues of functioning of the relevant specialised court.</p> |
| <p>6. The high specialized courts shall be located in the city of Kyiv.</p> | <p>6. The high specialised courts shall be located in the city of Kyiv.</p> |
| <p>Article 28. Powers of a high specialized court</p> | <p>Article 30. Powers of the high specialised court</p> |
| <p>1. The high specialized courts shall:</p> | <p>1. The high specialised court shall:</p> |
| <p>1) hear the cases of a relevant jurisdiction in keeping with the cassation procedure;</p> | <p>1) consider cases of the relevant jurisdiction in cassation;</p> |
| <p>2) hear the cases of a relevant jurisdiction in exceptional cases, identified by the procedural law;</p> | <p>2) consider cases of the relevant jurisdiction in exceptional cases, specified by the procedural law;</p> |

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| 3) analyze the court statistics, study and generalize the judicial practice; | 3) analyse the judicial statistics, study and generalise the judicial practice; |
| 3) provide the specialized courts of lower level with clarifications concerning application of the law in consideration of cases within relevant court jurisdiction with the aim of identical application of the constitutional and legal norms in judicial practice; | 4) provide relevant courts of lower level with recommendatory explanations concerning application of the law in consideration of cases within the relevant court jurisdiction in order to ensure uniform application of legal norms in the judicial practice; |
| 4) exercise other powers as specified by the law. | 5) exercise other powers as specified by the law. |
| Article 29. Judge of a high specialized court | Article 31. Judge of the high specialised court |
| 1. A judge of a high specialized court shall: | 1. Judge of the high specialised court shall: |
| 1) administer justice in keeping with the judicial procedure established by procedural law; | 1) administer justice in accordance with the procedure established by the procedural law; |
| 2) conduct the judicial proceedings and take measures essential for consideration of cases; | 2) take procedural measures to ensure the consideration of a case; |
| 3) monitor, pursuant to the law, the timely implementation of the courts rulings approved with his/her participation; | 3) control, according to the law, the enforcement of decisions delivered under his/her presidency; |
| 4) perform other duties specified by the law. | 4) exercise other powers defined by the law. |
| Article 30. Chair of a high specialized court | Article 32. President of the high specialised court |
| 1. The Chair of a high specialized court shall: | 1. President of the high specialised court shall: |
| 1) represent a high specialized court as state body in the relations with other state bodies, local self-government authorities, citizens, institutions, and organizations, also with the state bodies of other countries, and international organizations; | 1) represent the high specialised court as a body of the state power in relations with other bodies of the state power, local self-government authorities, citizens, institutions, and organisations, as well as with the judicial bodies of other states and international organisations; |
| 2) allocate the functions of the Deputy Chair of a court; | 2) determines administrative powers of the deputy president of the court; |
| 3) control the operation of court staff, assign ranks of civil servants to the head of staff and his/her deputies according to the procedure prescribed by the law, provide them with incentives and mete out disciplinary punishments according to the respective legislation; | 3) exercise control over the efficient operation of the court's secretariat, assign ranks of civil servants to the head of the court's secretariat and his/her deputies according to the procedure prescribed by the law, grant them with benefits and impose disciplinary punishments according to the respective legislation; |
| 4) issue a relevant order on the basis of the reports on election (appointment) of a judge or dismissal of the judge from his/her post; | 4) issue relevant order on the basis of the act on appointment (election) of a judge or dismissal of a judge from the post; |
| 5) inform the High Qualifications Commission of Ukraine about availability of vacant or temporary vacant posts in the court within 10 days term; | 5) inform, within 10 days, the High Qualifications Commission of Ukraine about availability of vacant or temporary vacant posts in the court; |
| 6) introduce, accordingly to this Law, proposals on the creation and dissolution of relevant local courts and courts of appeal, or regarding changes in the number of judges in them; | 6) submit, according to this Law, proposals regarding the creation of relevant local courts and courts of appeal, or regarding the change in the number of judges in them; |

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| 7) convene the plenary meeting of a high specialized court, submit the issues for its consideration and preside over its meetings; | 7) convene the plenary assembly of the high specialised court, propose items for its consideration and preside over its meetings; |
| 8) inform the Plenary Meeting of the Supreme Court of Ukraine on the performance of a high specialized court; | 8) inform the Plenary Assembly of the Supreme Court of Ukraine about the functioning of the high specialised court; |
| 9) provide for the implementation of the rulings of the high specialized court; | 9) ensure execution of decisions of the high specialised court judges' meeting; |
| 10) organize keeping and analysis of the court statistics, study and generalize the judicial practice; | 10) control the keeping and analysis of the court's statistics, organise the study and generalisation of judicial practice, take action regarding informational and analytical support of judges in order to improve the quality of justice; |
| 11) take actions regarding information-analytical provision of judges in order to improve the quality of judicature; | |
| 12) take due measures for improving the skills of judges of a relevant court; | 11) ensure the execution of requirements concerning the improvement of qualifications of judges of the relevant court; |
| 13) exercise other powers set forth by the law. | 12) exercise other powers defined by the law. |
| The Chair of a high specialized court shall issue orders and instructions concerning the issues within the limits of administrative power delegated to him. | The president of the high specialised court shall issue orders and instructions on the issues within his/her administrative powers. |
| 2. In case of absence of the Chair of a high specialized court the Deputy Chair shall exercise his/her administrative powers, in case of absence of the Deputy Chair the administrative powers shall be executed by judge of this court, which has the longest experience working as a judge.. | 2. In case of absence of the president of the high specialised court, his/her administrative powers shall be exercised by the deputy president of the court, and in case of absence of the latter – the judge of this court, who has the longest experience working as a judge. |
| Article 31. Deputy Chair of a high specialized court | Article 33. Deputy president of the high specialised court |
| 1. A Deputy Chair of a high specialized court shall exercise administrative powers, assigned by the Chair of the court. | 1. The deputy president of the high specialised court shall exercise administrative powers determined by the president of the court. |
| Article 32. Plenary meeting of a high specialized court | Article 34. Plenary assembly of the high specialised court |
| 1. The plenary meeting of high specialized court operates with all judges of high specialized court for resolving issues connected with provision of unity of judicial practice in cases of respective specialized jurisdiction, and other matters that fall within its jurisdiction according to this Law. | 1. The plenary assembly of the high specialised court shall consist of all judges of the high specialised court and operate in order to resolve issues connected with the ensuring of uniformity of judicial practice in cases of the respective specialised jurisdiction and other matters that fall within its competence according to this Law. |
| 2. The plenary meeting of high specialized court shall: | 2. The plenary assembly of the high specialised court shall: |
| 1) provide the specialized courts of lower level with clarifications concerning application of the law in consideration of cases within relevant court jurisdiction with the aim of identical application of the constitutional and legal norms in judicial practice; | 1) provide relevant lower level courts with recommendatory explanations in order to ensure uniform application of legal norms in consideration of cases of the relevant judicial jurisdiction; |
| 2) approve the composition of the scientific-consulting council under the high specialized court and regulations regarding it; approve the composition of editorial board | 2) approve the composition of the Scientific and Consultative Council at the high specialised court and regulations regarding it; approve the composition of the editorial |

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| of the official periodical of the high specialized court; | board of the official periodical of the high specialised court; |
| 3) hear the information of the Chair of the high specialized court on the practice of resolving relevant court cases; | 3) hear information of the president of the high specialised court concerning the practice of resolving relevant court cases; |
| 4) make decision on addressing to the Constitutional Court of Ukraine with the request for official interpretation of the Constitution of Ukraine and laws of Ukraine; | 4) make decision on addressing the Constitutional Court of Ukraine with a request for an official interpretation of the Constitution and laws of Ukraine; |
| 5) review and solve other issues within jurisdictions pursuant to law. | 5) consider and resolve other issues referred to its competence by the law. |
| 3. The plenary meeting of a high specialized court shall be held not less than two times per year. The date of the meeting shall be known to the members of the plenary meeting ten days in advance. In the very same time materials concerning the issues, which are to be discussed at the plenary meeting, are sent out. | 3. The plenary assembly of the high specialised court shall be convened by the president of the high specialised court or his/her deputy when necessary or upon a demand of at least one fifth of judges of the high specialised court, but not less than two times per year. The date and time of the meeting of the plenary assembly shall be notified to its participants not later than ten days before the meeting. Within the same time materials concerning the issues, which are to be discussed at the plenary assembly, shall be sent out. |
| 4. The plenary meeting shall be considered as legally valid if attended by at least two thirds of the plenary meeting members. | 4. The plenary assembly meeting shall be considered as valid if attended by at least two thirds of the plenary assembly members. |
| 5. When the plenary meeting shall consider the matters, stated in items 1, 3, and 5 of the second part of the article, the Minister of Justice of Ukraine has a right to take part in the meeting. | 5. Representatives of bodies of the state power, scientific institutions, civic organisations, mass media, etc. may be invited to meetings of the plenary assembly. |
| Representatives of state government bodies, scientific institutions, public organizations, mass media, etc may be invited to the plenary meeting. | |
| 6. Resolutions of the plenary meeting of the high specialized court shall be passed by open ballot by a majority of votes of the plenary meeting members; the resolutions shall be signed by the person that presided over the meeting. | 6. Resolutions of the plenary assembly shall be passed by open ballot by a majority of votes of the plenary assembly members and shall be signed by the person who presided over its meeting. |
| Article 33. Scientific and consultative council and official periodical of a high specialized court | Article 35. Scientific and Consultative Council and official periodical of the high specialised court |
| 1. The scientific and consultative council will be created at a high specialized court to analyze the issues concerning the preparation of a scientific, well-grounded interpretation of the laws in force, and also to draw the conclusions relating to the draft laws and other enactments, also to consider the issues involving the need for scientific support of operation of a high specialized court. | 1. The Scientific and Consultative Council shall be created at a high specialised court to elaborate on issues related to the preparation of scientific grounding for the interpretation of legislation, as well as to prepare conclusions on draft laws and other draft normative legal acts and on other issues of scientific support of operation of the high specialised court. |
| 2. The structure and operation of the scientific and consultative council shall be established by the regulations that are approved by the Plenary Meeting of a high specialized court. | 2. The structure and operation of the Scientific and Consultative Council shall be established by the regulations that shall be approved by the plenary assembly of the high specialised court. |
| 3. A high specialized court shall run the official periodical containing the information on judicial practice, the decisions on administration of a high specialized court and relevant courts, and other materials | 3. The high specialised court shall have an official periodical to publish the information on the judicial practice, decisions pertaining to the organisation of functioning of high specialised court and relevant courts, and other materials. |

| Chapter 5. THE SUPREME COURT OF UKRAINE | Chapter 5. THE SUPREME COURT OF UKRAINE |
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| Article 34. The Supreme Court of Ukraine – the highest judicial authority | Article 36. The Supreme Court of Ukraine – the highest judicial authority |
| 1. The Supreme Court of Ukraine is the highest judicial authority within the system of general jurisdiction courts. The Supreme Court of Ukraine shall administer justice, provide for identical application of the laws in force by all courts of general jurisdiction. | 1. The Supreme Court of Ukraine is the highest judicial authority within the system of general jurisdiction courts. The Supreme Court of Ukraine shall administer justice, ensure uniform application of legislation by all courts of general jurisdiction. |
| 2. The Supreme Court of Ukraine shall: | 2. The Supreme Court of Ukraine shall: |
| 1) consider cases except for those circumstances, prescribed by the procedural law, consider cases in other cases, prescribed by the law; | 1) review cases under the exceptional circumstances according to the procedure, established by the procedural law; review other cases when so determined by the law; |
| 2) clarify for the courts the application of the laws with the aim of identical application of the legal norms in judicial practice. | 2) provide courts with explanations in order to ensure the uniform application of legal norms in the judicial practice; |
| 3) make a conclusion about the availability or absence of the evidences of high treason or another crime in the actions of the President of Ukraine which he is charged with; submit, as requested by the Verkhovna Rada of Ukraine, the written judgment on the impossibility for the President of Ukraine to exercise his powers on medical grounds; | 3) give an opinion whether the acts, of which the President of Ukraine is accused, contain elements of state treason or other crime; send upon request of the Verkhovna Rada of Ukraine the written submission on the impossibility for the President of Ukraine to exercise powers due to his/her state of health; |
| 4) apply to the Constitutional Court of Ukraine provided the courts of general jurisdiction have some doubts in the course of administration of justice about the constitutional validity of the laws and other enactments, also apply to the Constitutional Court for official interpretation of the Constitution and laws of Ukraine; | 4) apply to the Constitutional Court of Ukraine when the courts of general jurisdiction have doubts in the course of administration of justice as to the constitutionality of laws and other legal acts, as well as apply to the Constitutional Court for official interpretation of the Constitution and laws of Ukraine; |
| 5) keep and analyze the court statistics, study and generalize the judicial practice, and practical application of the laws in force by courts; | 5) keep and analyse the judicial statistics, study and generalise the judicial practice and practical application of legislation by courts; |
| 6) deal, within the limits of its power, with the issues pertaining to the international treaties of Ukraine; represent the courts of general jurisdiction in relations with the courts of other countries; | 6) decide, within the limits of its power, on the issues pertaining to the international treaties of Ukraine; represent the courts of general jurisdiction in relations with courts of foreign states; |
| 7) exercise other powers pursuant to the law. | 7) exercise other powers specified in the law. |
| Article 35. Composition of the Supreme Court of Ukraine | Article 37. Composition of the Supreme Court of Ukraine |
| 1. The Supreme Court of Ukraine shall be headed by the Chief Justice of the Supreme Court of Ukraine, which has a deputy. The composition of the Supreme Court of Ukraine shall include eleven judges from each specialized jurisdiction (civil, economic, administrative, criminal), elected for an unlimited term | 1. The Supreme Court of Ukraine shall be headed by the President of the Supreme Court of Ukraine, who shall have a deputy. The composition of the Supreme Court of Ukraine shall consist of eleven judges from each specialised jurisdiction (civil, economic, administrative, criminal), elected for permanent terms. |
| The membership of the judicial chambers that consider the cases falling within the jurisdiction of specialized courts shall consist of the judges that have the experience of working as the judges in a relevant high court of at least three years. | Judicial chambers that consider cases falling within the jurisdiction of specialised courts shall consist of judges that have the experience of working as a judge in the relevant high court for at least three years. |
| 2. The structure of the Supreme Court of Ukraine shall include: | 2. The following chambers shall operate within the Supreme Court of Ukraine: |

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| 1) judicial chamber for consideration of civil cases; | 1) Judicial Chamber for Civil Cases; |
| 2) judicial chamber for consideration of criminal cases; | 2) Judicial Chamber for Criminal Cases; |
| 3) judicial chamber for consideration of economic cases; | 3) Judicial Chamber for Economic Cases; |
| 4) judicial chamber for consideration of administrative cases. | 4) Judicial Chamber for Administrative Cases. |
| 3. The Plenary meeting of the Supreme Court of Ukraine shall function at the Supreme Court of Ukraine to consider the issues pursuant to the Constitution of Ukraine and this Law. Membership and work of the Plenary meeting are specified pursuant to this Law. | 3. The Plenary Assembly of the Supreme Court of Ukraine shall function in the Supreme Court of Ukraine to resolve the issues defined by the Constitution of Ukraine and this Law. Composition and mode of operation of the Plenary Assembly shall be determined pursuant to this Law. |
| 4. The scientific and consultative council shall be formed at the Supreme Court of Ukraine whose status is determined pursuant to this Law. | 4. The Scientific and Consultative Council, whose status shall be determined pursuant to this Law, shall be set up at the Supreme Court of Ukraine. |
| 5. The Supreme Court of Ukraine shall have the official edition of the Supreme Court of Ukraine and may be a co-founder of other publications. | 5. The Supreme Court of Ukraine shall have its official periodical and may be a co-founder of other print media outlets. |
| 6. The Supreme Court of Ukraine shall be located in the city of Kyiv. | 6. The Supreme Court of Ukraine shall be located in the city of Kyiv. |
| Article 36. Judge of the Supreme Court of Ukraine | Article 38. Judge of the Supreme Court of Ukraine |
| 1. A judge of the Supreme Court of Ukraine shall: | 1. A judge of the Supreme Court of Ukraine shall: |
| 1) administer justice in the manner prescribed by procedural law; | 1) administer justice in accordance with the procedure established by the procedural law; |
| 2) conduct the court proceedings and take organizational measures essential for consideration of cases; | 2) take procedural measures to ensure the consideration of a case; |
| 3) participate in discussion of the issues submitted for consideration of the meeting of a relevant Judicial chamber and the plenary session of the Supreme Court of Ukraine; | 3) participate in consideration of issues by the meeting of the relevant Judicial Chamber and of the Plenary Assembly of the Supreme Court of Ukraine; |
| 4) analyze the judicial practice; put forward the proposals, in keeping with the established procedure, concerning the improvement of such practice and the laws in force; | 4) analyse the judicial practice, put forward proposals concerning the improvement of such practice and legislation according to the established procedure; |
| 5) exercise other powers set forth by the law. | 5) exercise other powers defined by the law. |
| Article 37. Chief Justice of the Supreme Court of Ukraine | Article 39. President of the Supreme Court of Ukraine |
| 1. The Chief Justice of the Supreme Court of Ukraine shall: | 1. The President of the Supreme Court of Ukraine: |
| 1) represent the Court as a state body in its relations with other state bodies of Ukraine, local self-government authorities, citizens, institutions, and organizations, also with judicial authorities of other countries and international organizations; | 1) shall represent the Court as the body of the state power in its relations with other bodies of the state power, local self-government authorities, citizens, institutions, and organisations, as well as with judicial authorities of other states and international organisations; |

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| <p>2) organize the operation of the Supreme Court of Ukraine, determine administrative responsibilities of the Deputy Chief Justice of the Supreme Court of Ukraine, Chairmen of Judicial Chambers of the Supreme Court of Ukraine;</p> | <p>2) shall organise the operation of the Supreme Court of Ukraine, determine administrative powers of the Deputy President of the Supreme Court of Ukraine, Chairs of Judicial Chambers of the Supreme Court of Ukraine;</p> |
| <p>3) convene the Plenary meeting of the Supreme Court of Ukraine, submit the issues for their consideration and preside over their meetings;</p> | <p>3) shall convene the Plenary Assembly of the Supreme Court of Ukraine, propose issues for its consideration and preside over its meetings;</p> |
| <p>4) preside over the sessions of the boards of justices of the Supreme Court of Ukraine during consideration of any case;</p> | <p>4) may preside over sittings of panels of judges of the Supreme Court of Ukraine during consideration of any case;</p> |
| <p>5) submit, pursuant to this Law, the proposals on creation of the courts or changes of the number of judges in the courts;</p> | <p>5) shall submit, pursuant to this Law, the proposals on creation of courts or changes in the number of judges in the courts;</p> |
| <p>6) issue a relevant order on the basis of reports on election of a person to the post of a judge of the Supreme Court of Ukraine or dismissal of a judge from his/her post;</p> | <p>6) shall issue relevant order on the basis of the act on the election of a judge of the Supreme Court of Ukraine or dismissal of a judge from his/her post;</p> |
| <p>7) inform the High Qualifications Commission of Ukraine about availability of vacant or temporary vacant posts in the court within 10 days term;</p> | <p>7) shall inform, within ten days, the High Qualifications Commission of Ukraine about availability of vacant or temporary vacant posts in the court;</p> |
| <p>8) be in charge of the operation of the staff of the Supreme Court of Ukraine; assign to the members of court staff the ranks of public servants, in the order prescribed by the Law, provide them with incentives and mete out disciplinary punishment in the manner prescribed by legislation;</p> | <p>8) shall control the operation of the secretariat of the Supreme Court of Ukraine; assign to the head of the Court's secretariat and his/her deputies the ranks of civil servants in the order prescribed by the law, grant them benefits and impose measures of disciplinary punishment according to the legislation;</p> |
| <p>9) inform the plenary meeting of the Supreme Court of Ukraine on the performance of the Supreme Court of Ukraine;</p> | <p>9) shall inform the Plenary Assembly of the Supreme Court of Ukraine about the functioning of the Supreme Court of Ukraine;</p> |
| <p>10) exercise other powers under the law.</p> | <p>10) shall exercise other powers defined by the law.</p> |
| <p>The Chief Justice of the Supreme Court of Ukraine shall issue orders and instructions concerning the matters falling within his/her administrative jurisdiction.</p> | <p>The President of the Supreme Court of Ukraine shall issue orders and instructions on the issues within his/her administrative powers.</p> |
| <p>2. The Chief Justice of the Supreme Court of Ukraine shall be member of the High Council of Justice ex officio.</p> | |
| <p>3. Should the Chief Justice of the Supreme Court of Ukraine be absent his/her administrative responsibilities shall be exercised by the Deputy Chief Justice of the Supreme Court of Ukraine, and if the second is absent, administrative responsibilities shall be exercised by a judge of this court, which has the largest experience working on the post of a judge.</p> | <p>2. In case of absence of the President of the Supreme Court of Ukraine his/her administrative powers shall be exercised by the Deputy President of the Supreme Court of Ukraine, and if the latter is absent – by a judge of this Court, who has the longest experience working on the post of a judge.</p> |
| <p>Article 38. Election of Chief Justice of the Supreme court of Ukraine</p> | <p>Article 40. Election of the President of the Supreme Court of Ukraine</p> |
| <p>1. The Chief Justice of the Supreme Court of Ukraine shall be elected at the Supreme Court of Ukraine Plenary meeting for a term of five years by secret vote. The Chief Justice shall be deemed elected if the majority of the total Plenum membership has voted for him /her.</p> | <p>1. The President of the Supreme Court of Ukraine shall be elected by the Plenary Assembly of the Supreme Court of Ukraine for a term of five years by secret vote. The President shall be deemed elected if the majority of votes from the total number of the Plenary Assembly composition has been cast for him/her.</p> |

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| | 2. The Plenary Assembly of the Supreme Court of Ukraine to elect the President of the Supreme Court of Ukraine shall be convened not later than within a month from the day of termination of powers of the preceding President of the Supreme Court of Ukraine. |
| 2. The procedure of election of the Chief Justice of the Supreme Court of Ukraine and his/her removal from the post shall be established as per the internal regulations of the Plenary meeting of the Supreme Court of Ukraine passed by the Plenary meeting. No changes shall be allowed in the said procedure within six months before expiry of the term of office of the Chief Justice of the Supreme Court of Ukraine. | 3. The procedure of election of the President of the Supreme Court of Ukraine and his/her dismissal from the post shall be established by the Rules of Procedures of the Plenary Assembly of the Supreme Court of Ukraine which shall be approved by the Plenary Assembly. No changes to the rules governing this procedure shall be allowed within six months before the expiry of the term of office of the President of the Supreme Court of Ukraine. |
| Article 39. Deputy Chief Justice of the Supreme Court of Ukraine | Article 41. Deputy President of the Supreme Court of Ukraine |
| 1. The Deputy Chief Justice of the Supreme Court of Ukraine shall run the operation of structural divisions of the Court pursuant to the fixed procedure of allocation of administrative duties; may preside over the sessions of the boards of justices of the Supreme Court of Ukraine. | 1. The Deputy President of the Supreme Court of Ukraine shall control the division of administrative powers , may preside over judicial sittings of panels of judges of the Supreme Court of Ukraine. |
| The Deputy Chief Justice of the Supreme Court of Ukraine shall issue the orders and instructions falling within the limits of his/her administrative power. | The Deputy President of the Supreme Court of Ukraine, within his/her administrative powers, shall issue instructions. |
| 2. The Deputy Chief Justice of the Supreme Court of Ukraine shall be appointed to the post from among the judges of the Supreme Court of Ukraine for a term of five years and be removed from the post by the Plenary Meeting of the Supreme Court of Ukraine. The decision on appointment of the Deputy Chief Justice of the Supreme Court of Ukraine shall be passed by secret ballot not later than within a period of three months from the date of creation of a relevant vacant post. He/she may be elected for the post repeatedly. | 2. The Deputy President of the Supreme Court of Ukraine shall be appointed to the post from among the judges of the Supreme Court of Ukraine for a term of five years and be dismissed from the post by the Plenary Assembly of the Supreme Court of Ukraine. The decision on the appointment of the Deputy President of the Supreme Court of Ukraine shall be passed by a secret ballot not later than within three months from the day when the relevant vacant post has emerged. He/she may be elected for the post repeatedly. |
| 3. The Deputy Chief Justice of the Supreme Court of Ukraine may be removed from his/her post before his/her terms in office expire according to the procedure, stipulated by Regulations of the Plenum of the Supreme Court of Ukraine. | 3. The Deputy President of the Supreme Court of Ukraine may be dismissed from the post before termination of the term of office according to the procedure, defined by the Rules of Procedure the Plenary Assembly of the Supreme Court of Ukraine. |
| Article 40. Judicial Chambers of the Supreme Court of Ukraine | Article 42. Judicial Chambers of the Supreme Court of Ukraine |
| 1. The Judicial Chambers of the Supreme Court of Ukraine shall: | 1. Judicial Chambers of the Supreme Court of Ukraine shall: |
| 1) prove administration of justice by the boards of judges of the Supreme Court of Ukraine in relative cases; | 1) ensure administration of justice by panels of judges of the Supreme Court of Ukraine in relative cases; |
| 2) analyze the court statistics and study the judicial practice; | 2) analyse the judicial statistics, study and generalise the judicial practice; |
| 3) prepare the draft resolutions of the Plenary Meeting of the Supreme Court of Ukraine; | 3) prepare draft resolutions of the Plenary Assembly of the Supreme Court of Ukraine; |
| 4) exercise other powers under the law. | 4) exercise other powers defined by the law. |

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| 2. A Judicial Chamber of the Supreme Court of Ukraine shall be run by the Chair of a Judicial Chamber. | 2. A Judicial Chamber of the Supreme Court of Ukraine shall be chaired by the Chair of the Judicial Chamber. |
| 3. The Chair of a Judicial Chamber of the Supreme Court of Ukraine shall: | 3. The Chair of a Judicial Chamber of the Supreme Court of Ukraine shall: |
| 1) provide for operation of a relevant Judicial Chamber; | 1) organise work of the relevant Judicial Chamber; |
| 2) provide for analysis of the court statistical data, study and generalization of the judicial practice pertaining to the jurisdiction of a Judicial Chamber; | 2) organise the analysis of the judicial statistics, the study and generalisation of the judicial practice pertaining to the jurisdiction of the Judicial Chamber; |
| 3) submit for consideration of the Plenary Meeting of the Supreme Court of Ukraine the proposals on the necessity for clarifying specific issues of application of the law in judicial practice by courts; | 3) submit for consideration of the Plenary Assembly of the Supreme Court of Ukraine proposals on the necessity for explaining specific issues of application of legislation in the judicial practice; |
| 4) exercise other powers under the law. | 4) exercise other powers defined by the law. |
| 4. A group of scientific consultants of the Supreme Court of Ukraine shall function at a Judicial Chamber. | 4. A group of scientific consultants of the Supreme Court of Ukraine shall function at a Judicial Chamber. |
| Article 41. Plenary Meeting of the Supreme Court of Ukraine | Article 43. Plenary Assembly of the Supreme Court of Ukraine |
| 1. The Plenary Meeting of the Supreme Court of Ukraine is a collective body, whose jurisdictions are pursuant to the Constitution of Ukraine and this Law. The Presidium of the Supreme Court of Ukraine consists of all judges of the Supreme Court of Ukraine. | 1. The Plenary Assembly of the Supreme Court of Ukraine shall be a collective body, whose competence is determined by the Constitution of Ukraine and this Law. The Plenary Assembly of the Supreme Court of Ukraine shall consist of all judges of the Supreme Court of Ukraine. |
| 2. The Plenary meeting of the Supreme Court of Ukraine shall: | 2. The Plenary Assembly of the Supreme Court of Ukraine shall: |
| 1) in keeping with the procedure under this Law, elect the Chief Justice of the Supreme Court of Ukraine and his/her Deputy and remove them from the posts by secret ballot; | 1) elect to and dismiss from the post the President of the Supreme Court of Ukraine and his/her Deputy by a secret ballot according to the procedure established by this Law; |
| 2) appoint to and remove persons from the posts of Chairs of Judicial Chambers of the Supreme Court of Ukraine; | 2) appoint to and dismiss from the posts of Chairs of Judicial Chambers of the Supreme Court of Ukraine; |
| 3) appoint and dismiss Secretary for the Plenary meeting of the Supreme Court of Ukraine from among the judges of the Supreme Court of Ukraine on suggestion of the Chief Justice of the Supreme Court of Ukraine; | 3) appoint to the post, from among judges of the Supreme Court of Ukraine upon submission of the President of the Supreme Court of Ukraine, the Secretary of the Plenary Assembly of the Supreme Court of Ukraine and dismiss from this post; |
| 4) hear the progress reports of the Chief Justice of the Supreme Court of Ukraine, Deputy Chief Justice of the Supreme Court of Ukraine, the Chairs of Judicial Chambers of the Supreme Court of Ukraine, the Chairs of the high specialized courts regarding the operation of Judicial Chambers and relevant courts; | 4) hear reports of the President of the Supreme Court of Ukraine, the Deputy President of the Supreme Court of Ukraine, Chairs of Judicial Chambers of the Supreme Court of Ukraine, presidents of the high specialised courts regarding work of the Judicial Chambers and relevant courts; |
| 5) clarify for the courts the application of the laws in force in judicial practice on the basis of its generalization and analysis of the court statistics with the purpose of identical application of norms of law in the judicial practice; | 5) provide explanations for the courts in order to ensure the uniform application of legal norms in the judicial practice; |

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| <p>6) decide on applying to the Constitutional Court to consider the issues on constitutional validity of the laws in force, also on official interpretation of the Constitution and laws of Ukraine;</p> | <p>6) decide on applying to the Constitutional Court of Ukraine on the issues of constitutionality of laws and other legal acts, as well as for the official interpretation of the Constitution and laws of Ukraine;</p> |
| <p>7) approve, the conclusion on presence or absence of the evidences of high treason or other crimes in the actions of the President of Ukraine which he is charged with; also approve the submission for consideration of the Verkhovna Rada the judgment about the impossibility for the President of Ukraine to exercise his powers on medical grounds.</p> | <p>7) give an opinion whether the acts, of which the President of Ukraine is accused, contain elements of state treason or other crime; send upon request of the Verkhovna Rada of Ukraine the written submission on the impossibility for the President of Ukraine to exercise powers due to his/her state of health.</p> |
| <p>3. A session of the Plenary Meeting of the Supreme Court of Ukraine shall be considered as legally competent if attended by at least two thirds if its members.</p> | <p>3. A meeting of the Plenary Assembly of the Supreme Court of Ukraine shall be considered as valid if attended by at least two thirds of its members.</p> |
| <p>4. <u>The Minister of Justice of Ukraine has a right to take part in the work of a Plenary Meeting of the Supreme Court of Ukraine when issues stated in items 4, 5, and 6 of this article are under Plenum's consideration.</u></p> | <p>4. Representatives of bodies of the state power, scientific institutions, civic organisations, mass media, etc. may be invited to a meeting of the Plenary Assembly of the Supreme Court of Ukraine.</p> |
| <p>Representatives of state government bodies, scientific institutions, public organizations and mass media may be invited to a session of the Plenary Meeting of the Supreme Court of Ukraine.</p> | |
| <p>5. A Plenary Meeting of the Supreme Court of Ukraine shall be convened if necessary but at least once in three months. The participants in a Plenary Meeting shall be informed about its date and the issues to be discussed at it not later than ten days before holding the meeting.</p> | <p>5. The Plenary Assembly of the Supreme Court of Ukraine shall be convened <u>by the President of the Supreme Court of Ukraine or his/her Deputy when necessary or upon a demand of at least one fifth of judges of the Supreme Court of Ukraine</u>, but at least once in three months. The participants of the Plenary Assembly meeting shall be notified of its day and time and the issues to be discussed at the meeting not later than ten days prior to the meeting.</p> |
| <p>6. The Plenary Meeting shall be chaired by the Chief Justice of the Supreme Court of Ukraine or, in case of his/her absence, by the <u>First Deputy Chief Justice or a Deputy Chief Justice</u> of the Supreme Court of Ukraine pursuant to the Regulations.</p> | <p>6. The Plenary Assembly shall be presided over by the President of the Supreme Court of Ukraine or, in case of his/her absence, by the Deputy President pursuant to the Rules of Procedure.</p> |
| <p>7. The procedure of work of a Plenary Meeting of the Supreme Court of Ukraine shall be established by this Law and the Regulations of the Plenary Meeting of the Supreme Court of Ukraine adopted in conformity with this Law.</p> | <p>7. The procedure of work of the Plenary Assembly of the Supreme Court of Ukraine shall be established by this Law and the Rules of Procedure of the Plenary Assembly of the Supreme Court of Ukraine adopted in conformity with this Law.</p> |
| <p>8. A Plenary Meeting of the Supreme Court of Ukraine shall pass the resolutions on the issues considered by it. The resolutions of a Plenary Meeting of the Supreme Court of Ukraine shall be signed by the person presiding over the Plenary Meeting and the Secretary of Plenary Meeting, and published in the official edition of the Supreme Court of Ukraine.</p> | <p>8. The Plenary Assembly of the Supreme Court of Ukraine shall pass resolutions on the issues considered by it. Resolutions by the Plenary Assembly of the Supreme Court of Ukraine shall be signed by the person presiding over the Plenary Assembly meeting and the Secretary of the Plenary Assembly, and published in the official periodical of the Supreme Court of Ukraine.</p> |
| <p>9. The Secretary of Plenary Meeting of the Supreme Court of Ukraine shall organize the work of the secretariat of the Plenary Meetings, prepare the Plenary Meetings, keep the Plenary Meeting's minutes and exercise control over fulfillment of the decisions taken by a Plenary Meeting of the Supreme Court of Ukraine.</p> | <p>9. The Secretary of the Plenary Assembly of the Supreme Court of Ukraine shall organise the work of the secretariat of the Plenary Assembly, prepare the Plenary Assembly's meetings, draw up minutes of the Plenary Assembly's meetings and control the fulfilment of resolutions adopted by the Plenary Assembly of the Supreme Court of Ukraine.</p> |

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| <p>Article 42. Staff of the Supreme Court of Ukraine</p> | <p>Article 44. Secretariat of the Supreme Court of Ukraine</p> |
| <p>1. The staff of the Supreme Court of Ukraine shall be available to provide for organizational, methodological, financial, and information support of operation of the Supreme Court of Ukraine. The staff regulations, the number of judicial employees and the staff structure shall be approved by the Plenary Meeting of the Supreme Court of Ukraine as proposed by the Chief Justice of the Supreme Court of Ukraine.</p> | <p>1. The secretariat of the Supreme Court of Ukraine shall provide the organisational, methodological, financial, and informational support of the work of the Supreme Court of Ukraine. The regulations on the secretariat, the general number of staff members and the secretariat structure shall be approved by the Plenary Assembly of the Supreme Court of Ukraine upon submission of the President of the Supreme Court of Ukraine.</p> |
| <p>2. The staff of the Supreme Court of Ukraine shall be headed by the head of the staff. The head of the staff of the Supreme Court of Ukraine shall represent the Supreme Court of Ukraine as a legal entity, approve personnel list and budget of costs for maintenance of the Supreme Court of Ukraine, and approve regulations regarding structure subdivisions of the staff of the Supreme Court of Ukraine.</p> | <p>2. The secretariat of the Supreme Court of Ukraine shall be headed by the head of the secretariat. The head of the secretariat of the Supreme Court of Ukraine shall represent the Court as a legal entity, approve personnel list and budget of costs for maintenance of the Supreme Court of Ukraine, and approve regulations regarding structural divisions of the secretariat of the Supreme Court of Ukraine.</p> |
| <p>3. The materials pertaining to operation of the Supreme Court of Ukraine shall be kept in the Archives of the Supreme Court of Ukraine.</p> | <p>3. Materials pertaining to the work of the Supreme Court of Ukraine shall be kept in the archives of the Supreme Court of Ukraine.</p> |
| <p>Article 43. Scientific and consultative council and editions of the Supreme Court of Ukraine</p> | <p>Article 45. Scientific and Consultative Council and official periodical of the Supreme Court of Ukraine</p> |
| <p>1. The Scientific and consultative council shall be set up at the Supreme Court of Ukraine that consists of the high-qualified law experts for preliminary consideration of the draft resolutions of a Plenary Meeting of the Supreme Council of Ukraine concerning the interpretation of the laws in force, drawing the conclusions on the draft enactments and other aspects of operations of the Supreme Court of Ukraine that require scientific support.</p> | <p>1. The Scientific and Consultative Council shall be set up at the Supreme Court of Ukraine and consist of highly qualified law experts for preliminary consideration of draft resolutions of the Plenary Assembly of the Supreme Council of Ukraine concerning the explanations on legislation, drawing opinions on draft laws and other aspects of operation of the Supreme Court of Ukraine that require scientific support.</p> |
| <p>2. The procedure of organization and work of the Scientific and consultative council of the Supreme Court of Ukraine shall be determined by the regulations to be approved by Plenary Meeting of the Supreme Council of Ukraine.</p> | <p>2. The procedure of organisation and work of the Scientific and Consultative Council of the Supreme Court of Ukraine shall be determined by relevant regulations to be approved by the Plenary Assembly of the Supreme Council of Ukraine.</p> |
| <p>3. The Supreme Court of Ukraine has its official edition that publishes the materials pertaining to judicial practice of the Supreme Court of Ukraine and other courts of general jurisdiction as well as the materials on the issues connected with operation of courts of general jurisdiction, and other materials.</p> | <p>3. The Supreme Court of Ukraine shall have its official periodical to publish materials pertaining to the judicial practice of the Supreme Court of Ukraine and other courts of general jurisdiction as well as materials on the issues connected to the organisation of work of courts of general jurisdiction, and other materials.</p> |
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| <p>Section III. QUALIFICATIONS COMMISSIONS OF JUDGES</p> | <p>Section III. QUALIFICATIONS COMMISSIONS OF JUDGES</p> |
| <p>Article 44. The status of qualifications commissions of judges</p> | <p>Article 46. The status of qualifications commissions of judges</p> |
| <p>1. Qualifications commissions are assigned with a task of establishing corps of professional judges that are able to administer law in good faith, efficiently and impartially.</p> | <p>1. Qualifications commissions shall be assigned with the task of forming the corps of professional judges, who are able to administer justice in qualified, good faith manner and</p> |

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| To achieve this goal the commissions shall select and recommend nominees to hold the posts of professional judges; shall determine level of the nominees' professional skills. The said commissions shall also deal with the issues connected with the judges' dismissal from their posts in cases, determined by the law. . | impartially, by selecting and recommending nominees for the posts of professional judges and by determining the level of professional skills of professional judges, as well as with the task of consideration of issues relating to giving opinions as to the dismissal of judge from his/her post in cases determined by the law. |
| Article 45. Types of the qualifications commissions of judges | Article 47. Types of the qualifications commissions of judges |
| 1. The following qualifications commissions shall function within the judicial system of Ukraine: | 1. The following qualifications commissions shall function within the judicial system of Ukraine: |
| 1) Regional qualifications commissions; | 1) territorial qualifications commissions of judges; |
| 2) High Qualifications Commission of Judges of Ukraine. | 2) the High Qualifications Commission of Judges of Ukraine. |
| 2. Regional qualifications commissions of judges shall operate in regions, the city of Kyiv and Autonomous Republic of Crimea. | 2. Territorial qualifications commissions of judges shall operate in oblasts [regions], the city of Kyiv and the Autonomous Republic of Crimea. |
| 3. High Qualifications Commission of Judges of Ukraine shall function in the city of Kyiv. | 3. The High Qualifications Commission of Judges of Ukraine shall be located in the city of Kyiv. |
| Article 46. Membership of the qualifications commissions of judges | Article 48. Composition of the qualifications commissions of judges |
| 1. The regional qualifications commissions of judges shall include seven members that have a higher legal education. The regional qualifications commissions of judges shall include: | 1. Territorial qualifications commissions of judges shall consist of seven members who have a higher legal education. The composition of territorial qualifications commissions of judges shall include: |
| 1) four judges, appointed to a qualifications commissions of judges from each court jurisdiction by the respective congress of judges of local and appeal courts; | 1) four judges appointed from each court jurisdiction by the respective conference of judges of local courts and courts of appeal; |
| 2) one person appointed by the Minister of Justice of Ukraine; | 2) one person appointed by the Minister of Justice of Ukraine; |
| 3) one person authorized by a relevant regional, Kyiv city council and the Verkhovna Rada of Autonomous Republic of Crimea. at the place of location of a qualifications commission of judges; | 3) one person appointed by the oblast council, the city of Kyiv council and the Verkhovna Rada of the Autonomous Republic of Crimea according to the location of a qualifications commission of judges; |
| 4) one person, appointed by the regional department of the State Judicial Administration of Ukraine. | 4) one person appointed by the territorial department of the State Judicial Administration of Ukraine. |
| 2. The High Qualifications Commission of Judges of Ukraine shall include fifteen members that have a higher legal education. This Commission shall consist of: | 2. The High Qualifications Commission of Judges of Ukraine shall consist of fifteen members who have a higher legal education. Its composition shall include: |
| 1) eight judges, appointed by the Congress of Judges of Ukraine (two judges from each court jurisdiction); | 1) eight judges appointed by the Congress of Judges of Ukraine (two judges from each court jurisdiction); |
| 2) two persons appointed by the Verkhovna Rada of Ukraine; | 2) two persons appointed by the Verkhovna Rada of Ukraine; |
| 3) two persons appointed by the President of Ukraine; | 3) two persons appointed by the President of Ukraine; |
| 4) one person appointed by the Commissioner for human rights of the Verkhovna | 4) one person appointed by the Commissioner of the Verkhovna Rada of Ukraine for |

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| Rada of Ukraine; | Human Rights; |
| 5) one person appointed by the Minister of Justice of Ukraine; | 5) one person appointed by the Minister of Justice of Ukraine; |
| 6) one person appointed by the congress of lawyers of Ukraine from a number of lawyers. | 6) one person appointed by the Congress of Advocates of Ukraine from among advocates. |
| | 3. The people's deputies of Ukraine [members of the parliament], members of the Cabinet of Ministers of Ukraine cannot be members of qualifications commissions of judges. |
| 3. The term of powers of the member of a qualifications commission of judges shall be tree years from the day of appointment . The person may not execute powers of the member of a judicial board of experts two terms in a row. | 4. The term of office of the member of a qualifications commission of judges shall be tree years. The same person may not take office of the member of a qualifications commission of judges two terms in a row. |
| 4. The members of the High Qualifications Commission of Judges of Ukraine for the time of their powers are transferred to the High Qualifications Commission of Judges of Ukraine and can not execute their professional duties at their main place of work. | 5. Members of the High Qualifications Commission of Judges of Ukraine for the time of their office shall be transferred to the High Qualifications Commission of Judges of Ukraine and cannot execute their professional duties at their main place of work. |
| Article 47. Formation of the qualifications commissions of judges | Article 49. Formation of the qualifications commissions of judges |
| 1. Members of the regional qualifications commissions of judges from among the judges shall be appointed by secret or open ballot by the conferences of judges of relevant courts while members of the High Qualifications Commission of Judges of Ukraine shall be elected by the Congress of Judges of Ukraine through open or secret ballot. In case of withdrawal of a judge – a member of the qualifications commission of judges prior to another person from among the judges shall be appointed by the Congress of Judges of Ukraine, the Council of Judges of Ukraine appoints another person from among the judges. | 1. Members of territorial qualifications commissions of judges from among judges shall be appointed by secret or open ballot by the conferences of judges of relevant courts while members of the High Qualifications Commission of Judges of Ukraine – by the Congress of Judges of Ukraine by open or secret ballot. In case of withdrawal of a judge – a member of the qualifications commission of judges, the Council of Judges of Ukraine shall appoint another person from among judges until appointment of a new member by the Congress of Judges of Ukraine. |
| 2. Chairs of courts, their deputies, chairs of judicial chambers, members of the High Council of Justice and Discipline Commission of Judges of Ukraine can not be appointed to regional qualifications commission of judges and the High Qualifications Commission of Judges of Ukraine. | 2. Presidents of courts, their deputies, chairs of judicial chambers, members of the High Council of Justice and the Disciplinary Commission of Judges of Ukraine cannot be appointed members of the qualifications commissions of judges and the High Qualifications Commission of Judges of Ukraine. |
| 3. The relevant council, mentioned in the part 1 of article 46, shall make a decision on appointment of a member of a regional qualifications commission of judges in the order, prescribed by its regulations. | 3. The relevant council, referred to in paragraph 1 of Article 48 of this Law, shall decide on the appointment of a member of the territorial qualifications commission of judges according to the procedure, prescribed by its rules of procedure. |
| 4. The regional department of the State Judicial Administration of Ukraine shall appoint a member of a regional qualifications commission of judges by the decree of its head. | 4. The territorial department of the State Judicial Administration of Ukraine shall appoint a member of the territorial qualifications commission of judges by the order of its head. |
| 5. The President of Ukraine shall appoint by his decree members of the High Qualifications Commission of Judges of Ukraine. | 5. The President of Ukraine shall appoint members of the High Qualifications Commission of Judges of Ukraine by a decree. |
| 6. The Verkhovna Rada of Ukraine will pass the resolution on appointment of members of the High Qualifications Commission of Judges of Ukraine. | 6. The Verkhovna Rada of Ukraine shall appoint members of the High Qualifications Commission of Judges of Ukraine by a resolution. |

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| 7. The Commissioner of the Verkhovna Rada of Ukraine for human rights shall issue a decree on appointment of the member of the High Qualifications Commission of Judges of Ukraine. | 7. The Commissioner of the Verkhovna Rada of Ukraine for Human Rights shall appoint the member of the High Qualifications Commission of Judges of Ukraine by an instruction. |
| 8. The Minister of Justice of Ukraine shall issue the order on appointment of members of the qualifications commissions of judges.. | 8. The Minister of Justice of Ukraine shall appoint members of the qualifications commissions of judges by an order. |
| 9. The congress of lawyers of Ukraine shall appoint a member of the High Qualifications Commission of Judges of Ukraine in the order, prescribed by the Law of Ukraine "On the High Council of Justice" for election of members of the High Council of Justice. | 9. The Congress of Advocates of Ukraine shall appoint a member of the High Qualifications Commission of Judges of Ukraine according to the procedure, prescribed by the Law of Ukraine "On the High Council of Justice" for election of a member of the High Council of Justice. |
| 10. A regional qualifications commission of judges shall be considered as duly competent provided at least five persons have been appointed (elected) to its membership, while the High Qualifications Commission of Judges of Ukraine shall be considered as duly competent provided at least eleven persons have been appointed to its membership. | 10. A territorial qualifications commission of judges shall be considered as valid provided at least five members of the commission have been appointed, while the High Qualifications Commission of Judges of Ukraine – provided at least eleven members of the Commission have been appointed. |
| Article 48. Powers of a regional qualifications commission of judges | Article 50. Powers of the territorial qualifications commission of judges |
| 1. A regional qualifications commission of judges shall: | 1. The territorial qualifications commission of judges shall: |
| 1) conduct the qualification certification of judges and assign the qualification ranks (not over the third category) to judges; | 1) conduct the qualification certification of judges and assign the qualification ranks to them (but not higher than the third rank); |
| 2) publicize information regarding initiating of the issue of election of judges without term limitation; | 2) publish information regarding initiating of the issue of election of judges for permanent terms; |
| 3) terminate the term of resignation of the judges of local courts; | 3) terminate the status of a retired judge of local courts judges; |
| 4) exercise other duties under the law. | 4) exercise other powers defined by the law. |
| 2. The order and procedure of operation of the regional qualifications commission of judges is determined by its regulations, accepted by the majority of the general composition of the board according to the Typical Regulations of work of a regional qualifications commission of judges, approved by the Council of Judges of Ukraine. | 2. The order of work of the territorial qualifications commission of judges shall be determined by its rules of procedure approved by the majority of members of the general composition of the commission in accordance with the Sample Rules of Procedure of the territorial qualifications commission of judges, adopted by the Council of Judges of Ukraine. |
| Article 49. Powers of the High Qualifications Commission of Judges of Ukraine | Article 51. Powers of the High Qualifications Commission of Judges of Ukraine |
| 1. The High Qualifications Commission of Judges of Ukraine shall: | 1. The High Qualifications Commission of Judges of Ukraine shall: |
| 1) check the compliance of candidates for the posts of judges with the requirements, determined by the law, make decisions regarding recommendation of a candidate for a position of a judge or election of judge without term limitation (including to the court of higher level) or provide conclusion for dismissal of a judge from the post; ; | 1) check the compliance of candidates for the posts of judges with the requirements established by the law, decide on recommending the candidate for the appointment to the post of a judge or election a judge for permanent term (including to the court of higher level) or give opinion on the dismissal of a judge from the post; |

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| 2) conduct the qualification certification of judges and assign the qualification ranks (starting from the second category) to judges; | 2) conduct the qualification certification of judges and assign the qualification ranks to them (starting from the second rank); |
| 3) review complaints on the decisions of the regional qualifications commissions of judges; | 3) consider complaints on decisions of the territorial qualifications commissions of judges; |
| 4) publicize information regarding opening of the competition for vacant posts of judge; | 4) publish information regarding the announcement of the competition for vacant posts of judges; |
| 5) exercise other duties under the law. | 5) exercise other powers defined by the law. |
| 2. On the basis of the results of consideration of a complaint the High Qualifications Commission of Judges of Ukraine may leave a decision of a regional qualifications commission of judges unchanged, change such a decision or cancel it. | 2. The High Qualifications Commission of Judges of Ukraine, having considered a complaint, may leave a decision of the territorial qualifications commission of judges unchanged, change the decision or repeal it. |
| 3. The procedure of operation of the High Qualifications Commission of Judges of Ukraine shall be determined by its Regulations, passed by a majority of votes of members of the High Qualifications Commission of Judges of Ukraine. | 3. The order of work of the High Qualifications Commission of Judges of Ukraine shall be determined by its Rules of Procedure approved by the majority of votes of the general composition of the High Qualifications Commission of Judges of Ukraine. |
| Article 50. Meeting of a qualifications commission of judges | Article 52. Meetings of the qualifications commission of judges |
| 1. A qualifications commission of judges shall hold its meetings regularly, but not later than within two months after a commission received a relevant request or proposal, if other is not determined by the law. | 1. The qualifications commission of judges shall hold its meetings regularly, but not later than within two months after the commission received a relevant application or submission unless determined otherwise by the law. |
| 2. A qualifications commission's of judges meeting shall be transparent unless decided otherwise by a commission. | 2. A meeting of the qualifications commission of judges shall be held openly and in public unless decided otherwise by the commission. |
| 3. The meetings of a qualifications commission of judges shall be prepared by Chair of a commission or by secretary of a board as ordered by Chair of a board. Chair of a judicial board of experts shall fix the time and place of holding a meeting, also the issues to be considered by it; not later than 10 days before a meeting the Chair shall inform about the said meeting and issues members of the board and other interested persons. | 3. Meetings of the qualifications commission of judges shall be prepared by the chair of the commission or, upon his/her order, by the secretary of the commission. The chair of the qualifications commission of judges shall determine the date, time and place of the meeting, as well as the list of issues to be considered by the commission, and not later than ten days prior to the meeting shall notify thereof members of the commission and other interested persons. |
| 4. A meeting of a qualifications commission of judges shall be considered as duly competent if attended by majority of votes of its members. | 4. Meeting of the qualifications commission of judges shall be deemed as valid if attended by at least two thirds of its general composition. |
| 5. A meeting of a qualifications commission of judges shall be chaired by Chair of a commission; in the event of his/her absence a meeting shall be chaired by deputy Chair or secretary of a commission. Other persons may be invited to participate in a commission's meeting if a commission decides that the presence of such persons is necessary. | 5. Meeting of the qualifications commission of judges shall be presided over by the chair of the commission and if the latter is absent – by the deputy chair or the secretary of the commission. Other persons may be invited to the commission's meeting if the commission decides that presence of such persons is necessary. |
| Article 51. The rights of members of a qualifications commission of judges | Article 53. Rights of member of the qualifications commission of judges |
| 1. A member of a qualifications commission of judges has the right to: | 1. Member of the qualifications commission of judges shall have the right to: |

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| <p>1) study the materials submitted for consideration of a board, participate in their analysis and verification;</p> | <p>1) study materials submitted for consideration by the commission, participate in their analysis and verification;</p> |
| <p>2) submit his/her requests and proposals, also other documents concerning the issues to be considered;</p> | <p>2) submit his/her opinion and proposals as well as additional documents pertaining to the issues to be considered;</p> |
| <p>3) submit the proposals on a draft resolution of a board pertaining to any issues, also vote for or against a proposal;</p> | <p>3) submit proposals to the draft decision of the commission on any issue and vote for or against any decision;</p> |
| <p>4) express his/her personal opinion on any resolution of the judicial board of experts.</p> | <p>4) prepare a written dissenting opinion with regard to decisions of the qualifications commission of judges.</p> |
| <p>Article 52. Withdrawal of member of a qualifications commission of judges</p> | <p>Article 54. Challenge to the member of the qualifications commission of judges</p> |
| <p>1. Member of a qualifications commission of judges has no right to participate in consideration of issues or in the decision making process and shall be withdrawn (self-withdrawn) provided the facts that put in doubt the impartiality of such a member have been proved. Given the said facts such member shall submit his/her self-withdrawal. For the same reasons the withdrawal of member of a commission may be requested by the person under a commission's consideration, also the persons that requested a commission to do so.</p> | <p>1. Member of the qualifications commission of judges shall not to participate in the consideration of an issue and in the decision making and shall be challenged (shall withdraw) provided the circumstances that put in doubt his/her impartiality have been established. If such circumstances exist the member of the commission shall announce the self-withdrawal. Under the same circumstances the member of the commission may be challenged by persons whom the commission's consideration concern or upon whose request the issue is considered by the commission.</p> |
| <p>2. The withdrawal shall be well-grounded and submitted in writing to a commission prior to consideration of this issue. The person presiding over a meeting shall inform about this the commission's member subject to withdrawal.</p> | <p>2. The challenge shall be motivated and submitted in writing to the chair of the commission before the consideration of the relevant issue starts. The person presiding over a meeting shall inform about such submission the commission's member who has been challenged.</p> |
| <p>3. The decision on withdrawal (self-withdrawal) of a commission's member shall be taken by a majority of votes of the commission's members attending a meeting provided the commission's member subject to withdrawal (self-withdrawal) is absent.</p> | <p>3. The decision on the challenging (self-withdrawal) of the commission's member shall be taken by the majority of votes from the commission's members participating in the meeting and in the absence of the commission's member who has been challenged (who has announced the self-withdrawal).</p> |
| <p>Article 53. Decisions to be taken by a qualifications commission of judges</p> | <p>Article 55. Decisions of the qualifications commission of judges</p> |
| <p>1. The decisions of a qualifications commission of judges shall be taken by a majority of votes of the commission's members attending a meeting if otherwise not provided by this Law. The voting shall be conducted in the absence of the person concerned and other persons invited to attend the meeting.</p> | <p>1. Decisions of the qualifications commission of judges shall be taken by the majority of members from the commission's general composition unless provided otherwise by this Law. The voting shall be conducted in the absence of the person concerned and other persons invited to attend the meeting.</p> |
| <p>2. While considering the issue about the judge that is a commission's member, such judge shall not participate in the discussion and voting procedure.</p> | <p>2. When the issue under consideration concerns the judge who is the member of the commission, such judge shall not participate in its discussion and voting.</p> |
| <p>3. The decision of a qualifications commission of judges shall be taken in writing and contain the following: the date and place of taking this decision, the commission's composition, the issues under consideration, and the grounds for taking the decision. The decision shall be signed by the chair of a meeting and members of a commission that took part in a meeting.</p> | <p>3. Decision of the qualifications commission of judges shall be drawn up in writing. The decision shall contain the date and place of taking this decision, the commission's composition, the issues which were under consideration, and the grounds for taking the decision. The decision shall be signed by the chair of the meeting and members of the commission who took part in the meeting.</p> |

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| <p>4. Given a dissenting personal opinion, the latter shall be presented in writing by the member of a commission concerned and attached to the case; the person presiding over a meeting shall inform the meeting about this but not disclose the content of such opinion.</p> | <p>4. If there is a dissenting opinion, it shall be presented in writing by the member of the commission and attached to the case; the person presiding over the meeting shall inform the meeting about this but not disclose the content of such opinion during the meeting.</p> |
| <p>5. Within the space of seven days the copy of the decision of a qualifications commission of judges shall be sent to the person that requested to take the decision to this effect and the person who was the subject of such a decision.</p> | <p>5. The copy of the decision of the qualifications commission of judges shall be sent within seven days to the person upon whose request the issue was considered and the person who was the subject of the decision.</p> |
| <p>Article 54. Support of operation of the qualifications commissions of judges</p> | <p>Article 56. Support of operation of the qualifications commissions of judges</p> |
| <p>1. The High Qualifications Commission of Judges of Ukraine shall establish its own secretariat for the organizational support of its activity. Secretariat of the regional qualifications commission of judges is created under respective regional department of the State Judicial Administration of Ukraine.</p> | <p>1. To provide organisational support to the work of the High Qualifications Commission of Judges of Ukraine a secretariat shall be created. Secretariat of the territorial qualifications commission of judges shall be created within respective territorial department of the State Judicial Administration of Ukraine.</p> |
| <p>2. The High Qualifications Commission of Judges of Ukraine is a legal entity, has its own Seal with the State Emblem of Ukraine and its name, independent balance and bank accounts.</p> | <p>2. The High Qualifications Commission of Judges of Ukraine shall be a legal entity, shall have its own seal with the State Emblem of Ukraine and its name on it, independent accounting balance and bank accounts.</p> |
| <p>3. Members of the High Qualifications Commission of Judges of Ukraine shall be provided with the compensation, provided by the legislation accordingly for judges, employees of Presidential staff, staff of Verkhovna Rada of Ukraine, secretariat of the Commissionaire on Human Rights of the Verkhovna Rada of Ukraine, Ministry of Justice of Ukraine. Compensation shall be paid according to salaries for posts, which they occupy in bodies they were sent from.</p> | <p>3. Members of the High Qualifications Commission of Judges of Ukraine shall be paid remuneration provided by the legislation accordingly for judges, employees of President's secretariat, secretariat of the Verkhovna Rada of Ukraine, secretariat of the Commissioner of the Verkhovna Rada of Ukraine on Human Rights, Ministry of Justice of Ukraine. Remuneration shall be paid according to salaries for posts, which such persons occupy in bodies from which they were transferred.</p> |
| <p>Resigned judges, lawyers, who are the members of the High Qualifications Commission of Judges of Ukraine, shall be paid compensation in amount of average salary of other members of the board.</p> | <p>Retired judges, advocates, who serve as members of the High Qualifications Commission of Judges of Ukraine, shall be paid remuneration in amount of average salary of other members of the commission.</p> |
| <p>Compensation shall be paid from the State Budget of Ukraine.</p> | <p>Remuneration shall be paid from the State Budget of Ukraine.</p> |
| <p>Section IV. DISCIPLINE COMMISSION OF JUDGES OF UKRAINE</p> | <p>Section IV. DISCIPLINARY COMMISSION OF JUDGES OF UKRAINE</p> |
| <p>Article 55. The status of the Discipline Commission of Judges of Ukraine</p> | <p>Article 57. The status of the Disciplinary Commission of Judges of Ukraine</p> |
| <p>1. The Discipline Commission of Judges of Ukraine is continuously operating body in the judicial system of Ukraine, which shall bear functions of execution of disciplinary application to judges of local and appeal courts.</p> | <p>1. The Disciplinary Commission of Judges of Ukraine shall be a permanent body within the system of the judiciary of Ukraine, which shall perform disciplinary procedures concerning judges of local courts and courts of appeal.</p> |
| <p>Article 56. Composition of the Discipline Commission of Judges of Ukraine</p> | <p>Article 58. Composition of the Disciplinary Commission of Judges of Ukraine</p> |
| <p>1. The Discipline Commission of Judges of Ukraine shall include fifteen members that have a higher legal education. The Commission shall include:</p> | <p>1. The Disciplinary Commission of Judges of Ukraine shall consist of fifteen members who have a higher legal education. The Commission shall include:</p> |

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| 1) nine judges, including those retired, who has not reached 70 years, appointed by the Congress of Judges of Ukraine, but not less than two representatives from each specialized jurisdiction; | 1) nine judges, including those retired, who has not reached 70 years, appointed by the Congress of Judges of Ukraine with not less than two representatives from each specialised jurisdiction; |
| 2) two persons appointed by the President of Ukraine; | 2) two persons appointed by the President of Ukraine; |
| 3) two persons appointed by the Verkhovna Rada of Ukraine; | 3) two persons appointed by the Verkhovna Rada of Ukraine; |
| 4) one person appointed by the Minister of Justice of Ukraine; | 4) one person appointed by the Minister of Justice of Ukraine; |
| 5) one person appointed by the congress of lawyers of Ukraine from a number of lawyers | 5) one person appointed by the Congress of Advocates of Ukraine from among advocates. |
| | 2. People's deputies of Ukraine, members of the Cabinet of Ministers of Ukraine cannot be members of the Disciplinary Commission of Judges of Ukraine. |
| 2. The term of powers of the member of Discipline Commission of Judges of Ukraine shall be tree years from the day of appointment. | 3. The term of office of the member of the Disciplinary Commission of Judges of Ukraine shall be three years from the day of appointment. |
| 3. The members of Discipline Commission of Judges of Ukraine for the time of their powers are transferred to the Discipline Commission of Judges of Ukraine and can not execute their professional duties at their main place of work. | 4. Members of the Disciplinary Commission of Judges of Ukraine for the term of their office shall be transferred to the Disciplinary Commission of Judges of Ukraine and cannot execute their professional duties at their main place of work. |
| Article 57. Formation of the Discipline Commission of Judges of Ukraine | Article 59. Formation of the Disciplinary Commission of Judges of Ukraine |
| 1. Members of the Discipline Commission of Judges of Ukraine from among the judges shall be elected by secret or open ballot by the conferences of judges of Ukraine . In case of withdrawal of a judge – a member of the Discipline Commission of Judges of Ukraine prior to another person from among the judges shall be appointed by the Congress of Judges of Ukraine, the Council of Judges of Ukraine appoints another person from among the judges. | 1. Members of the Disciplinary Commission of Judges of Ukraine from among judges shall be appointed by secret or open ballot by the Congress of Judges of Ukraine. In case of withdrawal of a judge – a member of the Disciplinary Commission of Judges of Ukraine, the Council of Judges of Ukraine shall appoint another person from among judges until appointment of a new member by the Congress of Judges of Ukraine. |
| 2. Chairs of courts, their deputies, members of the High Council of Justice and the High Qualifications Commissions of Judges of Ukraine can not be elected to Discipline Commission of Judges of Ukraine. A person that has a disciplinary punishment shall not be permitted to become a member of the Discipline Commission of Judges of Ukraine. | |
| 3. The President of Ukraine shall appoint by his decree members of the Discipline Commission of Judges of Ukraine. | 2. The President of Ukraine shall appoint members of the Disciplinary Commission of Judges of Ukraine by a decree. |
| 4. The Verkhovna Rada of Ukraine will pass the resolution on appointment of members of the Discipline Commission of Judges of Ukraine. | 3. The Verkhovna Rada of Ukraine shall appoint members of the Disciplinary Commission of Judges of Ukraine by a resolution. |
| 5. The Minister of Justice of Ukraine shall issue the order on appointment of members of the Discipline Commission of Judges of Ukraine. | 4. The Minister of Justice of Ukraine shall appoint the member of the Disciplinary Commission of Judges of Ukraine by an order. |
| | 5. Presidents of courts, their deputies, members of the Council of Judges of Ukraine, |

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| | members of the High Council of Justice and the High Qualifications Commission of Judges of Ukraine as well as persons who have a disciplinary punishment cannot be appointed members of the Disciplinary Commission of Judges of Ukraine. |
| 6. The convention of lawyers of Ukraine shall appoint a member of the Discipline Commission of Judges of Ukraine in the order, prescribed by the Law of Ukraine "On the High Council of Justice" for election of member of the High Council of Justice. | 6. The Congress of Advocates of Ukraine shall appoint the member of the Disciplinary Commission of Judges of Ukraine according to the procedure, prescribed by the Law of Ukraine "On the High Council of Justice" for election of a member of the High Council of Justice. |
| 7. The Discipline Commission of Judges of Ukraine shall be considered as duly competent provided at least eleven persons have been appointed to its membership. | 7. The Disciplinary Commission of Judges of Ukraine shall be considered as valid provided at least eleven members of the Commission have been appointed. |
| Article 58. Support of operation of the Discipline Commission of Judges of Ukraine | Article 60. Organisation of work of the Disciplinary Commission of Judges of Ukraine |
| 1. The Discipline Commission of Judges of Ukraine shall elect from its composition by open or secret ballot the Chairman of the Commission, his/her Deputy and Secretary of the Commission. That candidate shall be considered elected, who received the majority of votes of the general composition of the Commission. | 1. The Disciplinary Commission of Judges of Ukraine shall elect from among its members by open or secret ballot the Chair of the Commission, his/her Deputy and the Secretary of the Commission. That candidate shall be considered elected if received the majority of votes from the general composition of the Commission. |
| 2. The Chair of the Discipline Commission of Judges of Ukraine shall provide for operation of the Commission, assign duties and responsibilities among its members, convene the meetings of the Commission, and preside at them, shall be responsible for the clerical work of the Commission. | 2. The Chair of the Disciplinary Commission of Judges of Ukraine shall organise the work of the Commission, assign duties among its members, convene meetings of the Commission and preside over them, shall be responsible for organisation of the paperwork of the Commission. |
| 3. In case of absence of the Chair of the Discipline Commission of Judges of Ukraine his/her duties shall be executed by his/her Deputy, in case of the Deputy's absence – duties are executed by the Secretary of the Commission. | 3. In case of absence of the Chair of the Disciplinary Commission of Judges of Ukraine his/her duties shall be executed by the Deputy Chair, in case of the latter's absence – by the Secretary of the Commission. |
| 4. The order and procedure of operation of the Discipline Commission of Judges of Ukraine is determined by its Regulations, accepted by the majority of the general composition of the Commission. | 4. The order of work of the Disciplinary Commission of Judges of Ukraine shall be determined by its Rules of Procedure approved by the majority of votes of the general composition of the Commission. |
| Article 59. Meeting of the Discipline Commission of Judges of Ukraine | Article 61. Meetings of the Disciplinary Commission of Judges of Ukraine |
| 1. Meetings of the Discipline Commission of Judges of Ukraine shall be transparent unless decided otherwise by the Commission. | 1. Meetings of the Disciplinary Commission of Judges of Ukraine shall be held openly and in public unless decided otherwise by the Commission. |
| 2. The meetings of the Discipline Commission of Judges of Ukraine shall be prepared by Chair of the Commission or by Deputy Chair or Secretary of the Commission as ordered by Chair of a Commission. Chair of the Discipline Commission of Judges of Ukraine shall fix the time and place of holding a meeting of the Commission, also the issues to be considered by it; not later than 10 days before a meeting the Chair shall inform about the said meeting and issues the person subject to consideration, and other persons of address. | 2. Meetings of the Disciplinary Commission of Judges of Ukraine shall be prepared by the Chair of the Commission or, upon his/her order, by the Deputy Chair or the Secretary of the Commission. The Chair of the Disciplinary Commission of Judges of Ukraine shall determine the date, time and place of the Commission meeting, the list of issues to be considered and not later than within ten days before the meeting shall notify thereof the person subject to consideration and the person who submitted a request. |
| 3. A meeting of the Discipline Commission of Judges of Ukraine shall be considered | 3. A meeting of the Disciplinary Commission of Judges of Ukraine shall be considered |

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| as duly competent if attended by the majority of its members. | as valid if attended by at least two thirds of its members. |
| 4. A meeting of the Discipline Commission of Judges of Ukraine shall be chaired by Chair of the Commission; in the event of absence of the Chair a meeting shall be chaired by Deputy Chair or Secretary of the Commission. Other persons may be invited to participate in the Commission's meeting if the Commission decides that the presence of such persons is necessary. | 4. A meeting of the Disciplinary Commission of Judges of Ukraine shall be presided over by the Chair of the Commission, if the latter is absence - by the Deputy Chair or the Secretary of the Commission. Other persons may be invited to the Commission's meeting if the Commission decides that their presence is necessary. |
| Article 60. The rights of members of the Discipline Commission of Judges of Ukraine | Article 62. Rights of member of the Disciplinary Commission of Judges of Ukraine |
| 1. A member of the Discipline Commission of Judges of Ukraine has the right to: | 1. Member of the Disciplinary Commission of Judges of Ukraine shall have the right to: |
| 1) study the materials submitted for consideration of the Commission, participate in their analysis and verification; | 1) study materials submitted for consideration of the Commission, participate in their analysis; |
| 2) submit his/her requests and proposals concerning the issues to be considered; | 2) submit his/her opinion and proposals concerning the issues to be considered; |
| 3) submit the proposals on a draft resolution of the Commission pertaining to any issues, also vote for or against a proposal; | 3) submit proposals to the draft decision of the Commission on any issues and vote for or against any decision; |
| 4) express his/her personal opinion in writing on any resolution of the Discipline Commission of Judges of Ukraine. | 4) prepare a written dissenting opinion concerning a decision by the Disciplinary Commission of Judges of Ukraine. |
| Article 61. Withdrawal of member of the Discipline Commission of Judges of Ukraine | Article 63. Challenge to the member of the Disciplinary Commission of Judges of Ukraine |
| 1. Member of the Discipline Commission of Judges of Ukraine has no right to participate in consideration of issues or in the decision making process and shall be withdrawn (self-withdrawn) provided the facts that put in doubt the impartiality of such a member have been proved. Given the said facts such member shall submit his/her self-withdrawal. For the same reasons the withdrawal of member of the Commission may be requested by the persons under the Commission's consideration, also the persons that requested the Commission to do so. | 1. Member of the Disciplinary Commission of Judges of Ukraine shall not participate in the consideration of an issue and in the decision making and shall be challenged (shall withdraw) provided the circumstances that put in doubt his/her impartiality have been established. If such circumstances exist the member of the Commission shall announce the self-withdrawal. Under the same circumstances the member of the Commission may be challenged by persons whom the commission's consideration concern or upon whose request the issue is considered by the commission. |
| 2. The withdrawal shall be well-grounded and submitted in writing to the Commission prior to consideration of this issue. The person presiding over a meeting shall inform about this the Commission's member subject to withdrawal. | 2. The challenge shall be motivated and submitted in writing to the Chair of the Commission before the consideration of the relevant issue starts. The person presiding over a meeting shall inform about such submission the Commission's member who has been challenged. |
| 3. The decision on withdrawal (self-withdrawal) of the Commission's member shall be taken by a majority of votes of the Commission's members attending a meeting provided the Commission's member subject to withdrawal (self-withdrawal) is absent. | 3. The decision on the challenging (self-withdrawal) of the Commission's member shall be taken by the majority of votes of the Commission's members participating in the meeting and in the absence of the Commission's member who has been challenged (who has announced the self-withdrawal). |
| Article 62. Decisions to be taken by the Discipline Commission of Judges of Ukraine | Article 64. Decisions of the Disciplinary Commission of Judges of Ukraine |

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| <p>1. The decisions of the Discipline Commission of Judges of Ukraine shall be taken by a majority of votes of the general composition of the Commission. The voting shall be conducted in the absence of the court inspector, judge whose case is under consideration, and other persons invited to attend the meeting.</p> | <p>1. Decisions of the Disciplinary Commission of Judges of Ukraine shall be taken by the majority of votes of the general composition of the Commission. The voting shall be conducted in the absence of the court inspector and judge whose disciplinary liability is under consideration, and other persons invited to the meeting.</p> |
| <p>2. While considering the issue about the judge that is a member of the Discipline Commission of Judges of Ukraine, such judge shall not participate in the discussion and voting procedure.</p> | <p>2. When the issue under consideration concerns the judge who is the member of the Disciplinary Commission of Judges of Ukraine, such judge shall not participate in its discussion and voting.</p> |
| <p>3. The decision of the Discipline Commission of Judges of Ukraine shall be taken in writing and contain the following: the date and place of taking this decision, the composition of the Commission, the issues under consideration, and the grounds for taking the decision. The decision shall be signed by the chair of a meeting and members of the Commission that took part in a meeting.</p> | |
| <p>4. Given a dissenting personal opinion, the latter shall be presented in writing by the member of the Commission concerned and attached to the case; the person presiding over a meeting shall inform the meeting about this but not disclose the content of such opinion.</p> | |
| <p>5. Within the space of 7 days the copy of the decision (conclusion) of the Discipline Commission of Judges of Ukraine shall be sent to the court inspector, at whose inquiry this case was under consideration, and the judge who was the subject of such a decision.</p> | |
| <p>Article 63. Service of judicial inspectors</p> | <p>Article 65. Service of court inspectors</p> |
| <p>1. The service of judicial inspectors shall operate under the Discipline Commission of Judges of Ukraine for examination of presence of grounds for bringing judges of local and appeal courts to disciplinary liability.</p> | <p>1. The service of court inspectors shall operate at the Disciplinary Commission of Judges of Ukraine in order to verify the presence of grounds for bringing judges of local courts and courts of appeal to disciplinary liability.</p> |
| <p>2. Judicial inspectors shall perform examinations of data regarding presence of grounds for bringing judge of local and appeal courts to disciplinary liability at the written order of the board of the Discipline Commission of three participants.</p> | <p>2. Court inspectors shall perform verification of information regarding presence of grounds for bringing a judge of local court and court of appeal to disciplinary liability upon the written authorisation of the panel of the Disciplinary Commission comprising three members.</p> |
| <p>3. The number of judicial inspectors shall be determined by the Congress of Judges of Ukraine, accounting in average one judicial inspector for 200 judges of local and appeal courts.</p> | <p>3. The number of court inspectors shall be determined by the Congress of Judges of Ukraine, accounting in average one court inspector for 200 judges of local courts and courts of appeal.</p> |
| <p>4. Judicial inspectors are appointed by the Council of Judges of Ukraine from among the judges, retired judges, prosecutors, lawyers that worked as judges, prosecutors and advocates not less than ten years and did not reach 70 years and have perfect reputation. A person that has a disciplinary punishment may not become a judicial inspector.</p> | <p>4. Court inspectors shall be appointed by the Council of Judges of Ukraine from among judges, retired judges, prosecutors, advocates who have worked as judges, prosecutors and advocates for not less than ten years, have not reached 70 years and have a perfect reputation. A person who has a disciplinary punishment cannot be a court inspector.</p> |
| <p>5. Persons shall be appointed to the posts of judicial inspectors for three years and</p> | <p>5. Persons shall be appointed to the posts of court inspectors for three years and</p> |

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| may not execute powers of a court inspector two terms in a row. | cannot execute powers of a court inspector two terms in a row. |
| 6. Judicial inspectors shall be sent to the Discipline Commission of Judges of Ukraine for the term of their powers and can not execute their powers of the main place of work. | 6. Court inspectors shall be transferred to the Disciplinary Commission of Judges of Ukraine for the term of their office and cannot perform their professional duties at the main place of work. |
| 7. Judicial inspectors shall conduct examinations in courts according to the decision of the Discipline Commission of Judges of Ukraine. According to the results of inspection in view of presence of the grounds, prescribed by the law, a judicial inspector shall initiate a disciplinary inquiry concerning the judge. | 7. Court inspectors shall conduct inspections in courts according to the decision of the Disciplinary Commission of Judges of Ukraine. According to the results of inspection in view of presence of grounds, prescribed by the law, court inspector shall initiate an institution of disciplinary proceedings concerning the judge. |
| Article 64. Provision of operation of the Discipline Commission of Judges of Ukraine and service of judicial inspectors | Article 66. Support of work of the Disciplinary Commission of Judges of Ukraine and service of court inspectors |
| 1. In order to provide the operation of the Discipline Commission of Judges of Ukraine and service of judicial inspectors, there shall by a secretariat of the Discipline Commission of Judges of Ukraine created. | 1. To provide organisational support to work of the Disciplinary Commission of Judges of Ukraine and service of court inspectors a secretariat of the Disciplinary Commission of Judges of Ukraine shall be created. |
| 2. The Discipline Commission of Judges of Ukraine is a legal entity, has its own Seal with the State Emblem of Ukraine and its name, independent balance and accounts in bank establishments. | 2. The Disciplinary Commission of Judges of Ukraine shall be a legal entity, shall have its own seal with the State Emblem of Ukraine and its name on it, independent accounting balance and bank accounts. |
| 3. Members of the Discipline Commission of Judges of Ukraine, judicial inspectors shall be provided with the compensation, provided by the legislation accordingly for judges, employees of Ukrainian President's staff, staff of Verkhovna Rada of Ukraine, the Ministry of Justice of Ukraine, and prosecutors. Compensation shall be paid according to salaries for posts, which they occupy in bodies they were sent from. | 3. Members of the Disciplinary Commission of Judges of Ukraine, court inspectors shall be paid remuneration provided by the legislation accordingly for judges, employees of the secretariat of the President of Ukraine, secretariat of the Verkhovna Rada of Ukraine, the Ministry of Justice of Ukraine, and prosecutors. Compensation shall be paid according to salaries for posts, which these persons occupied in bodies they were transferred from. |
| Resigned judges, lawyers, who are the members of the Discipline Commission of Judges of Ukraine or judicial inspectors, shall be paid compensation in amount of average salary of other members of the Discipline Commission.. | Resigned judges, advocates, who are members of the Disciplinary Commission of Judges of Ukraine or court inspectors, shall be paid remuneration in amount of average salary of other members of the Disciplinary Commission. |
| Compensation shall be paid from the State Budget of Ukraine. | Remuneration shall be paid from the State Budget of Ukraine. |
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| Section V. JUDICIAL SELF-GOVERNMENT | Section V. JUDICIAL SELF-GOVERNMENT |
| Chapter 1. THE PRINCIPLES OF JUDICIAL SELF-GOVERNMENT | Chapter 1. PRINCIPLES OF THE JUDICIAL SELF-GOVERNMENT |
| Article 65. Objectives of the judicial self-government authorities | Article 67. Objectives of the judicial self-government |
| 1. The judicial self-government exists for settling issues of internal operations of courts in Ukraine, which means independent collective resolution of matters, identified by professional judges. | 1. The judicial self-government shall exist for settling issues of internal operation of courts in Ukraine, which means autonomous collective resolution of such matters by professional judges. |
| 2. The judicial self-government is one of the most import guarantees of independence | 2. The judicial self-government is one of the most important guarantees for ensuring |

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| of courts and judges. Activity of the judicial self-government authorities shall promote the creation of adequate organizational and other conditions essential for normal operation of courts and judges, firmly establish the independence of courts, protect judges from interference into the judicial activity, and also raise the quality of work with the court personnel. | autonomy of courts and independence of judges. Activity of bodies of the judicial self-government shall facilitate the creation of proper organisational and other conditions essential for normal operation of courts and judges, establish the independence of court, ensure protection of judges from interference into the judicial activity, and also raise the quality of work with the court personnel. |
| 3. Internal matters of court operation include issues of organizational provision of courts and judges' activities, social protection of judges and their families, and other matters that are not directly connected with execution of justice. | 3. Internal matters of courts' operation shall include issues of organisational support of courts and judges' activities, social protection of judges and their families, and other matters that are directly not connected with the administration of justice. |
| 4. Objectives of the judicial self-government authorities in particular are as follows: | 4. Objectives of the judicial self-government shall be as follows: |
| 1) to provide for organizational unity of operation of judicial bodies; to strengthen the independence of courts, to protect them from any interference into their operation; | 1) to ensure organisational unity of judicial bodies functioning; |
| | 2) to strengthen the independence of courts, to protect them from interference into their functioning; |
| 2) to participate in determination of the requirements concerning the personnel, financial, material, technical and other kinds of support of courts, to exercise control over the observance of fixed norms of such support; | 3) to participate in the determination of needs in terms of personnel, financial, material, technical and other kinds of support of courts, to exercise control over the observance of fixed standards of such support; |
| 3) to deal with the matters pertaining to the appointment of judges to the administrative posts, appointment of the judges to the Constitutional Court of Ukraine, appointment of the judges to the High Council of Justice, appointment of the judges to the qualifications commissions of judges, and the Disciplinary Commission of Judges of Ukraine; | 4) to deal with the matters pertaining to the appointment of judges to the administrative posts in courts, appointment of justices of the Constitutional Court of Ukraine and judges to the High Council of Justice, appointment of judges to the qualifications commissions of judges and the Disciplinary Commission of Judges of Ukraine; |
| 4) to encourage judges and managerial personnel of courts; | 5) to grant benefits to judges and staff of courts; |
| 5) to exercise control over operation of courts and other bodies within the court system. | 6) to exercise control over the organisation of work of courts and other bodies within the judiciary. |
| Article 66. Organizational forms of the judicial self-government | Article 68. Organisational forms of the judicial self-government |
| 1. The organizational forms of the judicial self-government include the meetings of judges, conferences of judges, the Congress of Judges of Ukraine, councils of judges and their executive bodies. | 1. The organisational forms of the judicial self-government shall be: meetings of judges, conferences of judges, the Congress of Judges of Ukraine, councils of judges and their executive bodies. |
| 2. The judicial self-government in Ukraine is implemented through: | 2. The judicial self-government in Ukraine shall function through: |
| 1) the meetings of judges of a local court, a court of appeal, a high specialized court, the Supreme Court of Ukraine; | 1) meetings of judges of a local court, a court of appeal, a high specialised court, the Supreme Court of Ukraine; |
| 2) the conferences of judges of local courts and the courts of appeal of the Autonomous Republic of the Crimea, regions [oblasts), the cities of Kyiv and Sevastopol; | 2) conferences of judges of local courts and the courts of appeal in the Autonomous Republic of Crimea, oblasts, the cities of Kyiv and Sevastopol; |
| 3) the Congress of Judges of Ukraine. | 3) the Congress of Judges of Ukraine. |

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| 3. The procedure of execution of judicial self-government shall be determined according to the Constitution of Ukraine and this Law, and other laws, and also by regulations and norms, approved by bodies of the judicial self-government according to this Law. | 3. The order of functioning of the judicial self-government shall be determined according to the Constitution of Ukraine by this Law, other laws, and also by rules of procedure and regulations that shall be approved by bodies of the judicial self-government according to this Law. |
| Chapter 2. MEETINGS OF JUDGES AND CONFERENCES OF JUDGES | Chapter 2. MEETINGS OF JUDGES AND CONFERENCES OF JUDGES |
| Article 67. The meeting of judges | Article 69. Meeting of judges |
| 1. The meetings of judges shall be understood as the meeting of judges of a relevant court at which they discuss the issues of internal operation of this court and take the collective decision on the issues under consideration. | 1. Meeting of judges is the gathering of judges of the relevant court at which they discuss the issues of internal operation of this court and take collective decisions on the issues discussed. |
| 2. The meetings of judges of a local court shall be convened by the chair of a relevant court both on his/her initiative and at the request of at least two thirds of the total number of judges of a given court. | 2. Meetings of judges of a local court shall be convened by the president of the relevant court upon his/her initiative or upon demand of at least one third of the total number of judges of a given court. |
| 3. The meetings of judges of a local court shall be convened as necessary but at least once in six months. The meetings of judges of courts of appeal shall be convened at least once within a period of three months. | 3. Meetings of judges of a local court shall be convened as necessary but at least once in six months. Meetings of judges of courts of appeal shall be convened at least once in three months. |
| 4. A meeting of judges of a local court shall be considered as duly competent if attended by at least two thirds of the total number of judges of this court. The court staff and other persons may be invited to attend the meeting of judges but only the judges of a given court may take part in the vote. | 4. Meeting of judges shall be considered as valid if attended by at least two thirds of the total number of judges of this court. The court staff and other persons may be invited to attend meetings of judges, but only judges of a given court have the right to vote. |
| 5. The meeting of judges: | 5. Meetings of judges shall: |
| 1) shall consider the issues concerning the internal operation of a court and its staff and make decisions concerning these issues, which are mandatory for execution; | 1) discuss issues which concern the internal operation of the court and its secretariat and make decisions on these issues, which shall be mandatory for execution; |
| 2) shall hear the reports of judges holding the administrative posts in a given court, head of the court staff; | 2) hear reports of judges holding the administrative posts in a given court and of the head of the court's secretariat; |
| 3) shall approve the procedure of establishment of boards of judges for consideration of cases and selection a chair among them, order of substitution of judges in case of their absence; | 3) approve the procedure for establishment of panels of judges for consideration of cases and for determining a presiding judge, order of substitution of judges in case of their absence; |
| 4) shall approve procedure and schedule of judges' vocations; | 4) approve the procedure and schedule for judges' vacations; |
| 5) shall execute other powers under the law. | 5) execute other powers defined by the law. |
| The meetings of local courts and the courts of appeal will elect the delegates to relevant conferences of judges. | Meetings of local courts and the courts of appeal shall elect delegates to the relevant conferences of judges. |
| 6. The meetings of judges may submit the proposals on settlement of the issues concerning the internal operation of a court to the state bodies and local self-government | 6. Meeting of judges may submit proposals on the settlement of issues the operation of the court to bodies of the state power and the local self-government authorities which |

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| authorities which shall consider the proposals and comment on them. | shall consider such proposals and provide reply on their substance. |
| 7. The meetings of judges may consider the practice of application of the laws in force, work out the proposals on improvement of this practice and the laws in force, and submit the proposals for consideration of the conferences of judges and the congress of judges of Ukraine. | 7. Meeting of judges may discuss the issues which concern the practice of application of legislation, work out proposals to improve this practice and the legislation, submit their proposals for consideration of conferences of judges and the Congress of Judges of Ukraine. |
| 8. The meetings of judges may form a council of a relative court and delegate their certain responsibilities to it. | 8. Meeting of judges may form a council of judges of the relative court and delegate its certain powers thereto. |
| Article 68. The meetings and powers of the meetings of judges of the Supreme Court of Ukraine and high specialized courts | Article 70. Meeting of judges of the Supreme Court of Ukraine and meeting of judges of the high specialised courts, their powers |
| 1. The meetings of judges of the Supreme Court of Ukraine, the meetings of judges of high specialized court shall be convened by the chair of a court or at the request of at least one third of the total number of judges of a given court. | 1. Meeting of judges of the Supreme Court of Ukraine, meeting of judges of the high specialised court shall be convened by the president of the court [upon his/her own initiative] or upon demand of at least one third of the total number of judges of a given court. |
| 2. The meetings of judges of the Supreme Court of Ukraine, the meetings of judges of a high specialized court shall be convened as may be necessary but at least once a year. | 2. Meeting of judges of the Supreme Court of Ukraine, meeting of judges of the high specialised court shall be convened when necessary but at least once a year. |
| 3. The meetings of judges of the Supreme Court of Ukraine and the meetings of judges of a high specialized court shall be considered as duly competent if attended by more than a half of the total number of judges of a given court. The managerial staff of a court and other persons may be invited to attend the meetings of judges but only the judges of a given court have the right to vote. | 3. Meeting of judges of the Supreme Court of Ukraine and meeting of judges of the high specialised court shall be considered as valid if attended by more than a half of the total number of judges of a given court. The staff members of the court and other persons may be invited to the meetings of judges, but only judges of a given court have the right to vote. |
| The meetings of judges shall consider the issues concerning the internal operation of a court or the performance of individual judges and the staffers of court staff and shall take the pertinent decisions binding for the judges of a given court. The meetings shall hear the reports of judges holding the administrative posts in a given court, also the reports presented by heads of structural divisions of the court staff. | 4. Meetings of judges shall consider issues which concern the internal operation of the court or work of individual judges and the court's staff members, and shall take on these issues decisions binding for judges of a given court. Meetings shall hear reports of judges holding the administrative posts in a given court and of the heads of structural divisions of the court's secretariat. |
| The meetings of judges of the high specialized court and judges of the Supreme Court of Ukraine may : | 5. Meeting of judges of the Supreme Court of Ukraine and meeting of judges of the high specialised court shall : |
| 1) submit the proposals for consideration of the Congress of Judges of Ukraine; | 1) submit proposals for consideration by the Congress of Judges of Ukraine; |
| 2) choose delegates for Congress of Judges of Ukraine; | 2) elect delegates to the Congress of Judges of Ukraine; |
| 3) appoint and dismiss from the post the head of the court staff and his/her deputies; | 3) appoint to and dismiss from the posts the head of the court's secretariat and his/her deputies; |
| 4) approve staff regulations, general quantity and structure of the staff; | 4) approve regulations on the court's secretariat, general number of staff members and the structure of the secretariat; |
| Article 69. Fulfillment of decisions made by the meetings of judges | Article 71. Enforcement of decisions taken by meetings of judges |

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| 1. Fulfillment of decisions taken by the meetings of judges shall be done by the chair of a relevant court as ordered by the meetings. | 1. Enforcement of decisions taken by meetings of judges shall be carried out by the president of the relevant court as ordered by meetings. |
| Article 70. Conferences of judges | Article 72. Conferences of judges |
| 1. A conference of judges shall be understood as a meeting of representatives of judges (delegates) of relevant courts at which they discuss the operation of these courts and take a collective decision on the issues under consideration. | 1. A conference of judges is as a gathering of representatives of judges (delegates) of relevant courts at which they discuss the operation of these courts and take collective decisions on the issues discussed. |
| 2. A conference of judges of relevant courts shall: | 2. Conference of judges shall: |
| 1) discuss and settle the issues concerning the financial and organizational support of operation of relevant courts; | 1) discuss and settle the issues which concern funding and organisational support of work of relevant courts; |
| 2) hear the reports submitted by the relevant bodies of a conference and the relevant boards of the State Judicial Administration; | 2) hear reports of executive bodies of the conference, information of relevant departments of the State Judicial Administration; |
| 3) hear the reports submitted by the relevant regional qualifications commission of judges regarding their work within the board; | 3) hear reports of members of the relevant territorial qualifications commission of judges regarding their work within the commission; |
| 4) fix the number of members of a council of judges and elect its members; | 4) determine the number of members of the council of judges and elect its members; |
| 5) elect the members of relevant regional qualifications commissions of judges; | 5) elect members of the relevant territorial qualifications commission of judges; |
| 6) work out the proposals to be submitted for consideration of the Congress of Judges of Ukraine; | 6) work out proposals for the consideration by the Congress of Judges of Ukraine; |
| 7) submit the proposals to the state bodies and local self-government authorities concerning the operation of relevant courts; | 7) submit proposals to bodies of the state power and the local self-government authorities concerning the operation of relevant courts; |
| 8) elect the delegates to the Congress of Judges of Ukraine; | 8) elect delegates to the Congress of Judges of Ukraine; |
| 9) discuss other issues falling within jurisdiction of the judicial self-government authorities. | 9) discuss other issues falling within the competence of bodies of the judicial self-government. |
| 3. A conference of judges takes the decisions binding for its executive bodies and the judges that hold the administrative posts in relevant courts. | 3. Conference of judges shall take decisions binding for its executive body and judges of relevant courts. |
| 4. A conference of judges shall elect the council of judges by open or secret ballot from among the delegates of a conference; this council is an executive body of a conference of judges. | 4. Conference of judges shall elect by open or secret ballot from among delegates of the conference the council of judges, which is an executive body of the conference of judges. |
| Article 71. Convocation of the conferences of judges | Article 73. Convocation of conference of judges |
| 1. A conference of judges shall be convened at least once a year by the decision made by a relevant council of judges. A conference of judges may be also convened at the request of at least on third of the delegates that attended the previous conference of judges. Provided a council of judges avoids fulfilling the said request, the persons who | 1. Conference of judges shall be convened at least once a year by the decision of the relevant council of judges. A conference of judges may also be convened upon demand of at least one third of delegates of the latest conference of judges. If the council of judges does not execute the said demand, the initiators of the conference convocation (at least |

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| <p>initiated the convocation of a conference (at least one third of the delegates of the previous conference) shall set up the organizational bureau for convocation a conference of judges. This bureau has the powers of a council of judges concerning the convocation of a conference.</p> | <p>one third of the delegates of the latest conference) shall set up an organisational bureau for convocation of the conference of judges. This bureau shall have the powers of the council of judges concerning the convocation of a conference.</p> |
| <p>2. The judges of relevant courts shall be informed about the date of beginning of a conference and its agenda not later than fifteen days before the beginning of a conference.</p> | <p>2. Judges of relevant courts shall be notified of the date and time of the beginning of the conference and its agenda not later than fifteen days prior to the beginning of the conference.</p> |
| <p>Article 72. Procedure of holding the conferences of judges</p> | <p>Article 74. Procedure of holding conference of judges</p> |
| <p>1. A conference of judges shall be considered as duly competent if attended by at least two thirds of the total number of delegates of relevant courts. A conference may also be attended by the judges who are not the delegates to a conference.</p> | <p>1. A conference of judges shall be considered as valid if attended by at least two thirds of the total number of delegates from relevant courts. The conference may also be attended by judges who are not delegates to the conference.</p> |
| <p>2. The delegates to a conference shall be elected by the meetings of judges through secret or open ballot on an alternative basis with free nomination of the persons for election as the delegates to a conference.</p> | <p>2. Delegates to the conference shall be elected by meetings of judges by secret or open ballot on an alternative basis with free nomination of candidates.</p> |
| <p>3. A conference of judges is usually opened by the chair of a relevant council of judges; provided a conference has been convened not by the decision of a council of judges, it shall be opened by the authorized representative of the organizational bureau for convocation of a conference of judges.</p> | <p>3. A conference of judges shall be opened by the chair of the relevant council of judges and if the conference has been convened not by the decision of the council of judges – by the authorised representative of the organisational bureau for the convocation of the conference of judges.</p> |
| <p>4. A conference of judges shall elect by open ballot from among the delegates to a conference the presidium of a conference and other working bodies of a conference; the number of members of the presidium is fixed by the decision of a conference. The presidium shall supervise the work of a conference of judges.</p> | <p>4. A conference of judges shall elect by open ballot from among delegates to the conference the presidium of the conference in the number decided by the conference's decision and shall elect other working bodies of the conference. The presidium shall manage the work of the conference of judges.</p> |
| <p>5. A conference of judges shall approve the agenda of a conference and its regulations.</p> | <p>5. A conference of judges shall approve its agenda and rules of procedure.</p> |
| <p>6. A conference of judges may be attended by representatives of the state bodies, local self-government authorities, educational and scientific institutions, law-enforcement bodies, public organizations.</p> | <p>6. A conference of judges may be attended by representatives of bodies of the state power, the local self-government authorities, educational and scientific institutions, law enforcement bodies, and civic organisations.</p> |
| <p>7. The decision of a conference of judges shall be taken by a majority of votes of the delegates to a conference by open or secret ballot.</p> | <p>7. The decision of a conference of judges shall be taken by a majority of votes of delegates to the conference by open or secret ballot.</p> |
| <p>8. Other issues of holding a conference of judges are specified by the regulations of a relevant conference of judges.</p> | <p>8. Other issues of holding a conference of judges shall be determined by the rules of procedure of the relevant conference of judges.</p> |
| <p>Article 73. The councils of judges</p> | <p>Article 75. Councils of judges</p> |
| <p>1. Within the period between the conferences of judges the functions of a judicial self-government shall be performed by a relevant council of judges.</p> | <p>1. In between the conferences of judges the functions of the judicial self-government shall be performed by the relevant council of judges.</p> |
| <p>2. A council of judges shall elect from among its members the chair, deputy chair and</p> | <p>2. A council of judges shall elect from among its members the chair, the deputy chair</p> |

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| secretary of a council of judges. | and the secretary of the council of judges. |
| 3. Within the period between the conferences of judges a council of judges shall provide for execution of the decisions taken by a conference and control over their observance, also decide on convocation of the next conference. The powers and operation of a council of judges shall be specified by this Law and the regulations of a council of judges approved by a conference of judges. | 3. In between the conferences of judges a council of judges shall organise the control over the enforcement of decisions taken by the conference and shall settle issues concerning the convocation of the next conference. The powers and mode of operation of council of judges shall be specified by this Law and the regulations on the council approved by the conference of judges. |
| 4. A council of judges shall: | 4. Council of judges shall: |
| 1) exercise control over the operation of relevant regional department of the State Judicial Administration of Ukraine, not less than once a year hear the progress reports of a chair of the regional department of the State Judicial Administration of Ukraine regarding provision of operation of general jurisdiction courts; | 1) exercise control over activity of the relevant territorial department of the State Judicial Administration of Ukraine and at least once a year hear information of the head of such department regarding the support of work of general jurisdiction courts; |
| 2) consider the issues of legal and social protection of judges, provision of consumer and household services for judges and their families, and take the decisions to this effect; | 2) consider issues of legal and social protection of judges, provision of household needs of judges and their families, and take decisions to this effect; |
| 3) submit to the Council of Judges of Ukraine proposals of candidates to fill in positions of chairs and deputy chairs of relevant courts; | 3) submit to the Council of Judges of Ukraine proposals for candidates to the posts of presidents and deputy presidents of relevant courts; |
| 4) submit the proposals on operation of relevant courts for consideration of the state bodies and local self-government authorities; | 4) submit proposals on the operation of relevant courts for consideration of bodies of the state power and the local self-government authorities; |
| 5) take other decisions falling within the limits of its power. | 5) take other decisions falling within its competence. |
| 5. The decisions taken by a council of judges shall be binding for the judges holding the administrative posts on relevant courts. Decision of a council of judges may be canceled only by a conference of judges and suspended by the decision of the Council of Judges of Ukraine. | 5. Decisions of council of judges shall be binding for judges holding the administrative posts in relevant courts. Decision of council of judges may be revoked only by a conference of judges and suspended by the decision of the Council of Judges of Ukraine. |
| Chapter 3. THE HIGHEST JUDICIAL SELF-GOVERNMENT AUTHORITIES | Chapter 3. THE HIGHEST JUDICIAL SELF-GOVERNMENT AUTHORITIES |
| Article 74. The Congress of Judges of Ukraine | Article 76. The Congress of Judges of Ukraine |
| 1. The highest judicial self-government authority is the Congress of Judges of Ukraine. | 1. The Congress of Judges of Ukraine shall be the highest body of the judicial self-government. |
| 2. The Congress of Judges of Ukraine shall: | 2. The Congress of Judges of Ukraine shall: |
| 1) hear the report of the Council of Judges of Ukraine on fulfilling the tasks of the judicial self-government authorities, the state of affairs in the field of financial and organizational support of courts operations; | 1) hear reports of the Council of Judges of Ukraine on fulfilling the tasks of bodies of the judicial self-government, on the state of affairs in the field of financial and organisational provision of courts; |
| 2) hear the progress reports of the High Council of Justice, the Disciplinary Commission of Judges of Ukraine, High Qualifications Commission of Judges of Ukraine and Head of the State Judicial Administration of Ukraine about their activity, may express mistrust to the Head of the State Judicial Administration of Ukraine; | 2) hear information of the High Council of Justice, the Disciplinary Commission of Judges of Ukraine, the High Qualifications Commission of Judges of Ukraine and the Head of the State Judicial Administration of Ukraine about their activity, may express no-confidence to the Head of the State Judicial Administration of Ukraine; |

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| 3) appoint and dismiss the judges of the Constitutional Court of Ukraine in compliance with the Constitution of Ukraine and the law; | 3) appoint and dismiss justices of the Constitutional Court of Ukraine in compliance with the Constitution of Ukraine and the law; |
| 4) appoint members of the High Council of Justice and make decisions on termination of their powers according to the Constitution of Ukraine and the law; | 4) appoint members of the High Council of Justice and decide on the termination of their offices according to the Constitution and laws of Ukraine; |
| 5) appoint and dismiss the members of the High Qualifications Commission of Judges of Ukraine and Discipline Commission of Judges of Ukraine; | 5) appoint members of the High Qualifications Commission of Judges of Ukraine and of the Disciplinary Commission of Judges of Ukraine; |
| 6) submit the proposals on operation of courts for consideration of the state bodies and officials; | 6) submit proposals on the resolution of issues pertaining to the operation of courts for the consideration by bodies of the state power and their officials; |
| 7) determine the number of members of the Council of Judges of Ukraine and elect the Council of Judges of Ukraine; | 7) determine the number of members of the Council of Judges of Ukraine and elect its members; |
| 8) consider other issues pertaining to the judicial self-government. | 8) consider other issues of the judicial self-government. |
| 3. The Congress of Judges of Ukraine takes the decisions that shall be binding for all judicial self-government authorities and all professional judges. | 3. The Congress of Judges of Ukraine shall take decisions binding for all bodies of the judicial self-government and all professional judges. |
| Article 75. Convocation of the Congress of Judges of Ukraine | Article 77. Convocation of the Congress of Judges of Ukraine |
| 1. A regular Congress of Judges of Ukraine shall be convened by the Council of Judges of Ukraine once in three years. An extraordinary Congress of Judges of Ukraine may be also convened at the request of at least one third of the delegates to a conference of judges, or at the request of a general meeting of the Supreme Court of Ukraine. | 1. A regular Congress of Judges of Ukraine shall be convened by the Council of Judges of Ukraine once in three years. An extraordinary Congress of Judges of Ukraine may be convened also upon demand of at least one third of the conferences of judges or upon demand of the meeting of judges of the Supreme Court of Ukraine. |
| 2. The Council of Judges of Ukraine shall decide on convocation of a regular or an extraordinary congress, approve the preliminary agenda of a congress, and fix the date and the place of holding a congress and the norm of representation of judges at it. | 2. The Council of Judges of Ukraine shall decide on the convocation of a regular or an extraordinary congress, approve its preliminary agenda, and determine the date and place of holding the congress and the norm of representation of judges at it. |
| 3. The President of Ukraine, People's Deputies of Ukraine, Commissioner for human rights of the Verkhovna Rada of Ukraine, members of the High Council of Justice, representatives of the Government and other central state bodies, representatives of scientific and educational institutions, public organizations, and other persons may be invited to participate in the work of a Congress of Judges of Ukraine. | 3. The President of Ukraine, people's deputies of Ukraine, Commissioner of the Verkhovna Rada of Ukraine for Human Rights, members of the High Council of Justice, representatives of the Cabinet of Ministers of Ukraine, other bodies of the state power, representatives of scientific and educational establishments and institutions, civic organisations, and other persons may be invited to participate in the work of the Congress of Judges of Ukraine. |
| 4. Provided the Council of Judges of Ukraine does not convene the Congress of Judges at the request of conferences or meetings of judges as per part one of this Article, the initiators of convocation of an extraordinary congress will set up the organizational committee for convocation of a Congress of Judges of Ukraine that shall have the powers of the Council of Judges of Ukraine concerning the convocation of a Congress. In this case the organizational committee shall, without any delay, publish the information about its establishment in official printed mass media and fix the date of holding an extraordinary congress of judges not before than two months from the day of establishment of the organizational committee. | 4. If the Council of Judges of Ukraine does not convene the Congress of Judges upon the demand of conferences or the meeting of judges as provided for in paragraph 1 of this Article, the initiators of convocation of the extraordinary congress shall set up an organisational committee for convocation of the Congress of Judges of Ukraine that shall have the powers of the Council of Judges of Ukraine concerning the convocation of the Congress. In this case the organisational committee shall, without any delay, publish the information about its establishment in official printed mass media and shall determine the date of holding the extraordinary Congress of Judges which shall not be earlier than two months after the day of establishment of the organisational committee. |

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| <p>5. The judges of all courts shall be informed about the date of holding a Congress of Judges of Ukraine and its agenda not later than 30 days before the beginning of a congress.</p> | <p>5. Judges of all courts shall be notified of the date of holding the Congress of Judges of Ukraine and its agenda not later than 30 days prior to the beginning of the Congress.</p> |
| <p>Article 76. Election of delegates to a Congress of Judges of Ukraine</p> | <p>Article 78. Election of delegates to the Congress of Judges of Ukraine</p> |
| <p>1. The delegates to a Congress of Judges of Ukraine shall be elected by the conferences of judges, while the delegates from high specialized courts and the Supreme Court of Ukraine shall be elected by the meeting of this court in accordance with the norm of representation fixed by the Council of Judges of Ukraine. The general meeting of the judges of the Constitutional Court of Ukraine shall elect three delegates from among the judges of this court to a Congress of Judges of Ukraine.</p> | <p>1. Delegates to the Congress of Judges of Ukraine shall be elected by conferences of judges, while delegates from high specialised courts and the Supreme Court of Ukraine – by meetings of these courts in accordance with the norm of representation determined by the Council of Judges of Ukraine. The meeting of justices of the Constitutional Court of Ukraine shall elect from among justices of this court three delegates to the Congress of Judges of Ukraine.</p> |
| <p>2. The delegates to a congress of judges of Ukraine shall be elected by open or secret ballot, on an alternative basis with free nomination for election.</p> | <p>2. Delegates to the Congress of Judges of Ukraine shall be elected by open or secret ballot, on an alternative basis with free nomination of candidates.</p> |
| <p>Article 77. The procedure of holding a Congress of Judges of Ukraine</p> | <p>Article 79. Procedure for holding the Congress of Judges of Ukraine</p> |
| <p>1. A Congress of Judges of Ukraine shall be considered as legally competent if attended by at least two thirds of the total number of elected delegates.</p> | <p>1. The Congress of Judges of Ukraine shall be considered as valid if attended by at least two thirds of the total number of elected delegates.</p> |
| <p>2. A Congress of Judges of Ukraine shall be opened by Chair of the Council of Judges of Ukraine; In case of absence of the Chair this shall be done by the Deputy Chair or Secretary of the Council of Judges of Ukraine.</p> | <p>2. The Congress of Judges of Ukraine shall be opened by the Chair of the Council of Judges of Ukraine and if the latter is absent – by the Deputy Chair or the Secretary of the Council of Judges of Ukraine.</p> |
| <p>3. A Congress shall elect by open ballot the Congress presidium whose membership is fixed by a congress. The presidium shall supervise the work of a Congress of Judges of Ukraine.</p> | <p>3. The Congress shall elect by open ballot the presidium of the Congress in the number determined by the decision of the Congress. The presidium shall manage the work of the Congress of Judges of Ukraine.</p> |
| <p>4. A Congress shall discuss and approve its agenda and internal regulations, elect the credentials commission, secretariat and other working bodies.</p> | <p>4. The Congress shall discuss and approve its agenda and rules of its procedure, shall elect the credentials commission, secretariat and its other working bodies.</p> |
| <p>5. The work of a Congress of Judges of Ukraine shall be duly recorded.</p> | <p>5. The work of the Congress of Judges of Ukraine shall be recorded in minutes.</p> |
| <p>6. The decisions of the Congress of Judges of Ukraine shall be taken by a majority of votes by open or secret ballot. The issues indicated in Items 3-5, Part 2, Article 74 of this Law shall be settled by secret ballot.</p> | <p>6. Decisions of the Congress of Judges of Ukraine shall be taken by a majority of votes of present delegates by open or secret ballot. Items indicated in subparagraphs 3-5 of paragraph 2 of Article 76 of this Law shall be decided by secret ballot.</p> |
| <p>7. Other issues relating to the procedure of holding a Congress of Judges of Ukraine shall be regulated by the internal regulation of a Congress of Judges of Ukraine approved by a Congress.</p> | <p>7. Other issues relating to the order of holding the Congress of Judges of Ukraine shall be regulated by rules of procedure of the Congress of Judges of Ukraine approved by the Congress.</p> |
| <p>Article 78. The Council of Judges of Ukraine</p> | <p>Article 80. The Council of Judges of Ukraine</p> |
| <p>1. The Council of Judges of Ukraine shall be the highest judicial self-government authority within the period between the congresses of judges of Ukraine.</p> | <p>1. The Council of Judges of Ukraine shall be the highest body of the judicial self-government in between the holding of Congresses of Judges of Ukraine.</p> |

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| <p>2. The Council of Judges of Ukraine shall be elected by a Congress of Judges of Ukraine of thirty tree members;</p> | <p>2. The Council of Judges of Ukraine shall be elected by the Congress of Judges of Ukraine and comprise thirty tree members.</p> |
| <p>The proposals on nomination of the candidates to the Council of Judges of Ukraine may be submitted by the delegations from a conference or a meeting of judges, also by individual delegates of the Congress with the following quota:</p> | <p>Proposals for candidates to the Council of Judges of Ukraine may be submitted by delegations of conferences or meetings of judges, as well as by individual delegates of the Congress with the following quotas:</p> |
| <p>1) one representative from the Constitutional Court of Ukraine;</p> | <p>1) one representative from the Constitutional Court of Ukraine;</p> |
| <p>2) one representative from each Judicial Chamber of the Supreme Court of Ukraine;</p> | <p>2) one representative from each Judicial Chamber of the Supreme Court of Ukraine;</p> |
| <p>3) two representatives from each high specialized court;</p> | <p>3) two representatives from each high specialised court;</p> |
| <p>4) two representatives from economic courts of appeal;</p> | <p>4) two representatives from economic courts of appeal;</p> |
| <p>5) two representatives from administrative courts of appeal;</p> | <p>5) two representatives from administrative courts of appeal;</p> |
| <p>6) two representatives from judicial chambers of criminal cases in courts of appeal;</p> | <p>6) two representatives from judicial chambers in criminal cases of the courts of appeal;</p> |
| <p>7) two representatives from judicial chambers of civil cases in courts of appeal;</p> | <p>7) two representatives from judicial chambers in civil cases of the courts of appeal;</p> |
| <p>8) two representatives from circuit criminal courts;</p> | <p>8) two representatives from circuit criminal courts;</p> |
| <p>9) two representatives from circuit economic courts;</p> | <p>9) two representatives from circuit economic courts;</p> |
| <p>10) two representatives from circuit administrative courts;</p> | <p>10) two representatives from circuit administrative courts;</p> |
| <p>11) five representatives from district courts.</p> | <p>11) five representatives from divisional courts.</p> |
| <p>Judges that occupy administrative positions may not be included in the Council of Judges of Ukraine.</p> | <p>Judges that occupy administrative posts cannot be members of the Council of Judges of Ukraine.</p> |
| <p>3. Members of the Council of Judges of Ukraine shall elect at its meeting from among its members the Chair of the Council of Judges of Ukraine, Deputy Chair and Secretary, as well as the presidium of the Council of Judges of Ukraine. The presidium members and their number are fixed by the Council of Judges of Ukraine pursuant to the provisions about the Council of Judges of Ukraine.</p> | <p>3. Members of the Council of Judges of Ukraine shall elect at its meeting from among its members the Chair of the Council of Judges of Ukraine, the Deputy Chair and the Secretary, as well as the presidium of the Council of Judges of Ukraine. The members of the presidium and their total number shall be determined by the Council of Judges of Ukraine pursuant to the regulations on the Council of Judges of Ukraine.</p> |
| <p>4. Within the period between the congresses, the Council of Judges of Ukraine shall provide for control and execution of the Congress decisions, also decide on the convocation of a congress. The powers and procedure of work of the Council of Judges of Ukraine are determined by this Law and the provisions on the Council of Judges of Ukraine approved by a Congress of Judges of Ukraine.</p> | <p>4. In between the Congresses, the Council of Judges of Ukraine shall organise the control over enforcement of the Congress' decisions and shall decide on the convocation of the Congress. Powers and procedure of work of the Council of Judges of Ukraine shall be determined by this Law and the regulations on the Council of Judges of Ukraine that shall be approved by the Congress of Judges of Ukraine.</p> |
| <p>5. The Council of Judges of Ukraine shall:</p> | <p>5. The Council of Judges of Ukraine shall:</p> |
| <p>1) provide for taking the measures essential for independence of courts and judges, improvement of the organizational support of courts;</p> | <p>1) elaborate and organise the execution of measures to ensure the independence of judges, improvement of the organisational support of courts' activity;</p> |

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| 2) approve the procedure of distribution of cases among judges according to their specialization, norms of caseload of judges, coefficients of case complication, etc; | 2) approve the procedure for distribution of cases among judges taking into account their specialisation, the caseload rate per one judge, coefficients of case complexity, etc.; |
| 3) consider the issues on legal and social protection of judges and their families, take the decisions to this effect; | 3) consider issues of legal protection of judges, social protection of judges and their families, take decisions to this effect; |
| 4) exercise control over the operation of courts and the State Judicial Administration of Ukraine, hear the progress reports of court chairs and officials of the State Judicial Administration of Ukraine; | 4) exercise control over the organisation of courts' work and activities of the State Judicial Administration of Ukraine, hear information of court presidents and officials of the State Judicial Administration of Ukraine about their activity; |
| 5) review complaints of judges on the chairs of courts, their deputies, heads of judicial chambers and other officials; | 5) review complaints of judges on the presidents of courts, their deputies, chairs of judicial chambers and other officials, as well as other information from judges concerning threats to their independence and take appropriate measures after the consideration (dismiss a judge from the administrative post, inform relevant state bodies about the grounds for criminal, disciplinary or other liability, announce declarations on behalf of the judges' corps on the facts of infringement of judge's independence, address international organisations with relevant information, etc.); |
| | 6) adopt the caseload rate per one judge in courts of all levels; |
| 6) appoint to their positions chairs of local, appeal, high specialized courts and deputy chairs of appeal and high specialized court and dismiss them from the posts; | 7) appoint to and dismiss from the posts of presidents of local courts, courts of appeal, high specialised courts and deputy presidents of courts of appeal and high specialised courts; |
| 7) hear the reports on the work of members of the High Qualifications Commission of Judges of Ukraine, the Discipline Commission of Judges of Ukraine, appointed by the Congress of Judges of Ukraine (Council of Judges of Ukraine); | 8) hear reports on the work of members of the High Qualifications Commission of Judges of Ukraine, the Disciplinary Commission of Judges of Ukraine, appointed by the Congress of Judges of Ukraine (the Council of Judges of Ukraine); |
| 8) submit the proposals pertaining to the operation of courts for consideration of the state bodies and local self-government authorities; | 9) submit proposals on the settlement of issues pertaining to the operation of courts for consideration of bodies of the state power and the local self-government authorities; |
| 9) have the right to suspend the decisions made by the councils of judges that doesn't correspond to the Constitution of Ukraine and the laws in force, or run counter to the decisions of the Council of Judges of Ukraine. | 10) have the right to suspend decisions of councils of judges that does not comply with the Constitution and laws of Ukraine, or run counter to the decisions of the Congress of Judges of Ukraine; |
| 10) make other decisions under their jurisdiction. | 11) take other decisions on the issues which fall under their competence. |
| 6. The decisions taken by the Council of Judges of Ukraine shall be binding for all judicial self-government authorities. A decision of the Council of Judges of Ukraine may be canceled by a Congress of Judges of Ukraine. | 6. Decisions of the Council of Judges of Ukraine shall be binding for all bodies of the judicial self-government. Decision of the Council of Judges of Ukraine can be revoked by the Congress of Judges of Ukraine. |
| Article 79. Support of operation of the judicial self-government authorities | Article 81. Support of operation of bodies of the judicial self-government |
| The work of a Congress of Judges of Ukraine, the activities of the Council of Judges of Ukraine, the conferences of judges and the councils of judges shall be financially backed by the State Judicial Administration from the State Budget of Ukraine as per Section VI of this Law. | Work of the Congress of Judges of Ukraine, activities of the Council of Judges of Ukraine, conferences of judges and councils of judges shall be supported by the State Judicial Administration of Ukraine and its territorial departments at the cost of the State Budget of Ukraine in accordance with requirements of Section VI of this Law. |

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| Section VI. SUPPORT OF COURTS AND OTHER ISSUES PERTAINING TO THE JUDICIARY | Section VI. ORGANISATIONAL PROVISION OF COURTS' FUNCTIONING AND OTHER ISSUES OF THE JUDICIARY |
| Chapter 1. GENERAL ISSUES OF SUPPORT OF COURTS | Chapter 1. GENERAL ISSUES OF PROVISION OF COURTS' FUNCTIONING |
| Article 80. Peculiarities of functioning of the judicial power | Article 82. Peculiarities of provision of functioning of the judicial power |
| 1. According to the Constitution of Ukraine, financing and adequate conditions for court and functioning and operation of judges is provided by the state. | 1. According to the Constitution of Ukraine, financing and adequate conditions for courts' functioning and work of judges shall be ensured by the State. |
| 2. Support of functioning of the judicial power provides for: | 2. Provision of functioning of the judicial power shall include: |
| 1) separate identification in the State Budget of Ukraine of costs for financing courts not lower the level , that provides full and independent administration of justice according to the law; | 1) separate earmarking in the State Budget of Ukraine of expenses for financing courts not lower than the level that ensures the possibility of full and independent administration of justice according to the law; |
| 2) legislative guaranty of complete and timely financing of courts; | 2) legislative guarantees of complete and timely financing of courts; |
| 3) guaranty of a sufficient level of social provision of judges. | 3) guaranteeing of a sufficient level of social protection of judges. |
| Article 81. The system of support of judicial power | Article 83. The system of provision of functioning of the judicial power |
| 1. The single system shall be available in Ukraine to support the judicial power represented by the courts of general jurisdiction and the Constitutional Court of Ukraine. | 1. A single system for provision of functioning of the judicial power – the courts of general jurisdiction and the Constitutional Court of Ukraine – shall be available in Ukraine. |
| 2. The state body in charge of the organizational support of courts shall be the State judicial administration of Ukraine that is created and functions pursuant to this Law. According to this Law the organizational support of courts shall include the measures of financial, material, technical, personnel, informational and organizational-technical nature aimed at creation of the conditions for adequate and independent administration of justice. | 2. The organisational provision of courts' functioning shall be carried out by the state judicial administration which shall be set up and operate in accordance with this Law. According to this Law, the organisational provision of courts' functioning shall include measures of financial, material, technical, staffing, informational and organisational nature which shall be aimed at the creation of conditions for adequate and independent administration of justice. |
| 3. Judicial bodies and other state executive bodies may participate in the support of operation of courts in the manner prescribed by this and other laws. | 3. Judicial bodies and other bodies of the state power shall participate in the organisational provision of operation of courts in cases and in manner prescribed by this and other laws. |
| The procedure of organizational support of operation of the Constitutional Court of Ukraine shall be established by this Law, the Law of Ukraine "On the Constitutional Court of Ukraine", and other laws. | The manner of organisational provision of operation of the Constitutional Court of Ukraine shall be established by this Law, the Law of Ukraine "On the Constitutional Court of Ukraine", and other laws. |
| Article 82. Principles of funding the courts | Article 84. Principles of courts funding |
| 1. All courts in Ukraine shall be financially backed from the State Budget of Ukraine. | 1. All courts in Ukraine shall be financed from the State Budget of Ukraine. |
| 2. The functions of the main manager of the funds of the State Budget of Ukraine allocated for the financial support of courts shall be performed by: | 2. Functions of the principal administrator of budget appropriations allocated for the financial provision of courts shall be performed by: |

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| 1) the staff of the Supreme Court of Ukraine, the Constitutional Court of Ukraine, the high specialized courts – concerning the financial support of these judicial institutions; | 1) secretariats of the Supreme Court of Ukraine, the Constitutional Court of Ukraine and the high specialised courts – for the financial provision of these judicial institutions; |
| 2) the State Judicial Administration of Ukraine concerning the financial support of all other courts of general jurisdiction, also the financial support of the qualifications commissions of judges of all levels, the Discipline Commission of Judges of Ukraine, the judicial self-government authorities, the State Judicial Administration of Ukraine and its regional departments, National School of Judges of Ukraine. | 2) the State Judicial Administration of Ukraine – for the financial provision of all other courts of general jurisdiction, as well as for the financial provision of the qualifications commissions of judges of all levels, the Disciplinary Commission of Judges of Ukraine, bodies of the judicial self-government, the State Judicial Administration of Ukraine and its territorial departments, National School of Judges of Ukraine. |
| 3. The costs for support of courts in the State Budget of Ukraine are identified by separate lines: | 3. Expenditures for maintenance of courts shall be specified in the State Budget of Ukraine as separate budgetary allocations for: |
| 1) district courts; | 1) divisional courts; |
| 2) circuit courts of relevant jurisdiction; | 2) circuit courts of relevant jurisdiction; |
| 3) courts of appeal of relevant jurisdiction; | 3) courts of appeal of relevant jurisdiction; |
| 4) every high specialized court; | 4) every high specialised court; |
| 5) the Supreme Court of Ukraine; | 5) the Supreme Court of Ukraine; |
| 6) the Constitutional Court of Ukraine. | 6) the Constitutional Court of Ukraine. |
| The costs for support of operation of qualifications commissions of judges, the Disciplinary Commission of Judges of Ukraine, bodies of the judicial self-government, the National School of Judges of Ukraine in the State Budget of Ukraine are identified by separate lines. | The expenditures for provision of functioning of the qualifications commissions of judges, the Disciplinary Commission of Judges of Ukraine, bodies of the judicial self-government, the National School of Judges of Ukraine shall also be specified in the State Budget of Ukraine as separate budgetary allocations. |
| Costs for maintenance of courts in the State Budget of Ukraine can not be cut during the current financial year. | Expenditures for maintenance of courts in the State Budget of Ukraine cannot be curtailed during the current financial year. |
| 4. The State Judicial Administration of Ukraine shall develop and approve in accordance of the Council of Judges of Ukraine unified norms of financial provision of general jurisdiction courts. The norms shall be handed over to each court and have to be reviewed at least once in three years. The cost estimate of expenses for maintenance of each court shall be approved according to approved norms. | 4. The State Judicial Administration of Ukraine shall prepare and approve in agreement with the Council of Judges of Ukraine unified norms of financial provision of general jurisdiction courts. The norms shall be notified to each court and shall be reviewed at least once in three years. The cost estimate of expenditures for maintenance of each court shall be approved on the basis of the said norms. |
| 5. The responsibility for financial support of operation of each court according to the approved norms shall be bore by the State Judicial Administration. The control over execution of requirements of this Law regarding funding of courts shall be executed by the Council of Judges of Ukraine, and also by the bodies of the state government, assigned by the law. | 5. The responsibility for financial provision of operation of each court according to the approved norms shall be laid upon the State Judicial Administration. The control over adherence to requirements of this Law regarding funding of courts shall be executed by the Council of Judges of Ukraine, and also by the bodies of state power defined by the law. |
| | <u>6. Peculiarities of preparation and consideration of the draft law on the State Budget of Ukraine with regard to the financing of courts, other bodies and institutions of the judiciary shall be determined by the Budget Code of Ukraine.</u> |

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| <p>Article 83. The procedure of funding the courts</p> | <p>Article 85. Procedure of courts funding</p> |
| <p>1. The courts of general jurisdiction shall be funded on the basis of the cost estimates and monthly lists of the expenditures approved pursuant to this Law within the limits of annual amount of expenditures fixed by the State Budget of Ukraine for a current fiscal year in the manner prescribed by the Budget Code of Ukraine.</p> | <p>1. Courts of general jurisdiction shall be funded on the basis of the cost estimates and monthly lists of expenditures approved pursuant to this Law within the limits of annual amount of expenditures fixed by the State Budget of Ukraine for current fiscal year in the manner prescribed by the Budget Code of Ukraine.</p> |
| <p>2. The expenditures for the maintenance of courts shall, not later than the tenth day of each month, be transferred by the bodies of the State treasury of Ukraine to the accounts of the Supreme Court of Ukraine, the Constitutional Court of Ukraine, the high specialized courts and accounts of State Judicial Administration of Ukraine and its regional departments - for financing other courts, bodies and institutions specified by item 2, article 82 of this Law.</p> | <p>2. Expenditures for maintenance of courts shall not later than the tenth day of each month be transferred by the bodies of the State Treasury of Ukraine to accounts of the Supreme Court of Ukraine, the Constitutional Court of Ukraine, the high specialised courts and accounts of the State Judicial Administration of Ukraine and its territorial departments for financing of bodies and institutions specified in subparagraph 2 of paragraph 2 of Article 84 of this Law.</p> |
| <p>3. Provided the State Budget of Ukraine for a current fiscal year has not been adopted, the courts shall be financed according to the procedure prescribed by the Budget Code of Ukraine.</p> | <p>3. If the State Budget of Ukraine for current fiscal year has not been adopted, courts shall be financed according to the procedure prescribed by the Budget Code of Ukraine.</p> |
| <p>Article 84. Material and technical support of the courts</p> | <p>Article 86. Material and technical provision of courts</p> |
| <p>1. Circuit, appeal, high specialized courts and the Supreme Court of Ukraine are legal entities, have Seal with the State Emblem of Ukraine with its name, independent balance and bank accounts. A court as a legal entity is represented by the head of the staff.</p> | <p>1. <u>Local, appellate, high specialised courts</u> and the Supreme Court of Ukraine shall be legal entities, have a seal with the State Emblem of Ukraine and their name on it, separate accounting balance and bank accounts. A court as a legal entity shall be represented by the head of its secretariat.</p> |
| <p>2. The material and technical support of local courts and courts of appeal shall be provided by the regional departments of the State Judicial Administration of Ukraine and conducted within the limits of the cost estimate for the maintenance of a given court.</p> | <p>2. The material and technical provision of local courts and courts of appeal shall be provided by the territorial departments of the State Judicial Administration of Ukraine and be carried out within the limits of the cost estimate for the maintenance of a given court.</p> |
| <p>3. The courts and other judicial institutions having the status of a legal entity shall provide for their current needs either independently or on the basis of individual orders through the State Judicial Administration of Ukraine and its regional departments. The expenditures essential for overhauls, reconstruction and construction of the premises for courts, also other capital expenditures shall be executed through the State Judicial Administration of Ukraine and its regional departments.</p> | <p>3. The courts and other judicial institutions having the status of a legal entity shall provide for their everyday needs either independently or on the basis of individual orders through the State Judicial Administration of Ukraine and its territorial departments. The expenditures for major overhaul, reconstruction and construction of new premises for courts, as well as other capital expenditures shall be executed through the State Judicial Administration of Ukraine and its territorial departments.</p> |
| <p>Article 85. Salaries, consumer services, social protection of judges and employees of judicial system</p> | <p>Article 87. Material, everyday provision and social protection of judges and employees of the judicial system</p> |
| <p>1. The amount of judicial salary shall be adequate for their financial independence and fixed pursuant to the Law of Ukraine "On the Status of Judges" and shall not be reduced.</p> | <p>1. The rate of judge's remuneration shall ensure financial independence of a judge, shall be determined by the Law of Ukraine "On the Status of Judges" and shall not be reduced.</p> |
| <p>2. The amount of salaries of the staffers of court staff and the State Judicial Administration of Ukraine and its regional departments, the consumer and household services rendered to them and the level of their social protection are specified by the law</p> | <p>2. The rate of salaries of staff members of court secretariat and the State Judicial Administration of Ukraine and its territorial departments, their household provision and level of social protection shall determined by the law on civil service, other legal normative</p> |

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| on the state service and other enactments. The said amount shall not be less than that of the relevant categories of civil servants engaged in the system of legislative and executive power. | acts and shall not be less than that of relevant categories of civil servants in the system of legislative and executive power. |
| 3. The amount of salaries of the employees of the National High School of Judges of Ukraine, the consumer and household services rendered to them and the level of their social protection shall not be less than that of the relevant categories of civil servants of the State Judicial Administration of Ukraine, and salaries of staffers in the academic field shall not be less than the salary of a judge of the circuit court. | 3. The rate of salaries of staff members of the National School of Judges of Ukraine, their household provision and level of social protection shall not be less than that of the relevant categories of civil servants of the State Judicial Administration of Ukraine, and salaries rates of academic staff shall not be less than the salary of a judge of the circuit court. |
| 4. The regional departments of the State Judicial Administration of Ukraine, staff of the Supreme Court of Ukraine, the Constitutional Court of Ukraine and other specialized courts bear expenditures for burial and perpetuation of the memory of judges, including the retired judges. | 4. Territorial departments of the State Judicial Administration of Ukraine, secretariats of the Supreme Court of Ukraine, the Constitutional Court of Ukraine and the high specialised courts shall bear expenditures for burial and perpetuation of the memory of judges, including the retired judges. |
| Article 86. Expense account of judges | Article 88. Expense account of courts |
| The cost estimate of the Supreme Court of Ukraine, the Constitutional Court of Ukraine and the cost estimates of high specialized courts shall include the expenses of representation of judges. | The cost estimate of the Supreme Court of Ukraine, the Constitutional Court of Ukraine and the high specialised courts shall include the expenses for representation of courts [expense accounts]. |
| Chapter 2. THE STATE JUDICIAL ADMINISTRATION OF UKRAINE | Chapter 2. THE STATE JUDICIAL ADMINISTRATION OF UKRAINE |
| Article 87. Status of the State Judicial Administration of Ukraine | Article 89. Status of the State Judicial Administration of Ukraine |
| 1. The State Judicial Administration of Ukraine shall be a central executive authority to support the operation of the courts of general jurisdiction, also other bodies and institutions of the court system pursuant to this Law. <u>The institutional support of operation of the Supreme Court of Ukraine, the Constitutional Court of Ukraine and high specialized courts shall be done by the staff of these courts.</u> | 1. The State Judicial Administration of Ukraine shall be a central body of the executive power which carries out organisational provision of the operation of courts of general jurisdiction <u>(except for the Supreme Court of Ukraine and the high specialised courts)</u> , as well as other bodies and institutions of the judiciary pursuant to this Law. <u>The State Judicial Administration of Ukraine shall be under control of the Council of Judges of Ukraine.</u> |
| 2. The regional departments of the State Judicial Administration of Ukraine shall be set up in the Autonomous Republic of the Crimea, regions, the cities of Kyiv and Sevastopol. | 2. Territorial departments of the State Judicial Administration of Ukraine shall be set up in the Autonomous Republic of Crimea, oblasts, the cities of Kyiv and Sevastopol. |
| 3. The officials of the State Judicial Administration of Ukraine, its regional departments shall be civil servants. | 3. Officials of the State Judicial Administration of Ukraine, its territorial departments <u>and secretariats of courts</u> shall be civil servants. |
| 5. The State Judicial Administration of Ukraine shall be a legal entity, have its own seal with the State Emblem of Ukraine with its own name, its own balance sheet and bank accounts. | 5. The State Judicial Administration of Ukraine shall be a legal entity, have its own seal with the State Emblem of Ukraine and its name on it, separate accounting balance and bank accounts. |
| 6. Internal regulation regarding the State Judicial Administration of Ukraine shall be approved by the Cabinet of Ministers of Ukraine. | 6. The regulations on the State Judicial Administration of Ukraine shall be adopted by the Cabinet of Ministers of Ukraine. |
| Article 88. Powers of the State Judicial Administration of Ukraine | Article 90. Powers of the State Judicial Administration of Ukraine |
| 1. The State Judicial Administration of Ukraine shall: | 1. The State Judicial Administration of Ukraine shall: |

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| 1) provide for the proper conditions essential for operation of the courts of general jurisdiction, the qualifications commissions of judges, the Discipline Commission of Judges of Ukraine, the judicial self-government authorities and the National School of Judges of Ukraine; | 1) ensure proper conditions for operation of general jurisdiction courts, the qualifications commissions of judges, the Disciplinary Commission of Judges of Ukraine, bodies of the judicial self-government and the National School of Judges of Ukraine; |
| 2) study the practical aspects of operation of courts, work out and submit the proposals on improvement of the judicial practice in accordance with the established procedure; | 2) study the practice of courts activity organisation, prepare and submit according to the established procedure proposals on its improvement; |
| 3) analyze the personnel issues of court staff, determine the number of experts necessary, and make the requests for training the specialists; | 3) analyse the staffing issues of court secretariats, forecast the needs in terms of specialists, and make requests for training of relevant specialists; |
| 4) keep the statistical and personal registration of the information about judges; | 4) technically provide for keeping the statistical and personal registration of information about judges' corps; |
| 5) provide for the conditions essential for the improvement of skills of judges and court staff personnel; create the system of professional development; | 5) provide for necessary conditions for the improvement of qualifications of judges and court secretariat staff; create the system of professional development; |
| 6) organize the practical training in judicial institutions and elaborate the relevant curricula; | 6) organise the internship in judicial institutions of law students and prepare relevant curricula; |
| 7) provide for keeping the court statistics, office work and records; supervise the office work in the courts of general jurisdiction; | 7) organise work on keeping the court statistics, office work and records; supervise the office work in courts of general jurisdiction; |
| 8) prepare the materials for the proposals concerning the budget of courts, provide for funding the courts pursuant to this Law; | 8) prepare materials for the proposals concerning budgets of courts, take measures to finance courts pursuant to this Law; |
| 9) perform the functions of the main manager of funds of the State budget of Ukraine in the manner prescribed by this Law; | 9) perform the functions of the principal administrator of budget appropriations in cases prescribed by this Law; |
| 10) provide for the material and social security of judges and the court staff, including the retired judges; | 10) provide for the material and social security of judges, including the retired judges, and court secretariat staff; |
| 11) provide for the medical services, sanatorium-and-spa treatment of judges and the court staff, take due measures for providing them with adequate housing; | 11) provide for the medical services, sanatorium-and-spa treatment of judges and court secretariat staff, take measures for providing them with adequate housing; |
| 12) ensure the independence, immunity and security of judges in cooperation with the judicial self-government authorities, courts and law-enforcement bodies; | 12) provide for the security of courts and judges in co-operation with bodies of the judicial self-government, courts and law enforcement bodies; |
| 13) organize and finance the construction and repair of the court buildings and premises, provide them with proper technical facilities; | 13) organise and finance the construction and repairs of court buildings and premises, provide them with proper technical facilities; |
| 14) provide the courts with computer-aided support essential for legal proceedings, office work and operation of courts; provide the courts with technical facilities for recording the court's sessions; | 14) provide courts with computers necessary for administration of justice, office work and operation of courts; provide courts with technical facilities for recording court sittings; |
| 15) provide for securing of keeping of a single state register of court decisions; | 15) ensure keeping of the Unified State Register of Court Decisions; |

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| 16) provide for financing of court expenditures, which are covered from the State Budget of Ukraine according to the law; | 16) provide for financing of court expenditures, which shall be covered from the State Budget of Ukraine according to the law; |
| 17) maintain contacts with relevant bodies and institutions, including those of other countries with the aim of improving the operation and support of courts; | 17) maintain contacts with relevant bodies and institutions, including those of other states, with the aim of improving the organisational provision of operation of courts; |
| 18) organize the work of the court officers; | 18) organise work of the service of court ushers; |
| 19) together with the Council of Judges of Ukraine determine caseload of judges in courts of all levels and work out proposals on the number of judges in relevant courts; | 19) assist the Council of Judges of Ukraine in determination of the caseload rate per one judge in courts of all levels and make proposals as to the number of judges in relevant courts; |
| 20) exercise other powers specified by the law. | 20) exercise other powers specified by the law. |
| 2. The State Judicial Administration of Ukraine shall exercise its powers in compliance with the Constitution of Ukraine, this and other laws, enactments of the President of Ukraine, the Cabinet of Ministers of Ukraine, other pertinent enactments, the Regulations on the State Judicial Administration, decisions of a congress of judges of Ukraine and the Council of Judges of Ukraine. | 2. The State Judicial Administration of Ukraine shall exercise its powers in compliance with the Constitution of Ukraine, this and other laws, acts of the President of Ukraine, the Cabinet of Ministers of Ukraine, other pertinent acts, the Regulations on the State Judicial Administration, decisions of the Congress of Judges of Ukraine and the Council of Judges of Ukraine. |
| Article 89. Head of the State Judicial Administration of Ukraine | Article 91. Head of the State Judicial Administration of Ukraine |
| 1. The State Judicial Administration of Ukraine shall be headed by the Head of the State judicial administration of Ukraine. | 1. The State Judicial Administration of Ukraine shall be headed by the Head of the State Judicial Administration of Ukraine. |
| 2. The Head of the State Judicial Administration of Ukraine shall be appointed to this post and dismissed from it by the Cabinet of Ministers of Ukraine on the basis of the proposal submitted by the Prime-Minister of Ukraine in coordination with the Council of Judges of Ukraine | 2. The Head of the State Judicial Administration of Ukraine shall be appointed to and dismissed from the post by the Cabinet of Ministers of Ukraine upon submission of the Prime Minister of Ukraine based on the recommendation of the Council of Judges of Ukraine |
| 3. The Head of the State Judicial Administration of Ukraine shall not combine his/her official activity with other job with the exception of the teaching, scientific and other kinds of paid creative activity in his/her free time, to become a member of managerial body or supervisory board of the profit economic organization. | 3. The Head of the State Judicial Administration of Ukraine shall not combine his/her official activity with other job with the exception of the teaching, scientific and other kinds of creative activity in his/her free time, shall not be a member of managerial body or supervisory board of a profit organisation. |
| 4. The Head of the State Judicial Administration of Ukraine shall: | 4. The Head of the State Judicial Administration of Ukraine shall: |
| 1) supervise the operation of the State Judicial Administration of Ukraine, be responsible for the execution of tasks placed upon it; | 1) manage the activity of the State Judicial Administration of Ukraine, bear personal responsibility for the execution of tasks placed upon it; |
| 2) organize the operation of the State Judicial Administration of Ukraine; | 2) organise the operation of the State Judicial Administration of Ukraine; |
| 3) appoint and dismiss based on the competition the employees of the State Judicial Administration of Ukraine, heads of regional departments of the State Judicial Administration of Ukraine and their deputies in accordance with the respective council of judges, pursuant to the law regarding state service; | 3) appoint to, basing on the competitive selection according to the legislation on the civil service, and dismiss from the posts staff members of the State Judicial Administration of Ukraine, heads of territorial departments of the State Judicial Administration of Ukraine and their deputies upon agreement of the respective council of judges; |

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| 4) appoint and dismiss based on the competition, which shall be conducted pursuant to the law regarding state service, head of staff of appeal courts and their deputies if approved by the chair of a relative court; | 4) appoint to, basing on the competitive selection according to the legislation on the civil service, and dismiss from the posts heads of secretariats of the courts of appeal and their deputies upon agreement of the president of the respective court; |
| 5) approve the rules on structural divisions of the State Judicial Administration of Ukraine; specify the duties of employees of the State Judicial Administration of Ukraine; | 5) approve the regulations on structural divisions of the State Judicial Administration of Ukraine and specify official duties of staff members of the State Judicial Administration of Ukraine; |
| 6) fix the salaries of employees of the State Judicial Administration of Ukraine and its regional departments, assign to them the ranks of a civil servant according to the law, provide them with incentives and mete out the disciplinary punishments pursuant to the law; | 6) determine salary rates of staff members of the State Judicial Administration of Ukraine and its territorial departments, assign to them the ranks of civil servant according to the law, grant them with benefits and impose disciplinary punishments pursuant to the law; |
| 7) submit the progress reports of the State Judicial Administration of Ukraine to the Council of Judges of Ukraine; | 7) inform the Council of Judges of Ukraine on the work of the State Judicial Administration of Ukraine; |
| 8) participate in elaboration of the proposals to the draft State Budget of Ukraine on financial backing of the court system; | 8) participate in the preparation of proposals to the draft State Budget of Ukraine with regard to the funding of the judiciary; |
| 9) exercise other powers under the law. | 9) exercise other powers defined by the law. |
| 5. The Head of the State Judicial Administration of Ukraine issues the orders and instructions falling within his/her jurisdiction. | 5. The Head of the State Judicial Administration of Ukraine shall issue orders and instructions on the issues within his/her competence. |
| 6. The Head of the State Judicial Administration of Ukraine shall have the deputy heads that are appointed and dismissed by the Cabinet of Ministers of Ukraine based on proposals, submitted by the Head of the State Judicial Administration of Ukraine with the consent of the Council of Judges of Ukraine. The duties of deputy heads of the State Judicial Administration of Ukraine shall be assigned by the Head of the State Judicial Administration of Ukraine. | 6. The Head of the State Judicial Administration of Ukraine shall have deputies who shall be appointed to and dismissed from the posts by the Cabinet of Ministers of Ukraine upon submission of the Head of the State Judicial Administration of Ukraine which was agreed with the Council of Judges of Ukraine. Duties of Deputy Heads of the State Judicial Administration of Ukraine shall be determined by the Head of the State Judicial Administration of Ukraine. |
| Article 90. Regional departments of the State Judicial Administration of Ukraine | Article 92. Territorial departments of the State Judicial Administration of Ukraine |
| 1. Regional departments of the State Judicial Administration of Ukraine shall be the regional bodies of the State Judicial Administration of Ukraine. | 1. Territorial departments of the State Judicial Administration of Ukraine shall be the territorial bodies of the State Judicial Administration of Ukraine. |
| 2. Regional department of the State Judicial Administration of Ukraine shall be run by the manager that shall be appointed to this post and removed from it by the Head of the State Judicial Administration of Ukraine. | 2. Territorial departments of the State Judicial Administration of Ukraine shall be headed by the head who shall be appointed to and dismissed from the post by the Head of the State Judicial Administration of Ukraine. |
| 3. The structure and manning table of regional departments of the State Judicial Administration of Ukraine shall be approved by the Head of the State Judicial Administration of Ukraine following the proposal of the manager of a regional department of the State Judicial Administration of Ukraine. | 3. The structure and list of staff members of a territorial department of the State Judicial Administration of Ukraine shall be approved by the Head of the State Judicial Administration of Ukraine upon submission of the head of the territorial department of the State Judicial Administration of Ukraine. |
| 4. Regional department of the State Judicial Administration of Ukraine shall be a legal entity, have its own seal showing the State Emblem of Ukraine with its own name, its own | 4. Territorial department of the State Judicial Administration of Ukraine shall be a legal entity, have its own seal with the State Emblem of Ukraine and its name on it, separate |

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| balance sheet and bank accounts. | accounting balance and bank accounts. |
| 5. Regional departments of the State Judicial Administration of Ukraine shall function pursuant to the regulations on the State Judicial Administration of Ukraine. | 5. Territorial departments of the State Judicial Administration of Ukraine shall function pursuant to the regulations on the State Judicial Administration of Ukraine. |
| Chapter 3. OTHER ISSUES RELATING TO THE JUDICIARY OF UKRAINE | Chapter 3. OTHER ISSUES OF THE JUDICIARY |
| Article 91. The National School of Judges of Ukraine | Article 93. The National School of Judges of Ukraine |
| 1. The National School of Judges of Ukraine shall be available at the State Judicial Administration of Ukraine to provide the courts with skilled judges and staffers. | 1. The National School of Judges of Ukraine shall operate at the State Judicial Administration of Ukraine to provide courts with qualified judges and staff of court secretariats. |
| 2. The National School of Judges of Ukraine is a state institution of a judicial education with special status that ensures high qualified cadre education for the judiciary. | 2. The National School of Judges of Ukraine shall be a state educational institution of judge training with special status and shall ensure training of highly qualified personnel for the judiciary. |
| 3. The following shall be the main tasks of the National School of Judges of Ukraine: | 3. The National School of Judges of Ukraine shall: |
| 1) Training the persons for the posts of judges according to the Law of Ukraine "On the Status of Judges" on the bases on the state order, formed by the State Judicial Administration of Ukraine; | 1) train persons for the work of judge according to the Law of Ukraine "On the Status of Judges" on the basis of the state order formed by the State Judicial Administration of Ukraine; |
| 2) Preparation of judges, appointed to the post for the first time; | 2) train judges appointed to the post for the first time; |
| 3) Preparation of judges elected to the post without term limitation; | 3) train judges elected to the post for the permanent term; |
| 4) Preparation of judges deprived of their qualification rank; | 4) train judges who were stripped of the qualification rank; |
| 5) Educating judicial employees, employees of the State Judicial Administration of Ukraine and its regional departments; | 5) train court secretariat staff, staff members of the State Judicial Administration of Ukraine and its territorial departments; |
| 6) Conducting the research into the improvement of court performance; | 6) carry out scientific research on the improvement of the judiciary; |
| 7) Analyzing the world experience of court performance; | 7) study international and foreign experience of the organisation of court functioning; |
| 8) Scientific and methodological support of operation of the courts of general jurisdiction and the Constitutional Court of Ukraine, system of qualifications commissions of judges, the Disciplinary Commission of Judges of Ukraine and the High Council of Justice. | 8) provide for scientific and methodological support of operation of the general jurisdiction courts and the Constitutional Court of Ukraine, system of the qualifications commissions of judges, the Disciplinary Commission of Judges of Ukraine and the High Council of Justice. |
| 3. The National School of Judges of Ukraine shall function pursuant to its statute that shall be approved by the Council of Judges of Ukraine. | 4. The National School of Judges of Ukraine shall function pursuant to its Statute that shall be approved by the Council of Judges of Ukraine. |
| 4. Judges, which per their application are sent to work in the National School of Judges of Ukraine, may be invited to occupy the posts of scientific and pedagogical workers of the National School of Judges of Ukraine. | 5. Judges, who upon their request shall be transferred to work in the National School of Judges of Ukraine, may be invited to occupy the posts of research and educational staff of the National School of Judges of Ukraine. |
| 5. The National School of Judges of Ukraine shall be located in the city of Kyiv and | 6. The National School of Judges of Ukraine shall be located in the city of Kyiv and |

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| may have regional branches in other cities. | may have regional branches in other cities. |
| 6. In order to support the scientific and research operation of National School of Judges of Ukraine it shall include the scientific and research institute of judicature. | 7. The Scientific and Research Institute of the Judiciary shall operate at the National School of Judges of Ukraine in order to carry out the scientific and research activity. |
| 7. The National School of Judges of Ukraine shall be a legal entity, have its own seal showing the State Emblem of Ukraine with its own name, its own balance sheet and bank accounts. | 8. The National School of Judges of Ukraine shall be a legal entity, have its own seal with the State Emblem of Ukraine and its name on it, separate accounting balance and bank accounts. |
| Article 92. Court staff | Article 94. Court secretariat |
| 1. Organizational support of court operation shall be provided by the court staff headed by the manager of the staff (secretariat manager). | 1. Organisational support of court operation shall be provided by the court secretariat which shall be headed by the head of the secretariat. |
| 2. The manager of the court staff shall bear personal responsibility for adequate organizational support of court, judges and juridical proceedings. | 2. The head of the court secretariat shall bear personal responsibility for proper organisational provision of the court, judges and judicial proceedings. |
| 3. The manager of the court staff, his/her deputy shall be appointed to and dismissed from the post according to the results of a competition, held in accordance with the law on state service, by the head of a respective regional department of the State Judicial Administration of Ukraine, manager of the appeal court staff shall be appointed to and dismissed from the post by the Head of the State Judicial Administration of Ukraine agreed with the chair of a respective court. | 3. The head of the court secretariat, his/her deputy shall be appointed to, based on the competitive selection in accordance with the legislation on the civil service, and dismissed from the post by the head of the respective territorial department of the State Judicial Administration of Ukraine and the head of the secretariat of the court of appeal – by the Head of the State Judicial Administration of Ukraine upon agreement of the president of the respective court. |
| The manager of staff of the Supreme Court of Ukraine, manager of staff of a high specialized court and their deputies shall be appointed to the posts according to the results of a competition, held in accordance with the law on state service and dismissed from the posts by a meeting of judges of a respective court. | The head of the secretariat of the Supreme Court of Ukraine, head of the secretariat of the high specialised court and their deputies shall be appointed to, based on the competitive selection in accordance with the legislation on the civil service, and dismissed from the posts by the meeting of judges of the respective court. |
| 4. The chair of the court (except for the Supreme Court of Ukraine and high courts) shall execute a right to initiate requests to apply to a manager of a court staff and his/her deputy incentives or the disciplinary punishments, initiate proposals on their dismissal. | 4. The president of the court (except for the Supreme Court of Ukraine and high specialised courts) shall have the right to file a request to impose on the head of court secretariat and his/her deputy disciplinary punishments or to grant them benefits, and file submission as to their dismissal. |
| 5. The manager of the court staff (except managers of district court staff) shall appoint to and dismiss from the posts staffers of the court staff, assign to them ranks of civil servants, provide them with incentives and mete out the disciplinary punishments with agreement or on the proposal of the chair of a respective court. | 5. The head of the court secretariat (except for heads of divisional courts' secretariats) shall appoint to and dismiss from the posts staff members of the court secretariat, assign to them ranks of civil servants, grant them benefits and impose disciplinary punishments upon agreement of or upon submission of the president of the respective court. |
| Staffers of the district court staff shall be appointed by the head of a respective regional department of the State Judicial Administration of Ukraine on the proposal of the manager of staff of a respective court. | Staff members of the divisional court secretariat shall be appointed by the head of the respective territorial department of the State Judicial Administration of Ukraine upon submission of the head of the respective court secretariat. |
| Candidates are selected on the basis of competition. | The selection of court secretariat staff members shall be carried out on competitive basis. |
| 6. The legal status of the court staff shall be determined pursuant to the law on the state service. As far as the amount of salaries, the material, transportation, medical, | 6. Legal status of the court secretariat staff members shall be determined by the Law of Ukraine "On the Civil Service". The court secretariat staff members shall have equal |

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| sanatorium-and-spa treatment support are concerned, the court staff shall be placed on the same footing as the relevant categories of the managerial staff of high, central or local executive bodies. | salary rates, material, household, transportation, medical, sanatorium-and-spa treatment support as relevant categories of staff members of central or local bodies of the executive power. |
| 7. The structure and numerical composition of the local court staff shall be approved by the relevant regional department of the State Judicial Administration of Ukraine, the staff of the courts of appeal and high courts – by the State Judicial Administration of Ukraine with an agreement of the chair of the relevant court within the limits of expenditures for maintenance of a given court. | 7. The structure and number of staff members of local court secretariats shall be approved by relevant territorial departments of the State Judicial Administration of Ukraine and of secretariats of the courts of appeal and the high specialised courts – by the State Judicial Administration of Ukraine upon agreement of the president of the relevant court, within the limits of expenditures for maintenance of a given court. |
| 8. The structure and the manning table of the staff of the Supreme Court of Ukraine and the staff of a high specialized court shall be approved by the presidium of a relevant court within the limits of expenditures for maintenance of a given court. | 8. The structure and the list of staff members of the secretariat of the Supreme Court of Ukraine and secretariats of the high specialised court shall be approved by the meeting of judges of the relevant court within the limits of expenditures for maintenance of a given court. |
| 9. The boards, departments and other structural divisions may be set up in the staff of the courts of general jurisdiction, that perform their functions pursuant to the regulations on a relevant structural division approved by the manager of the staff of the relevant court and agreed with the chair of the court. | 9. Departments, divisions and other structural units may be set up within secretariats of the general jurisdiction courts. These units shall perform their functions pursuant to the regulations on the relevant structural unit which shall be approved by the head of the secretariat of the relevant court upon agreement of the president of the court. |
| 10. The court staff also includes the assistants of judges, scientific consultants and court officers. Assistants of judges, scientific consultants must have higher legal education. Assistants of judges of the Supreme Courts of Ukraine, besides the mentioned above must have at least three years of experience of working the legal field. | 10. The court secretariat staff shall also include assistants to judges, scientific consultants and court ushers. Assistants to judges and scientific consultants shall have higher legal education. Besides, assistants to judges of the Supreme Courts of Ukraine shall have at least three years of experience of work in the legal field. |
| 11. Assistants of judges and scientific consultants are appointed and dismissed from the posts on the proposal or approval of respective judges. Assistants of judges and scientific consultants are appointed for the term of work of a respective judge. | 11. Assistants and scientific consultants to judges shall be appointed to and dismissed from the posts upon proposal or approval of respective judges. Assistants and scientific consultants to judges shall be appointed for the time the respective judge is in office. |
| Article 93. Court Libraries | Article 95. Court libraries |
| 1. Libraries shall be created at each court to provide the courts with enactments, special scientific literature and the materials of judicial practice. The library stocks include printed editions and computer database. | 1. Court libraries shall be created at each court to provide courts with legal normative acts, special scientific literature and materials of the judicial practice. Library stocks shall include printed editions and computer databases. |
| 2. The regulations on court libraries are approved by the Chief Justice of the Supreme Court of Ukraine. | 2. The regulations on court library shall be approved by the President of the Supreme Court of Ukraine. |
| Article 94. Service of court officers | Article 96. Service of court ushers |
| 1. The service of court officers shall be available in each court. The court officers shall provide for observance of the fixed rules in the court premises by the persons that are present in a court, also fulfillment of the orders of a court session chair by such persons. | 1. The service of court ushers shall operate in each court. Court ushers shall ensure the observance by persons present in court premises of the established rules, as well as their adherence to orders of the presiding judge. |
| 2. The court officers shall be appointed to their posts and removed from them by a relevant court staff manager. | 2. Court ushers shall be appointed to and dismissed from the posts by the head of the relevant court secretariat. |
| 3. The court officers shall be provided with the uniform whose models are approved by | 3. The court ushers shall be provided with the uniform whose models shall be |

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| the Head of the State Judicial Administration of Ukraine and agreed with the Council of Judges of Ukraine. | approved by the Head of the State Judicial Administration of Ukraine upon agreement of the Council of Judges of Ukraine. |
| 4. The court officers shall perform their functions pursuant to this Law, procedural legislation of Ukraine, relevant rules and instructions, also the orders of the chair of a relevant court and judges. | 4. Court ushers shall perform their functions pursuant to this Law, procedural legislation of Ukraine, relevant rules and instructions, as well as orders of the president of the court and judges. |
| 5. The procedure of establishment and operation of the service of court officers shall be established by the Regulations that are approved by the Head of the State Judicial Administration of Ukraine and agreed with the Council of Judges of Ukraine. | 5. The procedure for creation and operation of the service of court ushers shall be determined by the regulations that shall be approved by the Head of the State Judicial Administration of Ukraine upon agreement of the Council of Judges of Ukraine. |
| Article 95. Security and maintenance of public order in courts | Article 97. Security and maintenance of public order in courts |
| 1. Maintenance of public order in court, suspension of display of contempt of court, functions of state protection of judges, court staff, and security of participants of juridical proceedings shall be performed by the court militia. | 1. Maintenance of public order in court, discontinuation of displays of court contempt, as well as protection of court premises, functions of state protection of judges, court secretariat staff, and security of participants of judicial proceedings shall be performed by the court militia. |
| 2. The powers of the court militia and its operation are determined by the law. | 2. The powers of the court militia and its operation shall be determined by the law. |
| Article 96. Symbols of the judicial power | Article 98. Symbols of the judicial power |
| 1. The symbols of judicial power shall be the state symbols of Ukraine - the State Emblem of Ukraine and the State Flag of Ukraine. | 1. The symbols of judicial power shall be the state symbols of Ukraine - the State Emblem of Ukraine and the State Flag of Ukraine. |
| 2. While administering justice, a judge shall wear the mantle with a breastplate of a set pattern. Specimens of the mantle and the breastplate shall be approved by the Council of Judges of Ukraine. | 2. While administering justice, a judge shall wear the mantle with a breastplate of a set pattern. Specimens of the mantle and the breastplate shall be approved by the Council of Judges of Ukraine. |
| Article 97. Certificates of judge, people's assessor and juror | Article 99. Certificates of judge, people's assessor and juror |
| 1. Professional judges, also people's assessors and jurors shall have the certificates of a set pattern. | 1. Professional judges, as well as people's assessors and jurors shall have certificates of a set pattern. |
| 2. The specimens of certificates of judges, people's assessors and jurors shall be approved by the Chief Justice of the Supreme Court of Ukraine in coordination with the Council of Judges of Ukraine. | 2. The specimens of certificates of judges, people's assessors and jurors shall be approved by the President of the Supreme Court of Ukraine upon agreement of the Council of Judges of Ukraine. |
| 3. Certificates of the judges elected for an unlimited term shall be signed by the Chair of the Verkhovna Rada of Ukraine. Certificates of the judges appointed to the post by the President of Ukraine shall be signed by the President of Ukraine. Certificates of court chairs, their deputies, other persons holding other administrative posts in courts shall be signed by the Chief Justice of the Supreme Court of Ukraine. | 3. Certificates of judges elected for permanent terms shall be signed by the President of the Verkhovna Rada of Ukraine. Certificates of judges appointed to the posts by the President of Ukraine shall be signed by the President of Ukraine. Certificates of court president, their deputies, other persons holding administrative posts in courts shall be signed by the President of the Supreme Court of Ukraine. |
| 4. The certificates of people's assessors and jurors shall be signed by the chair of the court in which people's assessors or jurors administer justice. | 4. Certificates of people's assessors and jurors shall be signed by the president of the court in which people's assessors or jurors administer justice. |
| | 5. The presentation of certificates to their holders shall be carried out by the person |

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| | who signed it or, upon instruction of the latter, by other person. |
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| Section VII. FINAL AND TRANSITIONAL PROVISIONS | Section VII. FINAL AND TRANSITIONAL PROVISIONS |
| 1. This law shall come into force and be enacted from January 1, 2007. | 1. This Law shall come into force on 1 July 2007 . |
| 2. During the five years after this law shall come into force, chair of a local court, chair of court of appeal and his/her deputy, chair of high specialized court and his/her deputy shall be appointed to their posts for the term of five years from among the judges of a relevant court and shall be dismissed from the posts by the President of Ukraine on the proposal of the Council of Judges of Ukraine. | 2. During five years after this Law comes into force, president of local court, president of the court of appeal and his/her deputy, president of the high specialised court and his/her deputy shall be appointed to their posts for the term of five years from among judges of the relevant court and shall be dismissed from their posts by the President of Ukraine upon submission of the Council of Judges of Ukraine. |
| 3. District criminal courts shall start their operation following appointment (election) to their composition at least three judges, but not later than June 1, 2007. The State Judicial Administration of Ukraine shall inform about the beginning of operation of every district criminal court through relative local official periodicals. Prior to beginning of operation of district criminal courts, cases within their jurisdiction shall be considered by the first instance of respective courts of appeal. | 3. Circuit criminal courts shall start functioning after the appointment (election) to their composition of at least three judges, but not later than 1 January 2008 . The State Judicial Administration of Ukraine shall inform about the beginning of operation of every circuit criminal court through relative local official periodicals. Until the beginning of functioning of circuit criminal courts, cases within their jurisdiction shall be considered in the first instance by respective courts of appeal. |
| 4. Criminal cases assigned for consideration to relative courts of appeal as courts of the first instance prior to beginning of operation of respective district criminal court, shall be considered and resolved by these courts. | 4. Criminal cases assigned for judicial consideration by relative courts of appeal as courts of the first instance prior to the beginning of functioning of respective circuit criminal court, shall be considered and resolved by these courts. |
| After beginning of operation of district criminal courts criminal cases, which were assigned to relative courts of appeal for consideration in first instance, which are in the jurisdiction of the district criminal courts, shall be transferred by these courts to district criminal courts if the case is not assigned for judicial inquiry. | After the beginning of functioning of circuit criminal courts criminal cases, which were assigned to relative courts of appeal for consideration in first instance and which are in the jurisdiction of the circuit criminal courts, shall be transferred by these courts to circuit criminal courts unless the trial has already started. |
| 5. The High Civil Court of Ukraine and the High Criminal Court of Ukraine shall be established before January 1, 2007 and shall start operating from June 1, 2007. Before these courts come to operation, their powers shall be exercised by relevant judicial chambers of the Supreme Court of Ukraine. | 5. The High Civil Court of Ukraine and the High Criminal Court of Ukraine shall be established before 1 October 2007 and shall start functioning from 1 January 2008 . Until these courts start functioning, their powers shall be exercised by relevant Judicial Chambers of the Supreme Court of Ukraine. |
| 6. Cassations (submissions) on the decisions of general courts in criminal and civil cases, filled prior to June 1, 2007 and accepted for cassation consideration by the Supreme Court of Ukraine, shall be considered by the Supreme Court of Ukraine. | 6. Cassation appeals (submissions) on the decisions of general courts in criminal and civil cases filed before 1 June 2007 and assigned (accepted) for the cassation review by the Supreme Court of Ukraine shall be considered by the Supreme Court of Ukraine. |
| Cassations (submissions) on the decisions of general courts in criminal and civil cases, filled after to June 1, 2007 shall be transferred for consideration to the High Civil Court of Ukraine and High Criminal Court of Ukraine accordingly. | Cassation appeals (submissions) on the decisions of general courts in criminal and civil cases filed after 1 June 2007 shall be transferred for consideration accordingly to the High Civil Court of Ukraine and the High Criminal Court of Ukraine. |
| 7. Chairs of courts and their deputies, chairs of judicial chambers appointed to the posts prior to enactment of this Law, shall fulfill their functions under this Law until the term of their appointment expires, if their posts shall be preserved under this Law. | 7. Presidents of courts and their deputies, chairs of judicial chambers appointed prior to the enactment of this Law, shall perform their functions under this Law until the term of their appointment expires, if their posts were preserved according this Law. |
| First deputy chairs of high specialized courts appointed to the posts prior to enactment | First Deputy Presidents of the high specialised courts appointed to their posts prior to |

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| <p>of this Law shall fulfill their functions of deputy chairs of high specialized courts under this Law until the term of their appointment expires.</p> | <p>the enactment of this Law shall perform functions of Deputy President of the high specialised courts according to this Law until the term of their appointment expires.</p> |
| <p>8. Judges of the Supreme Court of Ukraine shall exercise their powers before they are removed from their posts according to the part 5, article 126 of the Constitution of Ukraine. After the judges are dismissed their posts shall not be occupied, but axed until there shall be 45 positions of judges according to the Law.</p> | <p>8. Judges of the Supreme Court of Ukraine shall exercise their powers until they are dismissed from their posts according to paragraph 5 of Article 126 of the Constitution of Ukraine. After the judges are dismissed their posts shall not be filled, but curtailed until 45 positions of judges remain according to the Law.</p> |
| <p>Judges of the Supreme Court of Ukraine, which during the year from the day of enactment of this Law were transferred to high specialized court or other court of general jurisdiction shall be equal in status including financial, social and household support with the judges of the Supreme Court of Ukraine.</p> | <p>Judges of the Supreme Court of Ukraine, who during one year from the day of the enactment of this Law, went to the high specialised court or other court of general jurisdiction shall have an equal status, including in terms of their financial, social and household provision, to that of a judge of the Supreme Court of Ukraine.</p> |
| <p>9. Regional qualifications commissions of judges shall be established during the period of six months and shall begin their operation from June 1, 2007. Existing qualifications commissions of judges with the beginning of operation of regional qualifications commissions of judges shall terminate their activity.</p> | <p>9. Territorial qualifications commissions of judges shall be established during six months and shall start their functioning from 1 January 2008. Existing qualifications commissions of judges with the start of functioning of territorial qualifications commissions of judges shall terminate their activity.</p> |
| <p>10. The Disciplinary Commission of Judges of Ukraine and judicial inspectors' service shall be created according to this Law during the six months from the day of enactment of this Law and shall begin their operation from June 1, 2007.</p> | <p>10. The Disciplinary Commission of Judges of Ukraine and the service of court inspectors shall be created according to this Law during six months from the day of the enactment of this Law and shall start functioning from 1 January 2008.</p> |
| <p>11. Disciplinary cases, which prior to June 1, 2007 were under investigation of qualifications commissions of judges that were established prior to enactment of this Law, shall be transferred for consideration and resolution to the Discipline Commission of Judges of Ukraine. The terms of bringing a judge to disciplinary responsibility shall be stopped until the Discipline Commission of Judges of Ukraine takes upon the case.</p> | <p>11. Disciplinary cases, which prior to 1 January 2008 were under investigation of qualifications commissions of judges that were established before the enactment of this Law, shall be transferred for consideration and resolution to the Disciplinary Commission of Judges of Ukraine. The terms of bringing a judge to disciplinary liability shall be stopped until the Disciplinary Commission of Judges of Ukraine takes over the case.</p> |
| <p>12. After enacting this Law military courts of garrisons, military appeal courts of regions and the Navy Court of Appeal of Ukraine shall continue operating as local and appeal courts and consider criminal cases falling within their jurisdiction, determined by the Criminal Procedural Code of Ukraine, prior to their liquidation in order pursuant to the law, but not longer than January 1, 2008.</p> | <p>12. After the enactment of this Law military courts of garrisons, military appellate courts of regions and the Court of Appeal of the Navy of Ukraine shall continue operating as local and appellate courts and shall consider criminal cases falling within their jurisdiction determined by the Criminal Procedure Code of Ukraine before they are liquidated in accordance with the law, but not longer than until 1 January 2008.</p> |
| <p>13. Judges of military courts of garrisons, regional military courts of appeal and the Navy Court of Appeal of Ukraine shall be transferred with their accordance to other court with further exemption from the military service, or they shall be removed from their posts of judge according to set procedures and ordered for further military service within Armed Forces of Ukraine, other military establishments;</p> | <p>13. Judges of military courts of garrisons, military appellate courts of regions and the Court of Appeal of the Navy of Ukraine shall be transferred as agreed with them to other courts with their further dismissal from the military service, or they shall be dismissed from the post of judge according to the established procedure and ordered for further military service within Armed Forces of Ukraine, other military formations.</p> |
| <p>Judges of the Military judicial board of the Supreme Court of Ukraine shall be transferred with their accordance to judicial chambers of the Supreme Court of Ukraine or high specialized courts in the order pursuant to this Law, with further exemption from the military service, or they shall be removed from their posts of judge according to set procedures and ordered for further military service within Armed Forces of Ukraine, other military establishments.</p> | <p>Judges of the Military Judicial Panel of the Supreme Court of Ukraine shall be transferred as agreed with them to Judicial Chambers of the Supreme Court of Ukraine or high specialised courts pursuant to this Law, with their further dismissal from the military service, or they shall be dismissed from the post of judge according to the established procedure and ordered for further military service within Armed Forces of Ukraine, other military formations.</p> |

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| <p>14. Prior to the legislative reform of legislation regarding administrative offences, cases on administrative violations, which fall within the jurisdiction of respective courts, shall be considered and resolved by these courts in the manner prescribed by the Administrative Offences Code of Ukraine.</p> | <p>14. Until the legislation on administrative offences is reformed, cases on administrative offences, which fall within the jurisdiction of respective courts, shall be considered and resolved by these courts as prescribed by the Administrative Offences Code of Ukraine.</p> |
| <p>15. Decree that judges of military courts of garrisons, military courts of appeal, the Navy Court of Appeal of Ukraine, the Military judicial board of the Supreme Court of Ukraine:</p> | <p>15. It shall be established that judges of military courts of garrisons, military appellate courts of regions, the Court of Appeal of the Navy of Ukraine, Military Judicial Panel of the Supreme Court of Ukraine:</p> |
| <p>dismissed from the military service and transferred to other courts or judicial chambers of the Supreme Court of Ukraine shall be paid once according to their choice either financial support for dismissal from the military service according to Article 15 of the Law of Ukraine "On social and legal protection of military servants and members of their families", or support with further retirement from the post of judge according to the Law of Ukraine "On the Status of Judges";</p> | <p>who were dismissed from the military service and transferred to other courts or Judicial Chambers of the Supreme Court of Ukraine shall be paid once according to their choice either financial assistance for dismissal from the military service according to Article 15 of the Law of Ukraine "On Social and Legal Protection of Military Servants and Members of their Families", or retirement assistance with their further retirement from the post of judge according to the Law of Ukraine "On the Status of Judges";</p> |
| <p>ordered for further military service within Armed Forces of Ukraine, other military establishments shall be paid once according to their choice either support for retirement from the post of judge according to the Law of Ukraine "On the Status of Judges" or financial support for further dismissal from the military service according to Article 15 of the Law of Ukraine "On social and legal protection of military servants and members of their families";</p> | <p>who were ordered for further military service within Armed Forces of Ukraine, other military formations shall be paid once according to their choice either retirement assistance for retirement from the post of judge according to the Law of Ukraine "On the Status of Judges", or financial assistance for dismissal from the military service according to Article 15 of the Law of Ukraine "On Social and Legal Protection of Military Servants and Members of their Families";</p> |
| <p>dismissed from the military service and retired from the post of judge at the same time shall be paid once according to their choice either financial support according to Article 15 of the Law of Ukraine "On social and legal protection of military servants and members of their families", or support according to the Law of Ukraine "On the Status of Judges";</p> | <p>who dismissed from the military service and at the same time retired from the post of judge shall be paid once according to their choice either financial assistance according to Article 15 of the Law of Ukraine "On Social and Legal Protection of Military Servants and Members of their Families", or retirement assistance according to the Law of Ukraine "On the Status of Judges".</p> |
| <p>Decree that in case of repetitive election of a person to a post of a judge dismissal pay for retirement shall be paid to this person only if this person has not received financial support according to Article 15 of the Law of Ukraine "On social and legal protection of military servants and members of their families", or support according to the Law of Ukraine "On Status of Judges" before.</p> | <p>It shall be established that in case of re-election of a person to the post of a judge retirement assistance can be paid at the time of retirement only if such person did not receive earlier financial assistance according to Article 15 of the Law of Ukraine "On Social and Legal Protection of Military Servants and Members of their Families", or retirement assistance according to the Law of Ukraine "On Status of Judges".</p> |
| | <p>16. The following amendments shall be inserted in the Budget Code of Ukraine:</p> |
| | <p>1) in Article 34:</p> <p>in paragraph 2, after the words "in the process of preparation of budget requests" add the words ""except for cases provided for in paragraph 3 of this Article";</p> <p>add the following paragraph:</p> <p>"Instructions for preparation of budget requests by the Constitutional Court of Ukraine, the Supreme Court of Ukraine, the high specialised courts, the State Judicial</p> |

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| | <p>Administration of Ukraine may not introduce restrictions provided for in paragraph 2 of this Article”;</p> |
| | <p>2) in Article 36: add after paragraph 1 a new paragraph as follows: “2. If the Ministry of Finance of Ukraine considers that budget requests of the Constitutional Court of Ukraine, the Supreme Court of Ukraine, the high specialised courts, the State Judicial Administration of Ukraine are not substantiated or cannot be satisfied, the Ministry shall include these requests to the proposed draft State Budget of Ukraine and together with the draft Law of Ukraine “On the State Budget of Ukraine” shall submit for consideration of the Cabinet of Ministers of Ukraine the grounded conclusions with the mentioning of reasons which prevent satisfaction of these requests and proposals on settlement of contradictions.” Paragraphs 2 and 3 shall thus be considered accordingly paragraphs 3 and 4.</p> |
| | <p>3) in paragraph 1 of Article 38 add the following subparagraph: “If the Cabinet of Ministers of Ukraine considers that budget requests of the Constitutional Court of Ukraine, the Supreme Court of Ukraine, the high specialised courts, the State Judicial Administration of Ukraine are not substantiated or cannot be satisfied, the Cabinet shall also submit to the Verkhovna Rada of Ukraine respective opinion with the mentioning of reasons which prevent satisfaction of these requests and proposals on settlement of contradictions”;</p> |
| | <p>4) paragraph 1 of Article 41 shall be re-worded as follows: “1. The first reading of the State Budget of Ukraine shall begin with the report of the Chairperson of the Committee of the Verkhovna Rada of Ukraine on budget issues on the Conclusions and proposals to the Draft State Budget Law. Representatives of the Verkhovna Rada committees, deputies’ factions, people’s deputies of Ukraine, representatives of the Cabinet of Ministers of Ukraine, the Accounting Chamber, and as regards the financing of courts and other bodies and institutions of the judiciary – representatives of the Council of Judges of Ukraine, the Constitutional Court of Ukraine, the Supreme Court of Ukraine, the high specialised courts, the State Judicial Administration of Ukraine, shall participate in the debates.”</p> |
| <p>16. The Cabinet of Ministers of Ukraine in the period of two months after this Law is published shall:</p> | <p>17. The Cabinet of Ministers of Ukraine within two months after this Law is published shall:</p> |
| <p>Establish the National School of Judges of Ukraine on the basis of Academy of Judges of Ukraine;</p> | <p>set up the National School of Judges of Ukraine on the basis of the Academy of Judges of Ukraine;</p> |
| <p>Approve Regulations regarding social and material support of employees of the National High School of Judges of Ukraine and provided for adequate funding in the draft Law of Ukraine On the State Budget of Ukraine beginning 2007.</p> | <p>adopt Regulations on the Social and Material Provision of Staff Members of the National School of Judges of Ukraine and foresee adequate funding in the draft State Budget Laws starting from 2007.</p> |

