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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

LAW ON
GOVERNMENT CLEANSING
(« LUSTRATION LAW »)
OF UKRAINE

On Government Cleansing

This Law establishes legal and organizational principles of cleansing the government (lustration) to protect and affirm democratic values, the rule of law and human rights in Ukraine.

Article 1. Main principles of cleansing the government

1. Cleansing the government (lustration) is a ban imposed by the Law or a court judgment on particular individuals to take certain positions (serve) (hereinafter □□positions or offices) (except for elective positions) in central and local government authorities.

2. Cleansing of the government (lustration) shall be performed to keep away from public governance those persons who made decisions, took actions or inaction (and/or contributed to their taking) facilitating power usurpation by the President of Ukraine Viktor Yanukovich and seeking to undermine the foundations of the national security and defense or violate human rights and freedoms. Lustration to be based on the following principles:

the rule of law and lawfulness;

openness, transparency and public accessibility;

presumption of innocence;

individual liability; and

guarantees of the right to defense.

3. The persons specified in Article 3.1, 3.2, 3.4 and 3.8 hereof, and the persons who failed to file statements as required by Article 4.1 hereof within the term established by this Law shall not be allowed to occupy positions being cleansed (lustration) for ten years after this Law takes effect.

4. The persons specified in Articles 3.3, 3.5 - 3.7 of this Law may not occupy positions being cleansed (lustration) for five years after a corresponding court judgment takes effect.

5. A ban specified in part 3 or 4 of this Article may be imposed on a person only once.

6. Imposition of the ban specified in part 3 of this Article shall not be a ground to deny imposition of the ban specified in part 4 of this Article in the manner established hereof if grounds are in place.

7. The ban specified in parts 3 and 4 of this Article shall not be imposed on persons specified in Article 3.2 - 3.4 of this Law who have been recognized as participants of military activities during the counterterrorism operation in the east of Ukraine as established by law.

8. Decisions, actions or inaction of public administration entities in the course of application of this Law can be challenged in court.

Article 2. Positions subject to cleansing (lustration)

1. Cleansing of the government (lustration) shall be applied to:

1) Prime Minister, First Vice Prime Minister, Vice Prime Ministers and ministers, heads of central executive authorities who are not members of the Cabinet of Ministers of Ukraine, Chairman of the National Bank of Ukraine, Chairman of the Antimonopoly Committee of Ukraine, Chairman of the State Property Fund, Chairman of the State Committee for Television and Radio Broadcasting of Ukraine, their first deputies and deputies;

2) Prosecutor General, Head of the Security Service, Head of the Foreign Intelligence Service, Head of the Department of the State Guard, head of a central executive authority that develops and implements public tax and/or customs policy, head of the tax police service, head of a central executive authority that develops and implements public policy for civil protection, their first deputies and deputies;

3) military officials of the Armed Forces of Ukraine and others military units established in line with the laws, except for conscripts and mobilized servicemen;

4) members of the High Council of Justice, members of the High Qualification Commission of Judges of Ukraine, professional judges, Chairman of the State Court Administration of Ukraine, his/her first deputy and deputies;

5) Chief of Staff of the Presidential Administration, Head of Administrative Department, Head of the Secretariat of the Cabinet of Ministers, Government Commissioner for anti-corruption policy, their first deputies and deputies;

6) senior officers of police, the central executive authority that develops and implements the public policy on criminal penalties, the State Service of Special Communications and Information Protection, a central executive authority that develops and implements the public tax and/or customs policy, tax police, and central executive authority that develops and implements the public policy for civil protection;

7) officers and officials of public prosecutor's offices, the Security Service of Ukraine, the Foreign Intelligence Service, the Department of the State Guard and the National Bank of Ukraine;

8) members of the Central Election Commission, the National Television and Radio Broadcasting Council of Ukraine, chairmen and members of national commissions responsible for government regulation of natural monopolies, communications and IT, securities and financial services markets;

9) heads of national enterprises including state-owned companies in defense industry and public companies managed by the administrative services entity;

10) other officers and officials (except for elective positions) of central and local governments;

11) persons intending to occupy the positions specified in clauses 1-10 of this part.

Article 3. Government cleansing (lustration) criteria

1. The ban specified in Article 1.3 of this Law shall be imposed on persons who occupied a position (positions) for at least a year cumulatively between February 25, 2010 and February 22, 2014 of:

1) President of Ukraine, Prime Minister of Ukraine, First Vice Prime Minister, Vice Prime Minister;

2) minister, head of a central executive authority who is not a member of the Cabinet of Ministers of Ukraine, Chairman of the National Bank of Ukraine, Chairman of the Antimonopoly Committee of Ukraine, Chairman of the State Property Fund of Ukraine, Chairman of the State Committee for Television and Radio Broadcasting of Ukraine, their first deputy, chairman or member of the national commission responsible for the government regulation of natural monopolies, communications and IT, securities and financial services markets;

3) Prosecutor General, Head of the State Security Service, Head of the Foreign Intelligence Service, Head of the Department of the State Guard, head of the central executive authority that develops and implements the public tax and/or customs policy, head of tax police, their first deputy or deputy, Vice Minister of Internal Affairs of Ukraine;

4) Secretary of the National Security and Defense Council, his/her first deputy or deputy;

5) Chief of Staff of the Presidential Administration, Head of Administrative Department, Head of the Secretariat of the Cabinet of Ministers, Government Commissioner for anti-corruption policy, their first deputy, deputy;

6) member of the High Council of Justice (except for the President of the Supreme Court of Ukraine), member of the High Qualification Commission of Judges of Ukraine, Chairman of the State Court Administration of Ukraine, his/her first deputy, deputy;

7) head, deputy head of an independent structural unit of the central office (administration) of the Prosecutor General's Office, the Security Service, the Foreign Intelligence Service, the Ministry of Internal Affairs, the central executive authority that develops and implements the public tax and/or customs policy, tax police;

8) head or deputy head of a territorial (regional) office of public prosecution, the Security Service, the Ministry of Internal Affairs, the central executive authority that develops and implements the public tax and/or customs policy, tax police in the Autonomous Republic of Crimea, oblasts, the cities of Kyiv and Sevastopol;

9) Chairman of the Council of Ministers of the Autonomous Republic of Crimea, head of oblast, Kyiv or Sevastopol city state administrations, their first deputy, deputy, head of district state administrations, head of Kyiv district state administration;

10) Chief of General Staff who is the Commander-in-Chief of the Armed Forces, Commander of Ground Forces, Commander of Air Forces, Commander of the Navy, their first deputy.

2. The ban specified in Article 1.3 of this Law shall be imposed on persons who occupied a position (positions) between November 21, 2013 and February 22, 2014 and were not dismissed from the corresponding position (positions):

1) Secretary of the National Security and Defense Council, Prime Minister, First Vice Prime Minister, Vice Prime Minister, minister, head of a central executive authority who is not a member of the Cabinet of Ministers of Ukraine, Chairman of the National Bank of Ukraine, Chairman of the Antimonopoly Committee of Ukraine, Chairman of the State Property Fund of Ukraine, Chairman of the State Committee for Television and Radio Broadcasting, Prosecutor General, Head of Security Service, Head of Foreign Intelligence Service, head of Department of the State Guard, head of the central executive authority that develops and implements the public tax and/or customs policy, head of tax police, head of the central executive authority that develops and implements the public policy for civil protection, Chief of Staff of the Presidential Administration, Head of Administrative Department, Head of the Secretariat of the Cabinet of Ministers, Government Commissioner for anti-corruption policy, their first deputy, deputy;

2) member of the High Council of Justice (except for the President of the Supreme Court of Ukraine), member of the High Qualification Commission of Judges of Ukraine, Chairman of the State Court Administration of Ukraine, his first deputy, deputy;

3) head, deputy head of an independent structural unit of the central office (administration) of the Prosecutor General's Office, the Security Service, the Foreign Intelligence Service, the Ministry of Internal Affairs, the central executive authority that develops and implements the public tax and/or customs policy, tax police;

4) head or deputy head of a territorial (regional) office of public prosecution, the Security Service, the Ministry of Internal Affairs, the central executive authority that develops and implements the public tax and/or customs policy, tax police in the Autonomous Republic of Crimea, oblasts, the cities of Kyiv and Sevastopol, districts in Kyiv;

5) Chairman of the Council of Ministers of the Autonomous Republic of Crimea, head of oblast, Kyiv or Sevastopol city state administrations, their first deputy, deputy, head of district state administrations, head of Kyiv district state administration;

6) Chief of General Staff who is the Commander-in-Chief of the Armed Forces, Commander of Ground Forces, Commander of Air Forces, Commander of the Navy, their first deputy, deputy;

7) head or member of a national commission responsible for the government regulation of natural monopolies, communications and IT, securities and financial services markets;

8) head of a state company managed by the administrative services entity that takes necessary actions in line with the law to provide administrative services;

9) a law enforcement officer who took part in detaining persons relieved from criminal or administrative liability according to the Law of Ukraine No.737□VII of January 29, 2014 *On eliminating negative consequences and preventing prosecution and punishment of persons in regard to events that happened during peaceful assemblies* and the Law of Ukraine No.743□VII of February 21, 2014 *On preventing prosecution and punishment of persons in regard to events that happened during peaceful assemblies, and recognizing certain laws of Ukraine as invalid.*

10) a law enforcement officer who drafted and/or contributed by their actions to draft reports, administrative offence reports, reports of suspicion of criminal offence or indictments in regard persons relieved from criminal or administrative liability according to the Law of Ukraine No.737□VII of January 29, 2014 *On eliminating negative consequences and preventing prosecution and punishment of persons in regard to events that happened during peaceful assemblies* and the Law of Ukraine No.743□VII of February 21, 2014 *On preventing prosecution and punishment of persons in regard to events that happened during peaceful assemblies, and recognizing certain laws of Ukraine as invalid.*

11) an investigator of a pre-trial investigation agency, inquiry officer, operative, inspector who conducted investigative and operative actions in regard to persons relieved from criminal or administrative liability according to the Law of Ukraine No.737□VII of January 29, 2014 *On eliminating negative consequences and preventing prosecution and punishment of persons in regard to events that happened during peaceful assemblies* and the Law of Ukraine No.743□VII of February 21, 2014 *On preventing prosecution and punishment of persons in regard to events that happened during peaceful assemblies, and recognizing certain laws of Ukraine as invalid.*

12) a public prosecution officer who administered procedures, filed motions, approvals, supported motions for measures of restraint or supported public prosecution in courts against the persons relieved from criminal or administrative liability according to the Law of Ukraine No.737□VII of January 29, 2014 *On eliminating negative consequences and preventing prosecution and punishment of persons in regard to events that happened during peaceful assemblies* and the Law of Ukraine No.743□VII of February 21, 2014 *On preventing prosecution and punishment of persons in regard to events that happened during peaceful assemblies, and recognizing certain laws of Ukraine as invalid.*

13) a judge who approved a decision to enforce compelled appearance in the court on custodial measure of restraint or, approved decisions on bringing to administrative or criminal liability the persons relieved from criminal or administrative liability according to the Law of Ukraine No.737□VII of January 29, 2014 *On eliminating negative consequences and preventing prosecution and punishment of persons in regard to events that happened during peaceful assemblies* and the Law of Ukraine No.743□VII of February 21, 2014 *On preventing prosecution and punishment of persons in regard to events that happened during peaceful assemblies, and recognizing certain laws of Ukraine as invalid.*

3. The ban specified in Article 1.4. of this Law shall be imposed on judges who approved decisions to enforce compelled appearance in the court on custodial measure of restraint, approved or upheld guilty verdicts in regard to the persons subject to full personal amnesty according to the Law of Ukraine No. 792□VII of February 27, 2014 *On amending the Law of Ukraine On granting amnesty in Ukraine regarding full rehabilitation of political prisoners* officers of police, public prosecution or other law enforcement agencies who, through their decisions, actions or inaction, took steps (and/or contributed to their taking) to criminally prosecute and bring to criminal liability the persons subject to full personal amnesty according to the Law of Ukraine No. 792□VII of February 27, 2014 *On amending the Law of Ukraine On granting amnesty in Ukraine regarding full rehabilitation of political prisoners*.

4. The ban specified in Article 1.3 of this Law shall be imposed on persons who:

1) were elected and worked in senior positions of the Communist Party of the Soviet Union, the Communist Party of Ukraine, the Communist Party of another union republic in the former USSR starting from the position of a secretary of a district committee and higher;

2) were elected and worked in senior positions starting from the secretary of the Central Committee of the Komsomol and higher;

3) worked as full-time employees or covert agents of the KGB of the Ukrainian SSR, KGB of the USSR, KGB of other union republics in the former USSR, Main Intelligence Directorate of the USSR Ministry of Defense, graduated from higher education institutions of KGB of the USSR (except for technical qualifications).

5. The ban specified in Article 1.4 hereof shall be imposed on officials and officers of central and local government authorities (except for persons indicated in parts 1–4 of this Article) who occupied the corresponding position between February 25, 2010 and February 22, 2014 by their decision, action or inaction - which are proven by a court judgment against them that has taken effect - contributed to power usurpation by the President of Ukraine Viktor Yanukovich and seeking to undermine fundamentals of the national security, defense or territorial integrity of Ukraine which caused violation of human rights and freedoms.

6. The ban specified in Article 1.4 hereof shall be imposed on officials and officers of central and local government authorities, including judges, officers in police, public prosecutor's offices and other law enforcement agencies whose decisions, actions or inaction – which are proven by a court judgment against them that has taken effect – sought to prevent the exercise of the constitutional right of Ukrainian nationals to peaceful assemblies, and hold rallies, demonstrations, marches or to harm human life, health or property between November 21, 2013 and February 22, 2014.

7. The ban specified in Article 1.4 hereof shall be imposed on officials and officers of central and local government authorities, including judges, officers in police, public prosecutor's offices and other law enforcement agencies if a court judgment against them, which has taken effect, established that they had:

1) cooperated as secret informers with special services of other countries to provide regular information;

2) taken decisions, actions, failed to take actions and/or facilitated such actions, decisions or inaction to undermine the national security, defense or territorial integrity of Ukraine;

3) called publicly for the breach of Ukraine's territorial integrity and sovereignty;

4) incited ethnic hostility;

5) taken unlawful decisions, actions or inaction that violated human rights and fundamental freedoms where violations were proven by judgments of the European Court of Human Rights.

8. The ban specified in Article 1.3 hereof shall be imposed on persons whose screening has found unreliability of information about possession of property (property rights) in their transparency returns on the property, income, expenses and financial obligations for a previous year prepared in a form prescribed by the Law of Ukraine *On the Principles of Preventing and Combating Corruption* and/or a mismatch between the cost of property (property rights) acquired by them during their stay in offices specified in Articles 2.1.1–2.1.10 hereof (where the cost is indicated in their transparency returns) and incomes received from legitimate sources.

9. Deciding on cases involving persons specified in parts 5–7 of this Article, courts of general jurisdiction shall apply this Law, impose the ban specified in Article 1.4 hereof and submit the respective decision to the State Court Administration of Ukraine for it to be submitted to the Ministry of Justice of Ukraine and entered in the Uniform Register of persons who are subject to the Law of Ukraine *On Government Cleansing*.

10. Sentencing persons specified in parts 5–7 of this Article, courts shall impose the ban specified in Article 1.4 hereof as a primary or additional punishment according to the Criminal Code of Ukraine. If the ban specified in Article 1.4 hereof is imposed as an additional punishment, it shall last for five years.

Article 4. Statements of officials and officers

1. Persons who are in offices specified in Articles 2.1.1 – 2.1.10 shall submit to their chiefs or an agency indicated in Article 5.4 hereof personal written statements that they are subject (not subject) to the bans indicated in Article 1.3 or Article 1.4 hereof and consent to screening and publishing of information about them according to this Law (hereinafter referred to as the statement).

2. The statement shall be submitted not later than on the tenth day of screening which started in a respective agency or enterprise according to a screening schedule to be approved pursuant to Article 5.2.3 hereof.

3. Failure to submit the statement within the period established by part 2 of this Article shall be a ground to dismiss the person not later than on the third day of expiration of the period and to impose a ban on him/her as specified in Article 1.3 hereof.

If a person states that he/she is subject to the ban specified in Article 1.3 or 1.4, such statement shall be a ground to dismiss him/her from the occupied position within three days of submission of the statement and to impose the ban on him/her.

Article 5. Screening procedures

1. The Ministry of Justice of Ukraine is an agency authorized to ensure the screening provided for by this Law.

The Ministry of Justice of Ukraine shall, within one month following the effective date of this Law, establish an advisory public council for lustration which shall comprise representatives of mass media and general public to ensure civil control over the government cleansing (lustration).

2. The Ministry of Justice of Ukraine shall, within one month following the effective date of this Law, develop and submit to the Cabinet of Ministers of Ukraine the following documents:

1) a list of agencies that check, within their competence, the reliability of information about imposition of bans specified in Article 1.3 and Article 1.4 hereof;

2) procedures of screening provided for by this Law;

3) a screening schedule for every central, local government authority or enterprise employing persons specified in Articles 2.1.1– 2.1.10 of this Law, in order of priority established by part 6 of this Article.

3. Draft documents specified by part 2 of this Article and submitted by the Ministry of Justice of Ukraine shall be approved by the Cabinet of Ministers of Ukraine not later than on the tenth day of submission by the Ministry and published on the Ministry's official website within ten days of approval.

The Ministry of Justice of Ukraine shall, not later than on the tenth days of approval by the Cabinet of Ministers of Ukraine of a list of agencies as provided for by part two, clause 1 of this Article, post on its official website information about postal address, e-mail and telephone number of every agency responsible for screening and the advisory public council for lustration under the Ministry of Justice of Ukraine. Individuals and legal entities may, within one month of the start of screening, send information to the agencies or council about imposition of bans established by this Law on a person being screened. Such information submitted by individuals and legal entities shall be considered by the government authorities responsible for screening.

4. Responsibility for organization of the screening (except for the screening of professional judges and persons specified in paragraph 3 of this part) shall lie with the head of a respective agency authorized to dismiss a person being screened.

Responsibility for organization of the screening of professional judges shall lie with the president of a court where the judge works.

Responsibility for organization of the screening of members of the High Council of Justice, High Qualification Commission of Judges of Ukraine, Central Election Commission and National Television and Radio Broadcasting Council of Ukraine lies with the head of an agency where the person works.

5. The following data shall be screened:

1) reliability of information indicated in the statement that he/she is not subject to the bans specified in Articles 1.3 and 1.4 of this Law;

2) reliability of information about possession of property (property rights) and a match between the cost of property (property rights), indicated in the transparency returns on the property, income, expenses and financial obligations for a previous year prepared in a form prescribed by the Law of Ukraine *On the Principles of Preventing and Combating Corruption* (hereinafter the transparency return), acquired while occupying the positions specified in Article 2.1.1 – 2.1.10, and incomes received from legitimate sources.

6. Screening shall be conducted in the following order of priority:

1) the Minister of Justice of Ukraine, officials and officers of the Ministry of Justice, heads, officials and officers of agencies specified in part 2, clause 1 of this Article;

2) heads of agencies specified in Article 2.1.1 – 2.1.10 hereof;

3) deputy heads of agencies specified in Articles 2.1.1 – 2.1.10 hereof, heads of their structural units, heads of their regional offices and persons specified in Article 2.1.9 hereof;

4) other persons specified in Article 2.1.1 – 2.2.10 hereof.

7. The head of an agency specified in part 4 of this Article shall, not later than on the third day of receipt of the statement, send a screening request in regard to a person being screened to respective regional, city or district government authorities located at the place of residence of the person and responsible for screening of the data specified in part 5, clause 1 of this Article. Copies of the statement shall be attached to the screening request.

The head of an agency specified in part 4 of this Article shall, not later than on the third day of receipt of the statement, send a screening request in regard to a person being screened to respective regional, city or district government authorities located at the place of residence of the person and responsible for screening of the data specified in part 5, clause 2 of this Article. Copies of the person's transparency return shall be attached to the screening request.

Requests specified in paragraphs 1 and 2 of this part shall be sent simultaneously.

On the same day, the head of an agency specified in part 4 of this Article shall send a report to the Ministry of Justice of Ukraine about the start of screening of a person, with the report to indicate the date where the screening started and to be published on the official website of the Ministry.

8. Screening shall start on the day when respective requests, documents attached thereto and reports are sent to the Ministry of Justice of Ukraine.

9. Information about start of the screening of a person and copies of his/her statement and transparency return (except for restricted information as established by law) shall be published within three days of receipt of the statement on the official website of an agency authorized to dismiss a person being screened.

10. If screening finds unreliability of information specified in part 5, clause 2 of this Article, the screening agency shall, within three working days of finding the unreliability and/or mismatches, but not later than on the thirtieth day of receipt of the request and a copy of the transparency return of a person being screened, notify the person of the findings. A person being screened shall, not later than on the fifteenth working day of receipt of a respective notice, provide explanations and substantiating documents to be considered and taken into account by the screening agency during preparation of a screening report.

11. The screening agency shall send the screening report signed by its head (or an acting head) to the head of an agency specified in part 4 of this Article within sixty days after the start of screening.

This report may be challenged in court.

12. If the screening finds unreliability of information specified in part 5, clause 1 and/or 2 of this Article, the screening agency shall send a copy of the screening report to the Ministry of Justice of Ukraine for information about receipt of the report to be published on the official website and entered in the Uniform Register of persons who are subject to the Law of Ukraine *On Government Cleansing* within three days of receipt of the report.

13. If the screening of a professional judge finds unreliability of information specified in part 5, clause 1 and/or 2 of this Article, the screening agency shall send a copy of the screening report to the Ministry of Justice of Ukraine, which shall send the report within three days of receipt to the High Council of Justice and/or High Qualification Commission of Judges of Ukraine and proposes to accept the motion for dismissal of the judge from the post.

For the purpose of this Law, the Ministry of Justice of Ukraine shall be the institution in charge of receiving motions for dismissal of judges.

14. On the basis of the screening report which found unreliability of information specified in part 5, clause 1 and/or 2 of this Article, the head of an agency specified in part 4 of this Article shall, within three days of receipt of such report, dismiss the person according to Article 1.3 or 1.4 hereof or send this opinion to the head of an agency (to the agency) authorized to dismiss or initiate dismissal of the screened person for the person to be dismissed according to established procedures hereof within ten days of receipt of the report.

15. All screening-related materials received by the head of an agency specified in part 4 of this Article shall be attached to the personal file of the person screened.

Article 6. Statements of persons intending to occupy positions

1. A candidate for an office specified in Articles 2.1.1–2.1.10 hereof (except for nationals conscripted into the army as officers, mobilized for the military service for a special period or engaged to work in positions provided for under the martial law, in a region of counter-terrorism operation) shall submit a personal written statement that he/she is not subject to the bans specified in Article 1.3 or 1.4 hereof and consents to screening and publishing information about him/her according to this Law.

2. Information in the statement specified in part 1 of this Article shall be checked during vetting provided for by Article 11 of the Law of Ukraine *On the Principles of Preventing and Combating Corruption* according to procedures and within the timeline established by this Law.

3. If screening finds that the person is among those who are subject to the bans specified in Article 1.3 or 1.4 hereof, it shall be a ground to deny appointment of the person on the position for which this person pretends.

Article 7. Uniform Register of persons who are subject to the Law of Ukraine On Government Cleansing

1. Information about persons subject to the ban specified in Article 1.3 or 1.4 hereof shall be entered in the Uniform Register of persons who are subject to the Law of Ukraine *On Government Cleansing* (hereinafter referred to as the Register) made and kept by the Ministry of Justice of Ukraine.

Regulations on the Register as well as procedures to make and keep it shall be approved by the Ministry of Justice of Ukraine.

Information about persons subject to the ban specified in Article 1.4 hereof shall be published on the official website of the Ministry of Justice of Ukraine and entered in the Register within three days of receipt by the Ministry from the State Court Administration of Ukraine of a soft copy of a court decision that has taken effect, where the soft copy is retrieved from the Uniform State Register of Court Decisions. The State Court Administration of Ukraine shall send the soft copy of the court decision to the Ministry of Justice of Ukraine within ten days of the effective date of the decision.

2. Information about availability (unavailability) of data about a person in the Register shall be provided:

upon request of government authorities, authorities of the Autonomous Republic of Crimea or local governments for the screening provided for by this Law or screening provided for by Law of Ukraine *On the Principles of Preventing and Combating Corruption* in regard to persons who to intend to occupy positions in public administration or local self-government;

upon request of law enforcement agencies for criminal or administrative proceedings or upon request of a public prosecutor to supervise compliance with, and application of, the laws;

during check of a list of persons dismissed from the occupied positions because of the government cleansing (lustration) against data in the Register;

upon request of a person (his/her authorized representative) to receive information about himself/herself.

3. The Ministry of Justice of Ukraine shall, within three days of receipt of information to be entered in the Register, ensure that it is published on its official website and enter it in the Register. The following information about a person who is subject to this Law shall be available for 24/7 free public access:

- 1) full name;
- 2) place of employment and position at the time of application of this Law;
- 3) progress of the screening and information about receipt of the screening report that confirms grounds for imposition of bans specified in Article 1 hereof;
- 4) a time period of the imposed ban specified in Article 1.3 or 1.4 hereof.

This information about a person is not confidential and shall be accessed without limits.

Article 8. Supervision of compliance with this Law

1. The Verkhovna Rada of Ukraine shall exercise parliamentary control over compliance with this Law to the extent established by the Constitution of Ukraine.

Other government authorities shall control compliance with this Law within their mandate and in a manner provided for by the Constitution of Ukraine and the laws of Ukraine.

FINAL AND TRANSITIONAL PROVISIONS

1. This Law shall take effect on the day following the day of official publication.

2. Authorize the head of an agency (authorize the agency) responsible for dismissal and/or initiation of dismissal of persons subject to the ban specified in Article 1.3 hereof to do the following within ten days of the effective date of this Law on the basis criteria established by Article 3.1 hereof and information from personal files of these persons:

1) dismiss the persons from the positions or send the head of the agency (send the agency) authorized to dismiss such persons respective documents for dismissal within ten working days of receipt of such documents;

2) notify the Ministry of Justice of Ukraine of their dismissal from positions and provide respective information about imposition of the ban specified in Article 1.3 hereof to be published on the official website of the Ministry and entered in the Uniform Register of persons who are subject to the Law of Ukraine *On Government Cleansing* according to procedures and within the timelines established by this Law.

3. Laws and other regulatory acts shall apply to the extent not contrary to this Law.

4. The following legislative acts of Ukraine shall be amended:

1) Article 36 of the Code of Labor Laws of Ukraine (*Vidomosti Verkhovnoyi Rady USSR*, 1971, appendix to No.50, page 375):

add clause 72 to part 1:

"72) on the grounds provided for by the Law of Ukraine *On Government Cleansing*";

add the words "and in case specified in clause 72, a person shall be dismissed from office according to procedures established by the Law of Ukraine *On Government Cleansing*";

2) add paragraph 2 to Article 55.1 of the Criminal Code of Ukraine (*Vidomosti Verkhovnoyi Rady Ukrainy*, 2001, No.25–26, page 131):

"Deprivation of the right to occupy certain positions as additional punishment in cases provided for by the Law of Ukraine *On Government Cleansing* shall be imposed for five years";

3) Article 53.1 of the Law of Ukraine *On the Judiciary and the Status of Judges* (*Vidomosti Verkhovnoyi Rady Ukrainy*, 2010, No.41--45, page 529) shall read as follows:

"1. Judicial office is incompatible with offices in any other central or local government authorities and with a representation mandate as well as if the judge is subject to bans specified in Article 1 of the Law of Ukraine *On Government Cleansing*";

4) add clause 6 to Article 11.2 of the Law of Ukraine *On the Principles of Preventing and Combating Corruption* (*Vidomosti Verkhovnoyi Rady Ukrainy*, 2011, No.40, page 404):

"6) a ban imposed on a person to occupy certain position as provided for by Law of Ukraine *On Government Cleansing*".

President of Ukraine

P. Poroshenko

KYIV

16 September 2014

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