



Strasbourg, 08 September 2017

CDL-REF(2017)038

Opinion No. 885/ 2017

Engl.Only

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

UKRAINE

LAW

**ON AMENDMENTS TO THE RULES OF
PARLIAMENTARY PROCEDURE OF UKRAINE**

Registry No. 5522, revised

Draft

Submitted by the parliamentarians of Ukraine
– members of the Committee on Rules of Parliamentary Procedure and Support to Work of
the Verkhovna Rada of Ukraine

P.V. Pinzenik
V.Y. Areshonkov
O.V. Kuprienko
D.V. Lubinets
S.M. Voitsekhovska
I.O. Yefremova
P.M. Kyshkar
M.M. Papiev

Law of Ukraine
On amendment to the Rules of Parliamentary Procedure of Ukraine

The Verkhovna Rada of Ukraine hereby resolves to:

1. Amend the Rules of Parliamentary Procedure of Ukraine, as approved by the Law of Ukraine On the Rules of Parliamentary Procedure of Ukraine (Vidomosti Verkhovnoyi Rady Ukrayiny, 2010, No. 16-17, article 134; No. 21, article 223; 2011, No. 10, article 64; 2012, No. 9, article 63; 2013, No. 14, article 89; No. 21, article 208; No. 49, article 687; 2014, No. 12, article 178; No. 22, article 811; No. 17, article 593; No. 26, article 902; 2015, No. 18, Nos. 19-20, article 132), as follows:

1) in the first part of article 1, part one of article 7, after the words “MP’s factions (deputy groups)” the words “coalitions of parliamentary factions” shall be added;

2) the first part of article 16 shall be amended as follows:

“1. At the plenary meetings of the first session of the newly elected Verkhovna Rada, the issues shall be considered in the following sequence:

1) The Interim Panel of the First Session is established;

2) The Prime Minister of Ukraine or the acting Prime Minister of Ukraine makes an announcement on the resignation of the Cabinet of Ministers of Ukraine at the newly elected Verkhovna Rada;

3) The Counting Commission is elected;

4) An extraordinary Address of the President of Ukraine on Ukraine’s domestic situation and external position of Ukraine is heard;

5) report of the Chairperson of the Verkhovna Rada of Ukraine of the previous convocation on the status of legislative activities is heard;

6) hearing the report of the Preparatory Parliamentary Group, questions to the speaker and answers to the questions;

7) on the list of the committees and the scope of their competence;

8) on establishing and registration of MP’s factions (MP’s groups);

9) on the coalition of MP’s factions at the Verkhovna Rada;

10) Electing the Chairperson of the Verkhovna Rada of Ukraine;

11) Electing the First Deputy and the Deputy Chairpersons of the Verkhovna Rada of Ukraine;

12) Electing the heads of the committees, first deputies, deputy committee heads, secretaries and members of the committees;

13) On the Conciliation Board of MP’s factions (deputy groups) at the Verkhovna Rada (hereinafter “Conciliation Board”);

14) On publicizing the Verkhovna Rada’s work;

3) In part three of article 23, after the figure «12,» the figure «12-1,» shall be added;

4) In the second sentence of part two, article 32, after the words “announcement of separate opinion, questions”, the words “representatives of MP’s factions, which are not part of the coalition of MP’s factions at the Verkhovna Rada” shall be added;

5) Part one and two of article 59 shall be amended as follows:

“1. A People’s Deputy (Member of Parliament) may only be a member of the deputy faction of that political party (electoral block of political parties), on whose electoral list he/she was elected;

2. If a people’s deputy elected from a political party (electoral block of political parties) does not join the deputy faction of that political party (electoral block of political parties) or splits from such faction, his/her powers shall be terminated early upon the decision of the highest governing body of the respective political party (electoral block of political parties) effective from the date of such decision;”

6) After chapter 11, new chapter 12 shall be added, with articles 61-65 as follows:

“Chapter 12 COALITION OF the MP’s FACTIONS AT THE VERKHOVNA RADA OF UKRAINE

Article 61. Procedure of establishing a coalition of MP’s factions at the Verkhovna Rada

1. The coalition of MP’s factions at the Verkhovna Rada (hereinafter “Coalition”) is an alliance of MP’s factions, in which most people’s deputies from the constitutional composition of the Verkhovna Rada are members, formed as a result of the election and based on concerted political positions and on the grounds set forth by the Constitution of Ukraine and these Rules of Procedure.

2. The coalition is formed by the MP’s factions established according to the procedure set forth by these Rules within one month of opening of the first session of the newly elected Verkhovna Rada, or within one month of the termination of the previous coalition’s activities in the Verkhovna Rada of the current convocation.

3. The coalition is formed after the consultations of MP’s factions. Based on the results of the consultations, one of the deputy heads of the faction enters into the Agreement on Coalition of Parliamentary Factions at the Verkhovna Rada (hereinafter “Coalition Agreement”).

4. In the coalition agreement, concerted political positions are recorded, which constitute the basis for the formation of the coalition, in particular, regarding the principles of domestic and foreign policy; political orientation is determined and the principles of the coalition’s activities, as well as the procedure of solving internal organizational issues related to the coalition’s activities, and the procedure for termination of the coalition. The lists of people’s deputies – members of MP’s factions, which formed the coalition, are attached to the coalition agreement, with their personal signatures. These lists form an integral part of the coalition agreement.

5. The coalition is deemed formed immediately after the Plenary meeting where the Chairperson makes an official announcement to that effect, based on the documents provided for by parts three and four of this article.

6. Notification on the formation of the coalition, the text of the coalition agreement, the names of the coalition’s members are published on the Verkhovna Rada’s official website on the day of the official announcement about the coalition’s formation and in the printed news source, which the Verkhovna Rada designates as an official news source for the publication of laws, resolutions and other acts of the Verkhovna Rada within four days of such official announcement.

7. If the coalition’s activities are terminated, the new coalition is formed according to the procedure established by this article of the Rules of Procedure.

8. The provisions of this article are not applicable to the deputy faction, which has the coalition rights provided for by the Constitution of Ukraine according to paragraph one of article 65 of these Rules.

Article 62. Calculation of time periods related to the formation of the coalition

1. One-month period for the formation of the coalition, which is stipulated by paragraph seven of article 83 of the Constitution of Ukraine, and part two of article 61 of these Rules of Procedure, is calculated in calendar days. This period starts from the day of opening of the first plenary session of the newly elected Verkhovna Rada, or from another day of a regular or extraordinary session of the Verkhovna Rada, from which the coalition's activities are considered terminated according to these Rules and ends at midnight of the thirtieth calendar day.

Article 63. Organization of the coalition's activities

1. Procedure of decision-making, designation of governing bodies, solving internal organizational issues related to the coalition's activities, changes in the coalition's composition and termination of the coalition's activity is governed by the coalition agreement.

2. The information and technical support of the coalition is provided by the coalition's secretariat, which is set up for the period of the coalition's activity according to the procedure stipulated for the establishment of MP's factions' secretariats.

Article 64. The coalition's participation in the formation of the Cabinet of Ministers of Ukraine

1. The coalition proposes the candidate for the post of the Prime Minister to the President, according to the Constitution of Ukraine, and proposes the candidates for the positions of other members of the Cabinet of Ministers of Ukraine to the Prime Minister of Ukraine.

2. The issue of the proposal of candidates for the post of the Prime Minister of Ukraine, other members of the Cabinet of Ministers, is considered according to the procedure determined by the coalition agreement.

3. The coalition's decision with the proposals on the candidate for the Prime Minister of Ukraine is submitted to the Chairperson of the Verkhovna Rada of Ukraine on or before the working day, on which such decision is made, to be immediately sent to the President of Ukraine, and regarding the members of the Cabinet of Minister of Ukraine – to the Prime Minister of Ukraine on the date of his/her appointment.

Article 65. MP's faction with coalition rights

1. If based on the results of the election to the Verkhovna Rada a deputy faction is formed, which includes most people's deputies from the Verkhovna Rada's constitutional composition, then such deputy faction has coalition rights under the Constitution of Ukraine.

2. The procedure of activities of a MP's faction, which has coalition rights, is established by this deputy faction.

3. The MP's faction, in which most people's deputies from the constitutional composition of the Verkhovna Rada are members, shall be deemed a coalition immediately after the Chairperson at the Verkhovna Rada's plenary session officially announces that the coalition has been formed.

4. The notification that the coalition has been formed and names of the coalition's members are published on the official web site of the Verkhovna Rada on the day of the official announcement of the coalition's formation at the plenary session are printed in the official print news source, which is designated by the Verkhovna Rada as an official source for the publication of laws, resolutions and other acts of the Verkhovna Rada within four days of such official announcement.

5. If the activities of an MP's faction with coalition rights are terminated, a new coalition is formed according to the procedure established by article 61 of these Rules of Procedure;"

7) The provisions of part six, article 75 "if the ballots for secret voting have been received by at least two thirds of people's deputies from the actual number of people's deputies" shall be excluded;

8) In part one of article 76, after the words “upon his/her request”, the words “except for the case when he acts as the President of Ukraine according to article 112 of the Constitution of Ukraine”;

9) Part one of article 78:

To add new clause 2 as follows: “2) Organizes the Verkhovna Rada’s activities, coordinates the activities of the committees, ad hoc interim commissions, interim investigation commissions”;

In clause 5 the words and figures “by article 94 of the Constitution of Ukraine” shall be replaced with the words and figures “articles 94, 112 of the Constitution of Ukraine”;

Clause 15 shall be amended as follows: “15) Issues orders on the topics pertaining to organization of activities of the Verkhovna Rada and the Management of the Verkhovna Rada of Ukraine Secretariat, as well as the business trips of people’s deputies, officers of the Verkhovna Rada, in cases provided for by the Law, and signs such documents”;

10) Part one of article 89 shall be amended as follows:

“1. The President of Ukraine, people’s deputies and the Cabinet of Ministers of Ukraine shall have the right of legislative initiative at the Verkhovna Rada”;

11) In clause 2 of part one, article 99, the words “or the National Bank of Ukraine” shall be excluded;

12) After the article 136, a new article 137 as follows shall be added:

“Article 137. Official publication of the re-passed law by the Chairperson of the Verkhovna Rada of Ukraine.

1. If the President of Ukraine has not signed the law, which was passed by the Verkhovna Rada during rehearing by at least two thirds of people’s deputies’ votes from the Verkhovna Rada’s constitutional composition, the Chairperson of the Verkhovna Rada of Ukraine shall immediately officially make such law public and publish it with his/her signature;”

13) In article 139:

Part one shall be amended as follows:

“1. The laws signed by the President of Ukraine and the laws officially published by the Chairperson of the Verkhovna Rada of Ukraine, shall be published in printed news source, which is designated by the Verkhovna Rada as an official source for the publication of laws, resolutions and other acts of the Verkhovna Rada of Ukraine and in the Official Bulletin of the Verkhovna Rada of Ukraine”;

Part four shall be amended as follows:

“4. The law signed by the President of Ukraine, as well as the Chairperson of the Verkhovna Rada of Ukraine in the case stipulated by part four of article 94 of the Constitution of Ukraine, the law signed by the Chairperson of the Verkhovna Rada of Ukraine, resolutions and other Verkhovna Rada’s acts are the originals and shall be kept at the Management of the Verkhovna Rada of Ukraine Secretariat according to the established procedure. All other samples of the law, resolutions and other Verkhovna Rada’s acts are the copies”;

14) In part six of article 170, after the words “Chairperson of the Verkhovna Rada of Ukraine” the words “who acts as the President of Ukraine according to article 112 of the Constitution of Ukraine” shall be added;

15) In clause 2 of part three, article 185, parts one, two, four, five, eleven of article 186, parts one and nine of article 187, the words “Chairperson of the Supreme Court of Ukraine” shall be replaced with the words “the Supreme Court”;

16) In part eight of article 187 the words “Prime Minister of Ukraine” shall be replaced with the words “Chairperson of the Verkhovna Rada of Ukraine”;

17) The title of chapter 33 shall be amended as follows:

“Chapter 33 APPOINTMENT OR ELECTION TO THE POSITIONS, DISMISSAL AND GIVING A CONSENT TO THE APPOINTMENT AND DISMISSAL OF THE OFFICERS, TAKING A DECISION ON THE RESIGNATION OF THE PRIME MINISTER OF UKRAINE, MEMBERS OF THE CABINET OF MINISTERS OF UKRAINE AND PASSING A NO-CONFIDENCE MOTION AGAINST THE PROSECUTOR GENERAL IN CASES PROVIDED FOR BY THE CONSTITUTION OF UKRAINE”;

18) Article 205 shall be amended as follows:

“Article 205. Procedure for appointment of the Prime Minister, Defense Minister, Ministry of Foreign Affairs of Ukraine, upon recommendation of the President of Ukraine

1. Recommendation of the President of Ukraine on the appointment by the Verkhovna Rada of the Prime Minister of Ukraine, Defense Minister of Ukraine, Minister of Foreign Affairs of Ukraine, shall be submitted to the Verkhovna Rada in writing. The recommendation on the appointment of the Prime Minister of Ukraine shall be submitted on or before the fifteenth day after the receipt of the proposition from the coalition regarding the candidate for the position of the Prime Minister of Ukraine. The recommendation of the President of Ukraine on the appointment of the Prime Minister of Ukraine, Defense Minister of Ukraine, Minister of Foreign Affairs of Ukraine shall be considered at the Verkhovna Rada according to the Constitution of Ukraine, the Law of Ukraine On the Cabinet of Ministers of Ukraine and these Rules of Procedure.

2. Together with written recommendation to the Verkhovna Rada of Ukraine on the appointment of the Prime Minister of Ukraine, Defense Minister of Ukraine, Minister of Foreign Affairs, the following information on the candidates to these positions shall be provided at the same time: on citizenship; on education; on working activities; autobiography; declaration of the person authorized to perform state or local self-government functions on the property, income, expenses and financial obligations for the previous year based on the form and according to the procedure established by the Law of Ukraine On Prevention of Corruption; information on participation in a management body or supervisory board of a company or organization with the purpose of profit making, as well as information on the candidate's criminal record. All information shall be provided in the state language and signed by the candidate for the position of the Prime Minister of Ukraine, Defense Minister of Ukraine, Minister of Foreign Affairs of Ukraine. Other documents shall also be provided on demand of the Verkhovna Rada.

3. The Verkhovna Rada shall consider the issue of appointment of the Prime Minister of Ukraine, Defense Minister of Ukraine, Minister of Foreign Affairs of Ukraine within 5 days of the respective written recommendation of the President of Ukraine, if it was received during a regular session of the Verkhovna Rada, and not later than in the first calendar week of the following regular session, if such recommendation is received between the sessions. First, a candidate for the position of the Prime Minister of Ukraine, Defense Minister of Ukraine, Minister of Foreign Affairs of Ukraine, respectively, shall be considered at the meeting of the committee with the respective area of competence, which shall provide to the Verkhovna Rada its decision regarding the candidate, considering the results of the special vetting in terms of the limitations for the accession to office, within four days of the respective recommendation of the President of Ukraine.

The materials concerning the consideration of the appointment of the Prime Minister of Ukraine, Defense Minister of Ukraine, Minister of Foreign Affairs of Ukraine, shall be provided to the people's deputies by the Management of the Verkhovna Rada of Ukraine Secretariat, at least one day prior to the consideration thereof by the Verkhovna Rada.

4. The President of Ukraine shall introduce the candidates for the positions of the Prime Minister of Ukraine, Defense Minister of Ukraine, Minister of Foreign Affairs of Ukraine at a plenary session of the Verkhovna Rada.

5. The Verkhovna Rada shall allocate up to one hour for the discussion of the candidate for the Prime Minister's post, including up to 20 minutes for the report of a candidate for this position.

6. Time for the discussion of the candidate for the post of Prime Minister of Ukraine can be increased, based on the Verkhovna Rada's procedural decision.

7. After the introduction, the candidate for the position of the Prime Minister of Ukraine shall report on the key areas of future activities of the Cabinet of Ministers of Ukraine and answer the people deputies' questions.

8. The representatives of MP's factions, committees and the people's deputies shall take part in the discussion of the candidates for the positions of the Prime Minister of Ukraine, Defense Minister of Ukraine, Minister of Foreign Affairs of Ukraine.

9. The candidates for the posts of the Prime Minister of Ukraine, Defense Minister of Ukraine, Minister of Foreign Affairs of Ukraine shall be appointed by the Verkhovna Rada's open voting.

10. Candidates for the posts of Prime Minister of Ukraine, Defense Minister of Ukraine, Minister of Foreign Affairs of Ukraine, shall be deemed elected if more than a half of people's deputies from the constitutional composition of the Verkhovna Rada vote for such decision.

11. The decisions on the appointment of the Prime Minister of Ukraine, Minister of Defense of Ukraine, Minister of Foreign Affairs of Ukraine, shall be documented in the respective resolutions of the Verkhovna Rada;

19) After article 205, articles 206 and 206¹ shall be added as follows:

"Article 206. Procedure for appointment to the positions of the members of the Cabinet of Ministers of Ukraine upon the recommendation of the Prime Minister of Ukraine.

1. The issue of the appointment of members of the Cabinet of Ministers of Ukraine shall be considered by the Verkhovna Rada according to part eight of article 83, clause 12, part one of article 85, part four of article 114 of the Constitution of Ukraine upon the recommendation of the Prime Minister of Ukraine, based on the proposals submitted by the coalition.

2. The recommendation of the Prime Minister of Ukraine on the appointment of members of the Cabinet of Ministers of Ukraine shall be submitted to the Verkhovna Rada along with the official information on each candidate to the position (part two of article 205 of these Rules of Procedure).

3. The recommendation of the Prime Minister of Ukraine mentioned in part two of this article regarding the Cabinet of Ministers' personal composition may be submitted in one list. The recommendation on certain candidates to the positions, which are specified in the recommendation on the personal composition, can be submitted separately.

4. The recommendation of the Prime Minister of Ukraine to the Verkhovna Rada on the appointment of candidates for the positions of members of the Cabinet of Ministers of Ukraine shall be made by the Prime Minister of Ukraine. During the consideration of the issue on the appointment of a member of the Cabinet of Ministers of Ukraine, at a plenary session, a candidate shall be provided with an opportunity to answer the questions of the MP's factions' (deputy groups') representatives and people's deputies.

5. Open individual voting on the members of the Cabinet of Ministers of Ukraine shall take place on the basis of the list of candidates proposed by the Prime Minister of Ukraine, unless the Verkhovna Rada takes a different decision. Based on the decision taken the Verkhovna Rada's resolution shall be drafted.

Article 206¹. Termination of powers of the Cabinet of Ministers of Ukraine, Prime Minister of Ukraine and other members of the Cabinet of Ministers of Ukraine

1. According to article 115 of the Constitution of Ukraine, the Cabinet of Ministers of Ukraine shall step down before the newly elected Verkhovna Rada.

2. The Cabinet of Ministers of Ukraine, which stepped down before the newly elected Verkhovna Rada, the Cabinet of Ministers of Ukraine, against which a no-confidence motion is passed and which has to resign as a consequence of that, as well as in case of termination of powers of the Prime Minister of Ukraine because of his/her death, shall continue to exercise its powers until the newly formed Cabinet of Ministers of Ukraine starts its work.

3. The powers of the Prime Minister of Ukraine shall be terminated early in case of:

1) Resignation in connection with the Verkhovna Rada's resolution on no-confidence vote against the Cabinet of Ministers of Ukraine;

2) Resignation based on personal application;

3) His death.

4. Verkhovna Rada shall consider the resignation of the Prime Minister of Ukraine within ten days of the letter of resignation, if such letter is received during a regular session of the Verkhovna Rada and no later than on the first plenary week of the following regular session, if such letter of resignation is received between the sessions.

5. The early termination of powers of the Prime Minister of Ukraine shall be effective from the date when the Verkhovna Rada passes the respective resolution. The powers of the Prime Minister of Ukraine in case of his/her death shall be terminated from the date of death confirmed by the respective death certificate. Early termination of powers of the Prime Minister of Ukraine shall entail the dismissal of all members of the Cabinet of Ministers of Ukraine.

6. A member of the Cabinet of Ministers of Ukraine shall resign upon the decision of the Verkhovna Rada in case of:

1) The resignation of the Cabinet of Ministers of Ukraine based upon the letter of resignation submitted;

2) Based on the recommendation of the Prime Minister of Ukraine, and with regard to the Minister of Foreign Affairs of Ukraine and the Defense Minister of Ukraine, upon consent of the President of Ukraine;

3) Based on the recommendation of the President of Ukraine – the Minister of Foreign Affairs of Ukraine and the Defense Minister of Ukraine.

7. The Verkhovna Rada shall consider the resignation of a member of the Cabinet of Ministers of Ukraine within ten days of the letter of resignation submitted by a member of the Cabinet of Ministers of Ukraine, the submission of the respective recommendation by the Prime Minister of Ukraine or the President of Ukraine, - if received during the Verkhovna Rada's regular session and no later than on the first plenary week of the following regular session, - if such recommendations are received between sessions.

8. A member of the Cabinet of Ministers of Ukraine shall also be dismissed effective from the day, on which the Verkhovna Rada adopts the respective resolution on the formation of the new Cabinet of Ministers of Ukraine, early termination of powers of the Prime Minister of Ukraine. The powers of the Cabinet of Ministers' member shall be terminated from the date of death certified by the respective death certificate;

20) Article 207 shall be amended as follows:

"Article 207. Procedure of appointment and dismissal of the Head of the Security Service of Ukraine, Governor of the National Bank of Ukraine

1. The appointment and dismissal of the Head of the Security Service, Governor of the National Bank of Ukraine, shall be considered by the Verkhovna Rada according to clauses 12-1, 18 of part one, article 85, clause 14 of part one, article 106 of the Constitution of Ukraine upon recommendation of the President of Ukraine, which the President of Ukraine makes or his authorized person announces. With regard to the candidates for the positions of the Head of the Security Service of Ukraine, Governor of the National Bank of Ukraine, information indicated in part two article 205 of these Rules shall be provided.

2. The committees whose scope of competence includes the matters related to the activities of the Security Service of Ukraine or the National Bank of Ukraine, shall have the right for their representatives to speak after the issue of appointment and dismissal of the Chairperson of the Security Service or the Governor of the National Bank of Ukraine upon recommendation of the President of Ukraine is considered at the committee.

3. Regarding the appointment or dismissal of the Head of the Security Service of Ukraine, the Governor of the National Bank of Ukraine upon discussion of the candidates (or the results of the activities) shall take the decision by open voting, which is documented by the respective resolution of the Verkhovna Rada;

21) In article 208:

The title of the article shall be amended as follows:

“Article 208. The procedure of appointment and dismissal of the Verkhovna Rada’s Ombudsman, appointment of the judges of the Constitutional Court of Ukraine”;

Part one shall be amended as follows:

“1. Pursuant to clauses 17, 26 of part one, article 85 of the Constitution of Ukraine, the Verkhovna Rada shall appoint and dismiss the Verkhovna Rada’s Ombudsman and appoint the judges of the Constitutional Court of Ukraine;

In part four, the words “in Golos Ukrayiny newspaper” shall be replaced with the words “in the printed news source, which is designated by the Verkhovna Rada as the official source for the publication of laws, resolutions and other acts of the Verkhovna Rada”;

Part six shall be amended as follows:

“6. The Verkhovna Rada’s Ombudsman shall be dismissed upon written recommendation of the Chairperson of the Verkhovna Rada of Ukraine, if the decision of at least one fourth of people’s deputies of Ukraine from the constitutional composition of the Verkhovna Rada is made;

In part seven the words “such persons shall be dismissed by open voting, except for the Verkhovna Rada’s Ombudsman regarding whom secret voting is held” shall be replaced with the words “the Verkhovna Rada’s Ombudsman shall be dismissed by secret ballot”;

22) article 211 shall be amended as follows:

“Article 211. The procedure for appointment based on the recommendation of the Prime Minister of Ukraine and the dismissal of the Head of the Antimonopoly Committee of Ukraine, Chairperson of the State Property Fund of Ukraine, Head of the State Committee of Ukraine for Television and Radio Broadcasting.

1. According to clause 12, part one of article 85 of the Constitution of Ukraine, the Verkhovna Rada shall consider the appointment to the positions upon the recommendation of the Prime Minister of Ukraine and the dismissal of the Head of Antimonopoly Committee of Ukraine, Head of the State Property Fund of Ukraine, Head of the State Committee for Television and radio broadcasting of Ukraine.

2. When the Prime Minister of Ukraine submits a recommendation to the Verkhovna Rada of Ukraine, the official information on the candidate for the position is provided at the same time (part two of article 205 of these Rules of Procedure).

3. On behalf of the Chairperson of the Verkhovna Rada, the Committees whose scope of competence includes these issues, shall draft and submit their opinions on the proposed candidates to the positions of the Chairperson of Antimonopoly Committee of Ukraine, Chairperson of the State Property Fund of Ukraine, Chairperson of the State Committee for Television and Radio Broadcasting of Ukraine.

4. The recommendation of the Prime Minister of Ukraine to the Verkhovna Rada regarding the appointment of the proposed candidates for the positions of the Chairperson of Antimonopoly Committee of Ukraine, Head of the State Property Fund of Ukraine, Chairperson of the State Committee for Television and Radio Broadcasting of Ukraine shall be provided by the Prime Minister of Ukraine or the vice prime minister of Ukraine authorized by him/her. When the issue of appointment for the positions is considered, candidates shall be provided with an opportunity to answer the question from the MP’s factions (deputy groups), people’s deputies.

5. The Committees that pre-considered the candidates for the positions of the Chairperson of Antimonopoly Committee of Ukraine, Head of the State Property Fund of Ukraine, Heads of the State Committee for Television and Radio Broadcasting, according to the areas of their competence, shall have the right for their representative to speak when the Verkhovna Rada considers the appointment and resignation of the persons mentioned above.

6. In case of consideration of the issue of dismissal of a person whose dismissal is proposed, the representatives of MP’s factions (deputy groups), people’s deputies are given the floor to speak and answer the questions.

7. The decision on the appointment and dismissal of the Head of Antimonopoly Committee of Ukraine, Chairperson of the State Property Fund of Ukraine, Chairperson of the State Committee for Television and Radio Broadcasting of Ukraine shall be deemed taken, if more than a half of people’s deputies from the Verkhovna Rada’s constitutional

composition voted for it by open ballot, and shall be documented in the respective Verkhovna Rada's resolution;

23) Article 212 shall be amended as follows:

"Article 212. The procedure of giving a consent to the appointment or giving a consent to the dismissal of the General Prosecutor by the President of Ukraine.

1. According to clause 25 of part one, article 85, part three of article 131¹ of the Constitution of Ukraine, the Verkhovna Rada shall hear the issue of approving the appointment of the General Prosecutor by the President of Ukraine.

2. The President of Ukraine shall submit to the Verkhovna Rada written recommendation on the approval of the appointment of the General Prosecutor, along with the information on the candidate to the position (part two of article 205 of these Rules of Procedure) or a written recommendation on approval of the dismissal of the Prosecutor General of Ukraine.

3. The Verkhovna Rada shall consider the recommendation of the President of Ukraine within ten days of the date of receiving such recommendation by the Verkhovna Rada, if the latter is received during a regular session of the Verkhovna Rada, and no later than on the first plenary week of the following regular session of the Verkhovna Rada, - if it is received during the Verkhovna Rada's regular session; and no later than the first plenary week of the following regular session, - if such recommendation is received in the period between sessions.

4. The President of Ukraine or his authorized person submitting the respective recommendation shall partake in the process of hearing the issue of approving the appointment of the General Prosecutor or consent to his dismissal at a plenary session.

5. The candidate for the position of the Prosecutor General shall be provided with an opportunity to answer the questions of the representatives of MP's factions (deputy groups), people's deputies. Time for the discussion of the candidate for the position of Prosecutor General and answers to the questions shall be set by the Verkhovna Rada and shall be no less than one hour.

6. The approval of the General Prosecutor's dismissal shall be considered according to the procedure provided for by part three of article 213 of these Rules of Procedure to pass a no-confidence motion against the General Prosecutor.

7. The Committee whose area of competence includes preliminary consideration of candidates for the position of the Prosecutor General, in case of drafting of the respective opinion by such Committee, shall have the right for its representative to speak during the consideration by the Verkhovna Rada of the as approval of the General Prosecutor's appointment or dismissal.

8. The decision on the Verkhovna Rada's consent to the appointment or dismissal of the General Prosecutor by the President of Ukraine shall be taken by open individual voting by the votes of the majority of people's deputies from the Verkhovna Rada's constitutional composition.

9. The decision on consenting to the appointment or dismissal of the General Prosecutor by the President of Ukraine shall be documented by virtue of the respective Verkhovna Rada's resolution;

I. 24) In article 222:

II. Part two shall be amended as follows:

III. "2. Based on the recommendation of the committee whose area of competence covers the issues related to the rules of procedure, the Verkhovna Rada shall take the resolution on early termination of the people's deputy's powers by the majority of votes of people' deputies from the Verkhovna Rada's constitutional composition. The said Verkhovna Rada's resolution shall be sent to the Central Election Commission and published in a printed news source, which is designated by the Verkhovna Rada as an official source for the publication of laws, resolutions and other acts of the Verkhovna Rada";

IV. Part four and five shall be amended as follows:

V. "4. If a guilty verdict of a court with respect to a people's deputy comes into legal effect, if a deputy is found legally incapable or missing, his/her powers shall be

terminated from the effective date of a court verdict, and in case of death of a people's deputy, from the date of death confirmed by the respective death certificate.

VI. 5. The Chairperson of the Verkhovna Rada of Ukraine shall make a notification on the early termination of powers of the people's deputy on the grounds specified in part two of article 59, part four of this article and part four of article 223 of these Rules, the Chairperson of the Verkhovna Rada of Ukraine shall make a notification at a plenary session of the Verkhovna Rada and issue an order on the termination of the respective payments to such people's deputy. Such notification shall be sent to the Central Election Commission and published in the printed news source, which is designated by the Verkhovna Rada as an official source for the publication of laws, resolutions and other acts of the Verkhovna Rada;

VII.

VIII. 25) In part one of article 231, after the words "based on the proposition" the words "of the President of Ukraine or" shall be added;

IX.

X. 26) In article 232:

XI. In part one, after the words "starts with a report" the words "of the President of Ukraine or" shall be added;

XII. In part six, after the words "Programs of activities of the Cabinet of Ministers of Ukraine" the words "or during the last session of the Verkhovna Rada" shall be added.

XIII.

2. This Law shall come into effect from the date of its publication.

Chairperson of the Verkhovna Rada of Ukraine