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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

UKRAINE

LAW

ON PREVENTION OF CORRUPTION*

***Unofficial translation
(parts invalidated by decision 13-r /2020 marked as ~~strikethrough~~)**

LAW OF UKRAINE ON PREVENTION OF CORRUPTION

(Verkhovna Rada Bulletin (VRB), 2014, No. 49, Art. 2056)

{As amended according to the Laws

No. 77-VIII of December 28, 2014, VRB, 2015, No. 11, Art.75
No. 198-VIII of February 12, 2015, VRB, 2015, No. 17, Art. 118
No. 576-VIII of July 02, 2015, VRB, 2015, No. 36, Art.360
No. 595-VIII of July 14, 2015, VRB, 2015, No. 37-38, Art.366
No. 597-VIII of July 14, 2015, VRB, 2015, No. 35, Art.343
No. 631-VIII of July 16, 2015, VRB, 2015, No. 39, Art.376
No. 679-VIII of September 15, 2015, VRB, 2015, No. 46, Art.414
No. 731-VIII of October 08, 2015, VRB, 2015, No. 49-50, Art.449
No. 766-VIII of November 10, 2015, VRB, 2015, No. 52, Art.482
No. 794-VIII of November 12, 2015, VRB, 2016, No. 6, Art.55
No. 889-VIII of December 10, 2015, VRB, 2016, No. 4, Art.43
No. 922-VIII of December 25, 2015, VRB, 2016, No. 9, Art.89
No. 928-VIII of December 25, 2015, VRB, 2016, No. 5, Art.54
No. 1022-VIII of March 15, 2016, VRB, 2016, No. 13, Art.146
No. 1403-VIII of June 02, 2016, VRB, 2016, No. 29, Art.535
No. 1540-VIII of September 22, 2016, VRB, 2016, No. 51, Art.833
No. 1774-VIII of December 06, 2016, VRB, 2017, No. 2, Art.25
No. 1798-VIII of December 21, 2016, VRB, 2017, No. 7-8, Art.50
No. 1848-VIII of February 09, 2017, VRB, 2017, No. 12, Art.134
No. 1975-VIII of March 23, 2017, VRB, 2017, No. 14, Art.159}

{Additionally, see Clause 6, Section II of the Law No. 1975-VIII of March 23, 2017}

{As amended according to the Laws

No. 2136-VIII of July 13, 2017, VRB, 2017, No. 35, Art.376
No. 2462-VIII of June 19, 2018, VRB, 2018, No. 39, Art.285
No. 2475-VIII of July 03, 2018, VRB, 2018, No. 36, Art.272
No. 2704-VIII of April 25, 2019, VRB, 2019, No. 21, Art.81
No. 113-IX of September 19, 2019, VRB, 2019, No. 42, Art.238
No. 140-IX of October 02, 2019
No. 263-IX of October 31, 2019}

{In the text of the Law, the words “National Securities and Stock Market Agency” in all cases are replaced with the words “National Securities and Stock Market Commission” in the relevant case according to Law No. 198-VIII of February 12, 2015}

This Law defines the legal and organizational grounds for the functioning of the system of corruption prevention in Ukraine, the content and the order of enforcement of preventive anti-corruption mechanisms, and rules to eliminate the consequences of corruption offenses.

Section I

GENERAL PROVISIONS

Article 1. Terms and definitions

1. The terms listed below shall have the following meanings in this Law:

anti-corruption expert review – activity aimed at identifying provisions in normative legal acts or draft legal acts which alone or in combination with other provisions can facilitate the commission of corruption offenses or corruption-related offenses;

direct subordination – the relationship of direct organizational or legal dependence of a subordinate person on his/her supervisor, including through the decision (participation in the decision) of employment issues, termination of employment, the use of incentives, disciplinary measures, providing guidance, orders, etc., monitoring their implementation;

family members of the subject referred to in Part One, Article 3 of this Law, and husband, wife, father, mother, stepfather, stepmother, son, daughter, stepson, stepdaughter, brother, sister, and cousin, brother-in-law, sister-in-law, nephew, niece, uncle, aunt, grandfather, grandmother, great-grandfather, great-grandmother, grandson, granddaughter, great-grandson, great-granddaughter, son-in-law, daughter-in-law, father-in-law, mother-father-in-law, mother-in-law, son's (daughter's) father- and mother-in-law, adoptive parent or adopted guardian or trustee, or a person who is under the guardianship or trusteeship of the mentioned subject;

{The fourth paragraph of Part 1, Article 1 as amended according to the Law No. 140-IX of October 02, 2019}

government authority – a body of state power, including a collective government body, other entity of public law, regardless of whether or not it holds the status of a legal entity, which, according to legislation, is assigned with powers to perform governing functions on behalf of the government, the jurisdiction of which covers the whole territory of Ukraine or separate administrative and territorial units;

{Part 1, Article 1 supplemented with a new paragraph according to the Law No. 1975-VIII of March 23, 2017}

corruption offense – an act that manifest signs of corruption that was committed by a person referred to in Part One, Article 3 of this Law and for which criminal, disciplinary and/or civil liability is stipulated;

corruption – the use by a person referred to in Part One, Article 3 of this Law of granted official powers or powers associated with opportunities to obtain unlawful benefit or receipt of such benefit or receipt of a promise/offer of such benefit for himself/herself or others, or respectively the promise/offer or granting of an unlawful benefit to the person referred to in Part One, Article 3 of this Law or upon his/her request to other persons or entities with a view to persuade the person to unlawfully use the official authorities or associated opportunities granted to him/her;

unlawful benefit – money or other property, advantages, privileges, services, intangibles, any other intangible or non-monetary benefits which are offered, given or received without legal justification;

potential conflict of interest – the presence of a person's private interest in which he/she exercises his/her official or representative powers that could affect the objectivity or impartiality of his/her decisions or affect the commitment or non-commitment of actions in the exercise of these activities;

gift – cash or other property, advantages, privileges, services, or intangibles, given/received free of charge or at a price below the minimum market price;

corruption-related offense – an act that does not display evidence of corruption but violates the requirements, prohibitions and restrictions established by this Law, committed by a person referred to in Part One, Article 3 of this Law, for which the law establishes criminal, administrative, disciplinary and/or civil liability;

private interest – any tangible or intangible interest of a person including that which is caused by personal, familial, friendly, or other off-duty relationship with natural persons or legal entities, including those arising from membership or activity in social, political, religious or other organizations;

real conflict of interest – the contradiction between the private interest of a person and his/her official or representative activities, which affects the objectivity or impartiality of his/her decisions and commitment or non-commitment of actions in the exercise of these activities;

specially authorized subjects in countering corruption – prosecution authorities, National Police, National Anti-Corruption Bureau of Ukraine, National Agency on Corruption Prevention;

{Part One, Article 1 supplemented with a new paragraph according to the Law No. 198-VIII of February 12, 2015; as amended according to the Law No. 766-VIII of November 10, 2015}

subjects of declaration – persons referred to in Clause 1, Sub-Clauses “a” and “c” of Clause 2, Clause 4 of Part One, Article 3 of this Law, other persons who are obliged to file a declaration under this Law;

{The fifteenth paragraph of Part 1, Article 1 as amended according to the Laws No. 1975-VIII of March 23, 2017, No. 140-IX of October 02, 2019}

family members:

{The sixteenth paragraph of Part 1, Article 1 as amended according to the Law No. 140-IX of October 02, 2019}

a) the person married to the subject referred to in Part 1, Article 3 of this Law, and children of the said subject prior to reaching their majority – regardless of cohabitation with the subject;

{The paragraph of Part 1, Article 1 as amended according to the Law No. 140-IX of October 02, 2019}

b) any cohabitants bound by common everyday life, having mutual rights and responsibilities with the subject referred to in Part 1, Article 3 of this Law (other than persons whose mutual rights and obligations are not of a family nature), including persons who live together but are not married;

{The paragraph of Part 1, Article 1 as amended according to the Law No. 140-IX of October 02, 2019}

elected persons – the President of Ukraine, people’s deputies of Ukraine, deputies of the Verkhovna Rada of the Autonomous Republic of Crimea, deputies of local councils, village, town and city mayors.

Article 2. Corruption prevention legislation

1. Relations occurring in the prevention of corruption shall be governed by the Constitution of Ukraine, international treaties of Ukraine ratified by the Verkhovna Rada of Ukraine, this Law, other laws, and other legal acts adopted in their furtherance.

Article 3. Subjects covered by this Law

1. Subjects covered by this Law are:

1) persons authorized to perform the functions of government or local self-government:

a) the President of Ukraine, the Chairman of the Verkhovna Rada of Ukraine, his First Deputy and Deputy, the Prime Minister of Ukraine, the First Deputy Prime Minister of Ukraine, the Vice Prime Minister of Ukraine, ministers, other heads of central government agencies who are not members of the Cabinet of Ministers of Ukraine and their deputies, the Head of the Security Service of Ukraine, the Prosecutor General, the Head of the National Bank of Ukraine, his First Deputy and Deputy, a member of the National Bank's Council, the Head and other members of the Accounting Chamber of Ukraine, the Verkhovna Rada's Commissioner for Human Rights, the Commissioner for the Protection of the National Language, the Chairman of the Verkhovna Rada of the Autonomous Republic of Crimea, the President of the Council of Ministers ARC;

{Sub-Clause "a" of Clause 1, Part One, Article 3 as amended according to the Laws No. 576-VIII of July 02, 2015, No. 1798-VIII of December 21, 2016, No. 2704-VIII of April 25, 2019, No. 140-IX of October 02, 2019}

b) people's deputies of Ukraine, deputies of the Verkhovna Rada of the Autonomous Republic of Crimea, deputies of local councils, village, town and city mayors;

c) civil servants, officials of local self-government;

d) military officials of the Armed Forces of Ukraine, the State Service for Special Communication and Information Protection of Ukraine and of other military units established under law, except for military conscripts, cadets of higher military education institutions, cadets of higher education institutions which have in their structure military institutes, cadets of departments, sub-departments and divisions of military training;

{Sub-Clause "d" of Clause 1, Part One, Article 3 as amended according to the Laws No. 198-VIII of February 12, 2015, No. 1975-VIII of March 23, 2017}

e) judges, judges of the Constitutional Court of Ukraine, the Head, Deputy Head, members and inspectors of the High Council of Justice, officials of the Secretariat of the High Council of Justice, the Head, Deputy Head, members, inspectors of the High Qualifications Commission of Judges of Ukraine, officials of the Secretariat of this Commission, officials of the State Court Administration, jurors (in the course of performing their duties in court);

{Sub-Clause "e" of Clause 1, Part One, Article 3 as amended according to the Law No. 1798-VIII of December 21, 2016}

f) persons of ranking and senior staff of the State Penitentiary Service, the tax police, senior staff of civil defense authorities and regional offices, the State Bureau of Investigation, the National Anti-Corruption Bureau of Ukraine;

{Sub-Clause "f" of Clause 1, Part One, Article 3 as amended according to the Laws No. 198-VIII of February 12, 2015, No. 597-VIII of July 14, 2015, No. 766-VIII of November 10, 2015, No. 794-VIII of November 12, 2015}

g) officers and employees of the prosecution service authorities, the Security Service of Ukraine, the State Bureau of Investigation, the National Anti-Corruption Bureau of Ukraine,

the diplomatic service, state forest protection, nature reserve fund public protection, the central government authority responsible for the shaping and implementation of state tax policy and state customs policy;

{Sub-Clause “g” of Clause 1, Part One, Article 3 as amended according to the Law No. 794-VIII of November 12, 2015}

h) Chairman, Deputy Chairman of the National Agency on Corruption Prevention;

{Sub-Clause “h” of Clause 1, Part One, Article 3 as amended according to the Law No. 140-IX of October 02, 2019}

i) members of the Central Election Commission;

j) police officers;

{Clause 1, Part 1, Article 3 is supplemented with a new Sub-Clause “j” according to the Law No. 766-VIII of November 10, 2015}

k) officers and employees of other government authorities, authorities of the Autonomous Republic of Crimea;

l) members of public collegial bodies;

{Clause 1, Part 1, Article 3 is supplemented with Sub-Clause “l” according to the Law No. 1540-VIII of September 22, 2016}

m) Head of the Office of the President of Ukraine, his First Deputy and Deputy, as well as persons holding positions of patronage service defined by the Law of Ukraine "On Civil Service", except for persons performing duties on a voluntary basis, assistant judges;

{Clause 1, Part 1, Article 3 is supplemented with Sub-Clause “m” according to the Law No. 140-IX of October 02, 2019}

2) persons who for the purposes of this Law are equated to persons authorized to perform the functions of government or local self-government:

a) officials of public law entities not mentioned in Clause 1, Part One of this Article, persons who are members of the supervisory board of a state bank, for-profit state-owned enterprise or organization, a company with more than 50 percent of authorized capital shares is owned by the state;

{Sub-Clause “a” of Clause 2, Part One, Article 3 as amended according to the Laws No. 1975-VIII of March 23, 2017, No. 140-IX of October 02, 2019}

b) persons who are not civil servants, local self-government officials but who render public services (accountants, notaries, private bailiffs, appraisers and experts, trustees in bankruptcy, independent brokers, members of labor arbitration, arbitrators in the exercise of their functions, other persons stipulated by law);

{Sub-Clause “b” of Clause 2, Part One, Article 3 as amended according to the Law No. 1403-VIII of 2 June 2016}

c) representatives of civic associations, academic institutions, educational institutions, experts of the relevant qualification, other persons who are members of the Competition Commissions or Disciplinary Commissions set up according to the Law of Ukraine *On Civil Service*, the Law on Service in Local Self-Government Bodies, other laws (except for non-resident aliens who are part of such commissions), the Civic Integrity Council established under the Law of Ukraine “On Judiciary and the Status of Judges”, and are not the persons mentioned in Clause 1, Sub-Clause “a” of Clause 2 of Part One of this Article;

{Clause 2, Part One, Article 3 is supplemented with Sub-Clause “c” according to the Law No. 889-VIII of December 10, 2015; as amended according to the Law No. 1975-VIII of March 23, 2017; in the wording according to the Law No. 140-IX of October 02, 2019}

3) persons permanently or temporarily holding positions related to the implementation of organizational-administrative or administrative-economic duties or specially authorized to perform such duties in a legal entity of private law, regardless of the legal form and form of incorporation, and other individuals who are not officers but who work or provide services under contract with companies, institutions or organizations – in cases stipulated by this Law.

{Clause 3, Part 1, Article 3 as amended according to the Law No. 198-VIII of February 12, 2015}

4) candidates for members of parliament of Ukraine who are registered according to the procedure established by the Law on Elections of People’s Deputies of Ukraine, candidates for the position of the President of Ukraine who are registered according to the procedure established by the Law on Elections of the President of Ukraine, candidates for deputies of the Supreme Council of the Autonomous Republic of Crimea, regional, district, city, urban-district, village, town councils, candidates for positions of village, town, city mayors and village elders;

{Part One, Article 3 is supplemented with Clause 4 according to the Law No. 1975-VIII of March 23, 2017}

{Clause 5, Part One, Article 3 removed according to the Law No. 140-IX of October 02, 2019}

{Article 3 note deleted under Law No. 140-IX of October 02, 2019}

Section II

NATIONAL AGENCY ON CORRUPTION PREVENTION

Article 4. Status of the National Agency on Corruption Prevention.

1. The National Agency on Corruption Prevention (hereinafter – the National Agency) is a central executive body with special status, which shapes and implements the state anti-corruption policy.

2. The National Agency, within the limits defined by this and other laws, reports to and is controlled by the Parliament of Ukraine and is accountable to the Cabinet of Ministers of Ukraine.

3. The National Agency is established by the Cabinet of Ministers of Ukraine in accordance with the Constitution and other laws of Ukraine.

The Chairman of the Agency presents the National Agency’s activities to the Cabinet of Ministers of Ukraine.

4. The legal basis for the Agency’s work consists of the Constitution of Ukraine, international treaties of Ukraine, this and other laws of Ukraine and also other legal acts adopted in accordance with them.

The Law of Ukraine *On Central Executive Authorities* and other statutory legal acts governing the activity of executive authorities, as well as the Law of Ukraine *On Civil Service* shall apply to the National Agency, officials and administrative staff, as well as to its powers, as regards the authorized subdivisions (authorized persons) on preventing and detecting corruption to the extent not inconsistent with this Law.

{The paragraph two of Part 4, Article 4 as amended according to the Law No. 140-IX of October 02, 2019}

{Part 5 of Article 4 removed according to the Law No. 140-IX of October 02, 2019}

Article 5. Leadership of the National Agency

1. Management of the activities of the National Agency shall be exercised by its Chairman, who shall be appointed and dismissed by the Cabinet of Ministers of Ukraine in accordance with the procedure established by this Law.

2. The Chairman of the National Agency shall be a citizen of Ukraine, not younger than 35 years old, who has higher education, possesses the state language, is honest and competent, capable of performing respective official responsibilities due to his/her proper business and moral traits, educational and professional level, and state of health.

For the purposes of this Law, higher education shall be considered education obtained in Ukraine (or on the territory of the former USSR before December 1, 1991) at the educational qualification level of a Specialist's or Master's degree, as well as higher education at the relevant educational qualification level obtained in foreign countries.

3. A person may not be appointed Chairman or Deputy Chairman of the National Agency if this person:

- 1) has been declared incapacitated by a court decision or having limited capacity;
- 2) has had a conviction for committing a crime, unless such conviction is extinguished or lifted in the manner prescribed by law (except for rehabilitated persons);
- 3) has had a criminal conviction for committing a corruption crime, which has entered into force, or has been subject to an administrative penalty in the last year for committing a corruption offense;
- 4) has been deprived of the right to engage in activities related to fulfilling the functions of the state, or to occupy certain positions, in accordance with a court sentence that has come into force;
- 5) has participated in governing bodies of a political party, or has had work or other contractual relations with a political party within the two years prior to the application to participate in the competition for the position;
- 6) has not filed the declaration of a person authorized to perform the functions of the state or local self-government-for the past year under this Law;
- 7) has not passed a special inspection or has not given consent for it to be conducted.

4. The Chairman of the National Agency shall be appointed for a period of four years. The same person cannot hold the position of Chairman of the National Agency for two consecutive terms.

5. The powers of the Chairman of the National Agency shall be terminated by the Cabinet of Ministers of Ukraine ahead of time in the case of:

- 1) appointment or election to another position, upon their consent;
- 2) reaching the age of sixty-five;
- 3) inability to exercise their powers for health reasons in accordance with a statement of a medical commission formed by a specially authorized central body of executive power implementing the state health policy;

4) entry into force of a court ruling declaring them incapacitated or limiting their civil capacity, declaring them missing or dead;

5) entry into force of the court's conviction against them;

6) termination of their Ukrainian citizenship or departure for permanent residence outside Ukraine;

7) submission of an application for dismissal of their own free will, resignation;

8) their death;

9) a statement by the Commission for Independent Evaluation of the National Agency's Performance on the inefficiency of such activity.

10) the entry into force of a court decision on recognizing as unjustified their assets or assets acquired on their behalf by other persons or in other cases stipulated by Article 290 of the Civil Procedural Code of Ukraine, and their alienation in favor of the state.

{Part 5, Article 5 supplemented with a new paragraph in accordance with the Law No. 263-IX of October 31, 2019}

The powers of the Chairman of the National Agency shall be terminated due to the expiration of their term of office.

Termination of powers of the Chairman of the National Agency shall be prohibited for any other reason.

6. The Chairman of the National Agency may have three Deputies, appointed and dismissed by the Chairman.

{Article 5 as amended according to the Law No. 140-IX of October 02, 2019}

Article 6. Procedure for Competitive Selection and Appointment of the Chairman of the National Agency

1. The Chairman of the National Agency shall be appointed in accordance with the results of open competitive selection.

The competition and selection process is organized by the Competition Commission for the position of the Chairman of the National Agency (hereinafter – the Competition Commission).

2. The Competition Commission shall include:

1) three persons appointed by the Cabinet of Ministers of Ukraine;

2) three persons appointed by the Cabinet of Ministers of Ukraine based on proposals of donors who have been providing international technical assistance to Ukraine in preventing and combating corruption during the last two years prior to expiration or termination of term of office of the Chairman of the National Agency.

The Central Executive Body in charge of developing and implementing the state policy on attracting international technical assistance shall determine the list of such donors not later than three months prior to expiration of term of office of the Chairman of the National Agency

or within three working days from the date of early termination of the term of office (dismissal) in the manner established by this Law.

Any such donor may propose to the Cabinet of Ministers of Ukraine any number of candidates to the Competition Commission, or agree to propose a common list of candidates to the Competition Commission.

The decision to appoint members of the Competition Commission is made at an open meeting of the Cabinet of Ministers of Ukraine. Such a decision should include a list of nominated members of the Competition Commission as well as a list of candidates to replace members of the Competition Commission in case of early termination of their powers (at least two candidates, including at least one candidate proposed by donors who have been providing international technical assistance to Ukraine in preventing and combating corruption in the last two years prior to the day of expiration or termination of the term of office of the Chairman of the National Agency).

3. The members of the Competition Commission may be persons having perfect business reputation, high professional and moral qualities, public authority, as well as experience in the field of preventing and/or combating corruption. Persons referred to in Clauses 1-4, Part Three, Article 5 of this Law, and persons authorized to perform the functions of state or local self-government in accordance with Part One, Article 3 of this Law may not be members of the Commission.

4. The Competition Commission shall be formed not later than two months prior to the end of term of office of the Chairman of the National Agency or within 14 days from the date of early termination thereof (dismissal) in accordance with the procedure established by this Law.

The Competition Commission shall be considered authoritative if it includes four persons, with three of them determined by the Cabinet of Ministers of Ukraine based on proposals of donors who have been providing international technical assistance to Ukraine in preventing and combating corruption during the last two years prior to expiration or termination of term of office of the Chairman of the National Agency.

The term of office of a member of the Competition Commission is two years from the date of appointment.

The powers of a member of the Competition Commission shall be terminated ahead of time in the event of:

1) filing of a personal application for termination of powers of a member of the Competition Commission;

2) the Competition Commission filing a proposal for early termination of the powers of its member;

3) entry into force of a court's conviction against them;

4) recognizing them as incapable or missing;

5) discovery of the Competition Commission member's non-compliance with the requirements specified in this Article;

6) their death.

The decision on early termination of powers of a member of the Competition Commission is made by the Cabinet of Ministers of Ukraine, which then appoints a member of the Competition Commission as a replacement.

5. The Competition Commission's decision is considered passed if four members of the Competition Commission voted in favor of it at a meeting, including three members from among persons appointed based on proposals of donors who have been providing international technical assistance to Ukraine in preventing and combating corruption during the last two years prior to expiration or termination of term of office of the Chairman of the National Agency.

The member of the Competition Commission may participate in its meeting remotely by means of electronic communication.

Meetings of the Competition Commission are open to media representatives and journalists. The Secretariat of the Cabinet of Ministers of Ukraine provides videos and audio recording and broadcasting in real time of the relevant video and audio data from the Competition Commission's meetings on the official website of the Cabinet of Ministers of Ukraine.

Information about the time and venue of the Competition Commission's meeting shall be published on the official website of the Cabinet of Ministers of Ukraine not later than 48 hours before its commencement.

The Secretariat of the Cabinet of Ministers of Ukraine provides organizational and technical support for the activities of the Competition Commission.

The activities of the Competition Commission and its members, including the Secretariat set up to assist in their activities, may be funded through the involvement of international technical assistance.

6. The Competition Commission shall:

- 1) determine and promulgate the rules of its work;
- 2) determine and promulgate criteria and methods of evaluation of candidates for the position of Chairman of the National Agency;
- 3) determine the conditions and terms of the competition, publish the respective announcement via the national printed media and on the official website of the Cabinet of Ministers of Ukraine;
- 4) process the documents submitted by individuals for participation in the competition;
- 5) assess the candidate's professional knowledge and qualities, research materials about the candidate;
- 6) conduct interviews with selected candidates at its meeting;
- 7) identify, through open voting, from among candidates who have passed the interview, the candidate who, as per a reasoned decision of the Competition Commission, has the best professional experience, knowledge and qualities to perform the duties of Chairman of the National Agency, and also meets the criteria of competence and integrity; file a request to the Cabinet of Ministers of Ukraine on the candidate's appointment to the position of Chairman of the National Agency;

8) publish on the official website of the Cabinet of Ministers of Ukraine information on the persons who have applied to participate in the competition, as well as information on the candidates selected for the interview and the candidate selected by the Competition Commission for appointment as the Chairman of the National Agency;

9) conduct another competition in case all candidates are rejected due to their non-compliance with the requirements established for the position of the Chairman of the National Agency.

7. The members of the Competition Commission shall have the right to:

1) collect, verify and analyze information, including restricted information, on candidates for the position of Chairman of the National Agency;

2) free-of-charge access to the registers, databases held (managed) by public authorities;

3) participate in meetings and other events held by the Competition Commission;

4) request – from the candidates for the position of the Chairman of the National Agency, as well as any other natural or legal persons – the explanations, documents or information necessary for the consideration of candidates for the position of the Chairman of the National Agency;

5) employ assistants to collect, verify and analyze information, including restricted information.

Assistants are obliged to provide protection and non-disclosure of personal data, restricted information that became known to them in the course of performing of their respective duties.

8. The members of the Competition Commission shall:

1) provide protection and non-disclosure of personal data, restricted information that became known to the Competition Commission or its member in the course of exercising of powers;

2) participate in the work of the Competition Commission personally without delegating its powers to other persons, including other members of the Competition Commission;

3) not use personal data and other information that became known to them in the course of participation in the Competition Commission, for purposes other than for the fulfillment of their duties as members of the Competition Commission;

4) refuse to participate in the gathering of information about a candidate for the position of Chairman of the National Agency and in considering such candidate, if the member of the Competition Commission has or has had personal or business relations with such candidate and/or in case of other conflict of interests or circumstances that may affect the objectivity and impartiality of a member of the Competition Commission when deciding on a candidate for the position of Chairman of the National Agency.

9. The person applying for the competition shall submit the following documents prior to the deadline determined in the announcement:

1) an application for participation in the selective competition together with an agreement to conduct a special check in accordance with this Law and to the process personal data in accordance with the Law of Ukraine *On Personal Data Protection*;

2) a curriculum vitae which should include: last name, first name and patronymic (if applicable), day, month, year and place of birth, citizenship, information about education, work, position (occupation), place of work, civil work (including elected positions), membership in political parties including those in the past, the presence of labor or any other contractual relationship with a political party during two years preceding the day of submission of the application (regardless of duration of such relationships), contact telephone number and email address, and the presence or absence of a criminal record imposing administrative punishment on the individual for committing a corruption offense;

3) a motivation letter stating the person's motives for being elected to the position of the Chairman of the National Agency and their vision of possible future actions at this position;

4) a copy of the declaration by the person authorized to perform functions of government or local self-government for the year preceding the year in which the announcement about the selective competition was made public, and a link to the relevant page of the Unified State Register of Declarations of Persons Authorized for State or Local Government Functions;

5) other documents, the submission of which is stipulated in this Law for conducting a special check.

The information in documents submitted in accordance with this Article, except for information that, in accordance with this Law, is referred to as classified information, about the contact phone number and email address of the candidate, shall be published on the official website of the Cabinet of Ministers of Ukraine within three working days after the deadline for submission of applications for the selective competition.

{Article 6 as amended according to the Law No. 140-IX of October 02, 2019}

Article 7. Powers of the Chairman of the National Agency and his Deputies

1. The Chairman of the National Agency shall:

1) organize and control the work of the National Agency, bear personal responsibility for legality, transparency and efficiency of the National Agency, reports on the work of the National Agency;

2) appoint and dismiss employees of the National Agency;

3) assign civil servant ranks to National Agency employees, exercise promotion measures as well as bring employees of the National Agency to disciplinary responsibility according to the decision of the National Agency Disciplinary Board;

4) distribute responsibilities between the Deputy Chairmen of the National Agency;

5) make decisions in accordance with the established procedure on allocating budget funds which are managed by the National Agency;

6) approve the manning table and the budget of the National Agency, regulations on territorial bodies of the National Agency;

7) approve prospective, current and operational plans of the National Agency, determine performance indicators of the National Agency;

8) represent the National Agency in its relations with courts, other authorities, local self-government bodies, public associations, enterprises, institutions and organizations as well as international bodies of foreign states and foreign organizations, etc.;

9) take measures to prevent unauthorized access to restricted information, ensure compliance with the legislation on access to public information managed by the National Agency, and protection of personal data owned by the National Agency;

10) issue decrees, and instructions within his/her competence;

11) have the right to attend meetings of the Verkhovna Rada of Ukraine, its committees and permanent, ad hoc, special and temporary investigatory commissions, as well as participate in an advisory capacity in meetings of the Cabinet of Ministers of Ukraine, other government agencies and local self-government in the case of considering issues related to the shaping and implementation of anti-corruption policy;

12) exercise other powers in accordance with this Law and other laws.

2. Deputy Chairmen of the National Agency shall exercise their powers in accordance with the division of responsibilities approved by the Chairman of the National Agency, and shall exercise the powers of the Chairman in the absence thereof as per order of the Chairman of the National Agency.

{Article 7 as amended according to the Law No. 140-IX of October 02, 2019}

Article 8. Organization of the National Agency's activities

{Part 1 of Article 8 removed according to the Law No. 140-IX of October 02, 2019}

2. The staff of the National Agency shall perform organizational, informational, reference and other support of the Commission's activities.

The regulation on the National Agency's staff, its structure and regulations on the separate structural divisions of the staff shall be approved by the Chairman of the National Agency. The maximum number of employees of the National Agency shall be approved by the Cabinet of Ministers of Ukraine upon submission of the National Agency's Chairman.

{Paragraph two, Part 2, Article 8 as amended according to the Law No. 140-IX of October 02, 2019}

The Chief of Staff and his Deputies are appointed and dismissed by the Chairman of the National Agency; other employees of the apparatus (except employees who perform the functions of maintenance or patronage) are appointed according to the results of open competition, except in case of transfer in the order determined by the Law of Ukraine "On Civil Service". The open competition regulations in the National Agency shall be approved by the Chairman of the National Agency.

{Paragraph three, Part 2, Article 8 as amended according to the Law No. 140-IX of October 02, 2019}

3. No more than six regional offices of the National Agency, the territory of which not necessarily coincides with an administrative and territorial division, may be established by decision of the Chairman of the National Agency.

{Paragraph one, Part Three, Article 8 as amended according to the Law No. 140-IX of October 02, 2019}

Heads of territorial offices of the National Agency (if they are established) shall be appointed and dismissed by the Chairman of the National Agency.

{Paragraph two, Part 3, Article 8 as amended according to the Law No. 140-IX of October 02, 2019}

4. Employees of the National Agency Staff and staff of its territorial offices (if established) shall undergo mandatory skills improvement training on a regular basis, but not less than once every two years.

Article 9. Guarantees of the National Agency's independence

1. The National Agency's independence from influence or interference in its activities is guaranteed by:

1) the special status of the National Agency;

2) the special procedure of selection, appointment and termination of office of the Chairman of the National Agency;

{Clause 2, Part One, Article 9 as amended according to the Law No. 140-IX of October 02, 2019}

3) the special procedure established by law on funding and logistical support of the National Agency;

4) the proper conditions of remuneration for Chairman, Deputy Chairman of the National Agency, and officials of the National Agency staff, stipulated by this Law and other laws;

{Clause 4, Part One, Article 9 as amended according to the Law No. 140-IX of October 02, 2019}

5) the transparency of its activities;

6) other means stipulated by this Law.

2. In the course of performance of their duties, Chairman, Deputy Chairman of the National Agency and officials of the staff of the National Agency are deemed government officials, acting on behalf of the state and fall under its protection.

{Part Two, Article 9 as amended according to the Law No. 140-IX of October 02, 2019}

3. Use of the National Agency for party, group or private interests is not allowed. Activities of political parties at the National Agency are prohibited.

4. It is prohibited for government authorities, authorities of the Autonomous Republic of Crimea, local self-government and their officers and employees, political parties, associations and other entities to interfere in the activities of the National Agency in the course of the performance of its duties.

Any written or verbal instructions, requirements, orders, etc. filed to the National Agency or its employees concerning the powers of the National Agency, but not stipulated by the legislation of Ukraine, are unlawful and must not be complied with. In case of receiving such instruction, requirements, orders, etc., an employee of the National Agency shall immediately inform the Chairman of the National Agency in writing.

{Part Four, Article 9 supplemented with the second Part according to the Law No. 140-IX of October 02, 2019}

5. Suspicion of a criminal offense in regard to the Chairman, Deputy Chairman of the National Agency may be announced only by the Prosecutor General (acting Prosecutor General) or Deputy Prosecutor General – the Head of the Specialized Anti-Corruption Prosecution.

The Prosecutor General, his/her Deputy or the Head of the Specialized Anti-Corruption Prosecution, in accordance with established procedure, may file a request for removal from office of the Chairman, Deputy Chairman of the National Agency on Corruption Prevention who is suspected or accused of a crime.

{Part Five, Article 9 as amended according to the Law No. 1798-VIII of December 21, 2016; in the wording according to the Law No. 140-IX of October 02, 2019}

6. Chairman, Deputy Chairman of the National Agency, officials of the National Agency staff, their close persons and their property are protected by the state. In the event of a relevant notification by Chairman, Deputy Chairman of the National Agency, the National Police authorities shall take the necessary measures to ensure the security of the Chairman, Deputy Chairman of the National Agency and their close persons, and to safeguard their property.

{Part 6, Article 9 as amended according to the Law No. 766-VIII of November 10, 2015; in the wording according to the Law No. 140-IX of October 02, 2019}

7. An attempt on the life and health of the Chairman, Deputy Chairman of the National Agency, official of the National Agency staff, their close persons, destruction of or damage to their property, threatening them with murder, violence or destruction of property shall entail legal liability as stipulated by the law.

{Part 7, Article 9 as amended according to the Law No. 140-IX of October 02, 2019}

8. Chairman, Deputy Chairman of the National Agency have the right to protection, provided by the National Police authorities.

{Part 8, Article 9 as amended according to the Law No. 766-VIII of November 10, 2015; in the wording according to the Law No. 140-IX of October 02, 2019}

Article 10. The legal status of staff officers and regional offices of the National Agency

{Title of Article 10 in the wording according to the Law No. 140-IX of October 02, 2019}

{Part 1, Article 10 removed according to the Law No. 140-IX of October 02, 2019}

2. Employees of the National Agency staff and its regional offices and also other employees who perform maintenance functions are civil servants.

{Part 2, Article 10 as amended according to the Law No. 140-IX of October 02, 2019}

Article 11. Powers of the National Agency

1. The National Agency has the following powers:

1) analysis:

of the state of corruption prevention and countering in Ukraine, of the activities of government authorities, authorities of the Autonomous Republic of Crimea and local self-government on preventing and countering corruption;

statistics, results of studies and other information pertaining to corruption;

2) drafting the Anti-Corruption Strategy and the State Program for its implementation, monitoring coordination and evaluation of implementation effectiveness of the Anti-Corruption Strategy;

3) preparing and filing to the Cabinet of Ministers of Ukraine, as prescribed by law, of a draft national report on the implementation of the rudiments of anti-corruption policy;

4) the development and implementation of anti-corruption policy and the drafting of legal acts on these issues;

5) organization of research on the situation with corruption;

~~6) monitoring and control over implementation of legislation on ethical behavior, the prevention and settlement of conflicts of interest in the activities of persons authorized to perform the functions of government or local self-government and persons equated to them;~~

7) coordination and rendering methodological assistance in detection by government authorities, authorities of the Autonomous Republic of Crimea and local self-government of corruption risks in their activities and implementation of measures to address them, including the preparation and implementation of anti-corruption programs;

~~8) implementation, in the manner stipulated by this Law, of monitoring and verification of declarations of the subjects of declaration, storage and disclosure of such declarations, and monitoring the lifestyle of the subjects of declaration;~~

{Clause 8, Part One, Article 11 as amended according to the Law No. 140-IX of October 02, 2019}

8-1) implementation, in the manner stipulated by this Law, of state monitoring of the observance of legal restrictions on the financing of political parties, lawful and purposeful use by political parties of funds allocated from the state budget to finance their statutory activities, the timeliness of parties' reports on property, income, expenses and financial liabilities, reports on the receipt and use of election funds for state and local elections, the completeness of such reports, reports of an independent external audit of the financial activities of the parties, the conformity of their registration with the established requirements, and the reliability of the information included in these reports;

{Part 1, Article 11 supplemented with Clause 8-1 according to the Law No. 731-VIII of October 08, 2015}

8-2) approval of the distribution of funds allocated from the state budget to finance the statutory activities of political parties, in accordance with the law;

{Part 1, Article 11 supplemented with Clause 8-2 according to the Law No. 731-VIII of October 08, 2015}

9) ensuring proper maintenance of the Unified State Register of declarations of persons authorized to perform the functions of government or local self-government and the Unified State Register of Perpetrators of Corruption or Corruption-related Offenses;

{Clause 10, Part One, Article 11 removed according to the Law No. 889-VIII of December 10, 2015}

11) coordination, within their given purview, of methodological support and analysis of the efficiency of authorized units (authorized persons) on the prevention and detection of corruption;

12) approval of the anti-corruption programs of government authorities, authorities of the Autonomous Republic of Crimea, local self-government, and elaboration of a typical format of the anti-corruption program of a legal entity;

13) implementation of cooperation with persons who in report in good faith on possible evidence of corruption offenses and other violations of this Law (whistleblowers), taking measures concerning their legal and other protection, and prosecution of perpetrators violating their rights in connection with such reporting;

14) organization of training, retraining and advanced training of civil servants of government authorities and authorities of the Autonomous Republic of Crimea, and local self-government officials on issues related to the prevention of corruption (except for the education of civil servants of government authorities and local self-government officials);

{Clause 14, Part One, Article 11 as amended according to the Law No. 889-VIII of December 10, 2015}

15) providing clarification, guidance and consulting on the application of legislation on ethical conduct, prevention and settlement of conflicts of interest in the activities of persons authorized to perform the functions of government or local self-government and persons equated to them, application of other provisions of this Law and regulations adopted for its implementation;

{Clause 15, Part 1, Article 11 as amended according to the Law No. 140-IX of October 02, 2019}

16) informing the public about measures taken by the National Agency to prevent corruption and the implementation of measures aimed at forming public awareness of the negative attitude to corruption;

17) public involvement in the shaping, implementation and monitoring of anti-corruption policy;

18) coordination of the implementation of international commitments in the development and implementation of anti-corruption policy, cooperation with government authorities, non-governmental organizations of foreign states and international organizations within its purview;

19) exchange of information with the competent authorities of foreign states and international organizations;

20) other powers stipulated by law.

Article 12. Rights of the National Agency

1. The National Agency has the following rights for the implementation of its powers:

~~1) to obtain information, in accordance with the procedure stipulated by law and upon written requests pursuant to the established procedure, from government authorities, authorities of the Autonomous Republic of Crimea, local self-government, business entities regardless of ownership and their officials, citizens and their associations, including restricted information, as may be necessary to fulfil its objectives;~~

{Clause 1, Part 1, Article 12 as amended according to the Law No. 140-IX of October 02, 2019}

~~2) to have direct access to information and telecommunication and reference systems, registers, databases, including those containing restricted information, the holder (administrator) of which are public authorities or local self-government bodies, use state, including government means of communications, special communications networks and other technical means. Obtaining information from the Unified Register of Pre-trial Investigations shall be carried out in accordance with the procedure and to the extent determined by joint order of the National Agency and the Prosecutor General.~~

~~The processing of such information is carried out by the National Agency in compliance with the legislation on protection of personal data and secrecy protected by law;~~

{Clause 2, Part 1, Article 12 as amended according to the Law No. 140-IX of October 02, 2019}

2-1) to obtain information from open databases, registers of foreign countries, including after payment for receiving relevant information, if such payment is required for access to information;

{Part 1, Article 12 supplemented with Clause 2-1 according to the Law No. 140-IX of October 02, 2019}

3) to engage scientists (including on a contractual basis), employees of government authorities, authorities of the Autonomous Republic of Crimea and local self-government in certain activities, according to established procedure, for participation in the study of certain issues;

4) to create commissions and working groups, to organize conferences, seminars and meetings on preventing and countering corruption;

5) to adopt binding legal acts on issues within its purview;

~~6) to receive statements from individuals and legal entities regarding violation of this Law, and perform checks of possible violations of this Law, acting on its own initiative;~~

~~7) to inspect the work organization on preventing and identifying corruption in government authorities, authorities of the Autonomous Republic of Crimea and local self-government, in particular regarding the preparation and implementation of anti-corruption programs;~~

~~8) issue precepts concerning violations of statutory requirements on ethical conduct, prevention and resolution of a conflict of interest, and other requirements and restrictions set forth in this Law;~~

~~9) to obtain written explanations from persons authorized to perform the functions of government or local self-government, economic entities, regardless of ownership, their officials, citizens and their associations, pertaining to circumstances that may indicate a breach of ethical conduct, prevention and settlement of conflicts of interest and other requirements and restrictions stipulated by this Law regarding the correctness of the information specified in the declarations of persons authorized to perform government or local self-government functions;~~

~~{Clause 9, Part One, Article 12 as amended according to the Law No. 140-IX of October 02, 2019}~~

~~10) to file claims (applications) to the court to recognize as unlawful legal acts and personal decisions issued (taken) in breach of the requirements and restrictions stipulated by this Law, to invalidate contracts signed as a result of the commission of corruption or a corruption-related offense;~~

~~10-1) in the event that the Agency establishes evidence that a person authorized to perform the functions of the state or local self-government acquired unjustified assets or that such assets were acquired by another person on their behalf or in other cases provided by Article 290 of the Civil Procedural Code of Ukraine, — to raise before the Specialized Anti-Corruption Prosecution or, in the cases specified by law, before the Office of the Prosecutor General, the question of going to court with a claim for recognition of unjustified assets and their alienation in favor of the state;~~

~~{Part 1, Article 12 supplemented with Clause 10-1 according to the Law No. 263-IX of October 31, 2019}~~

11) to approve the methodology for corruption risk assessment in the activities of government authorities, to analyze the anti-corruption programs of government authorities and to make suggestions for such programs that are mandatory for review;

~~12) to initiate an official investigation, to take measures to hold culpable persons liable for corruption and corruption-related offenses, and to send materials to other specially authorized anti-corruption agencies that show evidence of such offenses;~~

~~{Clause 12, Part 1, Article 12 as amended according to the Law No. 198-VIII of February 12, 2015}~~

~~12-1) to draw up protocols on administrative offenses within the purview of the National Agency, to apply measures, prescribed by law, to further case proceedings involving administrative offenses;~~

~~{Part 1, Article 12 supplemented with Clause 12-1 according to the Law No. 198-VIII of February 12, 2015}~~

13) other rights stipulated by law.

~~2. If violations of this Law regarding ethical behavior, prevention and settlement of conflicts of interest are identified in the activities of persons authorized to perform the functions of government or local self-government and persons equated to them, or any other violations of this Law, the National Agency shall send a demand to the head of the body, enterprise, or institution to eliminate violations of the law, to conduct an investigation, and bring the perpetrator to statutory liability.~~

~~A precept issued by the National Agency shall be binding. The official to whom the demand of the National Agency is addressed shall inform the Commission of the results of its performance within ten working days after receipt of the said demand.~~

~~3. If elements of administrative offenses linked with corruption are detected, authorized representatives of the National Agency shall produce a report on the offense and send it to the court by decision of the National Agency. Where elements of other corruption or corruption-related administrative offense have been identified, the authorized person shall prepare its reasoned opinion and forward it to other specially authorized anti-corruption entities. An opinion of the National Agency shall be mandatory for review and the results of such review shall be communicated to it within five days of receipt of the notice of the offense committed.~~

~~{Part 3, Article 12 as amended according to the Law No. 198-VIII of February 12, 2015; as amended according to the Law No. 140-IX of October 02, 2019}~~

~~4. State authorities, authorities of the Autonomous Republic of Crimea, local self-government, individuals and legal entities are required to provide the requested documents or information requested by the National Agency, including restricted information, within ten days upon receipt of the request, and in the case of a request for special verification, within three days.~~

~~{Part 4, Article 12 as amended according to the Law No. 140-IX of October 02, 2019}~~

~~5. Legal acts of the National Agency are subject to state registration by the Ministry of Justice of Ukraine and shall be included into the Unified State Register of Legal Acts.~~

~~Legal acts of the National Agency, which have passed state registration, shall enter into force on the day of their official publication, unless otherwise provided by the acts themselves, but not earlier than the day of official publication.~~

~~Legal acts of the National Agency, after inclusion in the Unified State Register of Legal Acts, shall be published in official printed publications in the state language.~~

~~Other acts of the National Agency come into force on the day of their passing, unless otherwise stipulated by the acts themselves, but not earlier than the day of their passing, and shall be brought to the attention of the persons covered by such acts in accordance with the procedure established by the National Agency.~~

~~National Agency acts shall be published by posting them on the official website of the National Agency.~~

~~{Part 5, Article 12 as amended according to the Law No. 140-IX of October 02, 2019}~~

Article 13. Authorized Persons of the National Agency on Corruption Prevention

1. The authorized persons of the National Agency are the Chairman, Deputy Chairman of the National Agency and officials authorized by the Chairman of the National Agency.

{Part One, Article 13 as amended according to the Law No. 140-IX of October 02, 2019}

~~2. Authorized persons of the National Agency have the right to:~~

~~unhindered access to the premises of government authorities, authorities of the Autonomous Republic of Crimea and local self-government authorities upon presentation of an employee ID card, and access to documents or other materials as may be necessary to conduct inspections;~~

~~*{Additionally, for amendments to paragraph 2, Part 2, Article 13, see Law No. 140-IX of October 02, 2019}*~~

~~demand any necessary documents or other information in connection with the exercise of their powers, subject to the restrictions established by law;~~

~~*{Additionally, for amendments to paragraph 3, Part 2, Article 13, see in Law No. 140-IX of October 02, 2019}*~~

~~obtain, within their purview, written clarifications from officers and officials of government authorities, authorities of the Autonomous Republic of Crimea and local self-government;~~

~~draw up, according to the allocation of responsibilities, reports of administrative offenses in cases within the purview of the National Agency;~~

~~represent the National Agency in the courts, in the manner stipulated by law;~~

~~carry out inspections on the issues assigned by this Law to the powers of the National Agency. The division of responsibilities for carrying out inspections between authorized persons of the National Agency is carried out automatically in accordance with the procedure established by the Chairman of the National Agency.~~

~~*{Part 2, Article 13 supplemented with paragraph seven according to the Law No. 140-IX of October 02, 2019}*~~

3. Unless the National Agency authorizes its persons otherwise, they may not be members of commissions, committees or other bodies constituted by the government authorities or local self-government.

4. The Chairman, Deputy Chairman of the National Agency, officials and employees of its staff are prohibited from disclosing classified information acquired in connection with the performance of their official duties, except in cases established by this Law.

{Part 4, Article 13 as amended according to the Law No. 140-IX of October 02, 2019}

Article 13-1. Authorized Units (Authorized Persons) for Prevention and Detection of Corruption

1. For the purpose of organizing and carrying out measures for prevention and detection of corruption stipulated by this Law, authorized units (authorized persons) for the prevention and detection of corruption are established (determined).

Authorized units (authorized persons) for the prevention and detection of corruption are established (determined) at:

the Office of the President of Ukraine, the Apparatus of the Verkhovna Rada of Ukraine, the Secretariat of the Cabinet of Ministers of Ukraine, the Secretariat of the Ombudsman of Ukraine;

the apparatus of the National Security and Defense Council of Ukraine, the Accounting Chamber, the Supreme Court, the Supreme Anticorruption Court, the Constitutional Court of Ukraine, the National Bank of Ukraine, the Deposit Guarantee Fund; the secretariats of the High Council of Justice, the High Qualifications Commission of Judges of Ukraine;

the apparatus and territorial bodies of Ministries, other central executive bodies, other state bodies whose jurisdiction extends to the whole territory of Ukraine (except the National Anti-Corruption Bureau of Ukraine, the National Agency);

the apparatus of the Council of Ministers of the Autonomous Republic of Crimea, apparatus of executive bodies of the Autonomous Republic of Crimea;

the regional, Kyiv and Sevastopol city, district, district state administrations in the city of Kyiv;

the Apparatus of the Verkhovna Rada of the Autonomous Republic of Crimea, regional, district, city councils, the Sevastopol City Council, the Secretariat of the Kyiv City Council;

enterprises, institutions and organizations managed by a state body (except for legal entities where anti-corruption programs are approved in accordance with this Law);

state trust funds.

~~2. Main Tasks of the Authorized Units (Authorized Person):~~

~~1) development, organization and control over the implementation of measures for the prevention of corruption and corruption-related offenses;~~

~~2) organization of assessment of corruption risks in the activity of the respective body, preparation of measures for their elimination, submission of the relevant proposals to the head of such body;~~

~~3) providing methodological and advisory assistance on compliance with the anti-corruption legislation;~~

~~4) implementation of measures to identify conflict of interest, facilitate its resolution, informing the head of the relevant body and the National Agency on conflict of interest identification and measures taken to resolve it;~~

~~5) verification of the fact of submission of declarations by the subjects and notification of the National Agency on cases of non-submission or untimely submission of such declarations in the order determined in accordance with this Law;~~

~~6) exercising control over the observance of anti-corruption legislation, including consideration of reports of violations of the requirements of this Law, including at subordinate enterprises, institutions and organizations;~~

~~7) ensuring protection of employees who have reported violations of the requirements of this Law from the negative influence by the manager or employer in accordance with the legislation on protection of whistleblowers;~~

~~8) informing the head of the relevant body, the National Agency or other specially authorized entities on combating corruption about the facts of violation of legislation on preventing and combating corruption.~~

3. The head of the authorized unit (authorized person) is accountable to and under the control of the head of the relevant state or local self-government body.

The head of the relevant state or local government body guarantees the independence of the authorized unit (authorized person) from influence or interference with their work.

4. The head of the authorized unit (authorized person) of a state body whose jurisdiction extends to the whole territory of Ukraine may be dismissed on the initiative of the head, subject to the consent of the National Agency.

The consent of the National Agency shall be provided for the purpose of clarifying the circumstances provided for in Part 3, Article 53 of this Law.

5. The National Agency shall approve the Model Regulations on the Authorized Unit (Authorized Person) and the procedure for granting permission for dismissal of the head of the authorized unit (authorized person).

The National Agency shall establish mandatory requirements for the minimum staffing of the authorized unit in state bodies.

{This Law supplemented with Article 13-1 according to the Law No. 140-IX of October 02, 2019}

Article 14. Supervision over the National Agency

1. The National Agency's budget spending shall be controlled by the Accounting Chamber through an audit of the Commission once every two years.

2. Civil control over the activities of the National Agency is ensured through the Public Council of the Commission, which consists of 15 people and is formed according to results of open and transparent competition.

The selective competition for formation of membership of the Public Council of the National Agency shall be conducted by open rating internet voting of citizens residing in the territory of Ukraine in the order established by the Cabinet of Ministers of Ukraine.

Applications for participation in the competition to form the Public Council at the National Agency are submitted by public associations that have been active in preventing and/or combating corruption for at least two years and have confirmed the projects they have implemented (hereinafter – public associations).

A public association may submit no more than three nominations to participate in the competition, taking into account all applications submitted by affiliated public associations. Affiliates are public associations that have common founders or some of whose founders are closely related.

Membership of the Public Council at the National Agency may not include persons:

- 1) referred to in Clause 1, Sub-Clause "a" of Clause 2, Part 1, Article 3 of this Law;
- 2) who have been employees of the National Agency in the last three years irrespective of the duration;
- 3) whose close relatives have been employees of the National Agency in the last three years irrespective of the duration.

Public Council at the National Agency is valid if it consists of at least nine persons. The term of authority of the Public Council is two years. The Regulation on the Public Council of the National Agency is approved by the Cabinet of Ministers of Ukraine.

3. The National Council at the National Agency:

1) elects up to three representatives from among its membership to become members of each of:

the commissions that hold vacancies in the National Agency;

the disciplinary commissions that carry out disciplinary proceedings against civil servants of the National Agency;

2) hears information on the activities, implementation of plans and tasks of the National Agency, monitors the effectiveness of implementation by the National Agency of its powers;

3) analyzes the situation with independence of the National Agency;

4) reviews and approves the National Agency's annual report;

5) reviews and approves the draft national report on implementation of the principles of anti-corruption policy;

6) participates in the development of the anti-corruption strategy and the state program for its implementation;

7) participates in the development of draft regulatory legal acts of the National Agency, and draws conclusions about them;

8) exercises other powers provided for in the Regulation on the Public Council of the National Agency.

4. An external independent evaluation of the National Agency's performance is conducted every two years.

The evaluation is conducted by the Independent Performance Review Commission of the National Agency (hereinafter referred to as the Commission) composed of three persons appointed by the Cabinet of Ministers of Ukraine based on proposals of donors who have been providing international technical assistance to Ukraine in preventing and combating corruption for the last two years prior to the assessment.

The selection of donors and the submission of proposals for candidates to the Commission shall be made in accordance with Article 6 of this Law.

Prior to the formation of the Commission, the Cabinet of Ministers of Ukraine approves and promulgates the criteria and methodology for evaluating the performance of the National Agency's activities.

The members of the Commission act independently and do not have to comply with any orders or instructions.

The decision of the Commission to approve the National Agency's performance evaluation report shall be deemed passed if all members of the Commission have voted in favor.

The National Agency's performance evaluation report shall be published on the official website of the Cabinet of Ministers of Ukraine within five days of its approval.

In order to carry out the evaluation, the members of the Commission are entitled to:

1) access information and documents held by the National Agency (including restricted information);

2) conduct confidential interviews with employees of the National Agency, employees of other state bodies, as well as other persons who possess the information (documents) necessary to carry out the evaluation;

3) contact the public authorities, any natural or legal persons with a request for clarification, documents or information necessary for the assessment;

4) use the help of assistants. Assistants are obliged to provide protection and non-disclosure of personal data, restricted information that became known to them in the course of performing their respective duties.

Members of the Commission shall ensure the protection and non-disclosure of personal data, restricted information that became known to them in the course of exercising their powers.

The Secretariat of the Cabinet of Ministers of Ukraine provides organizational and technical support for the activities of the Commission. The activities of the Commission and its members, including the secretariat set up to assist in their activities, may be financed through the involvement of international technical assistance.

5. The National Agency prepares annual reports on its activities. The report of the National Agency is submitted to the Public Council for approval at the National Agency, which reviews the report within two weeks of submission.

The National Agency shall publish the annual report no later than April 15 on its official website together with the opinion of the Public Council (if the opinion is approved within the prescribed time).

The National Agency's annual report should include the following information:

1) indicators of its performance and results of their achievement, determined by the National Agency;

2) statistics on the results of activities of the National Agency, including data on:

the number of violations of this Law, the Law of Ukraine "On Political Parties in Ukraine";

the number of reports on administrative offenses drawn up by authorized persons of the National Agency and the results of their consideration;

the number of orders issued by the National Agency, materials sent about violations of law to law enforcement and other bodies, the results of their consideration;

results of appeals of the National Agency to court with claims (statements) in accordance with the law;

disciplinary penalties imposed on employees of the National Agency;

3) the results of activities of the internal control unit and the anti-corruption unit of the National Agency;

4) information about interaction with other state bodies, local self-government bodies, enterprises, institutions and organizations;

5) information on cooperation with competent authorities of foreign states, international and foreign organizations;

6) the number of employees of the National Agency, their qualifications and experience, their advanced training;

7) staffing list and estimate of the National Agency, its implementation;

8) other information concerning results of the activities of the National Agency.

{Article 14 as amended according to the Law No. 140-IX of October 02, 2019}

Article 15. Social security of the Chairman, Deputy Chairman of the National Agency and the staff of the National Agency apparatus

{Title of Article 15 in the wording according to the Law No. 140-IX of October 02, 2019}

1. The Chairman, Deputy Chairman of the National Agency, and employees of the National Agency shall have compulsory state social insurance in accordance with compulsory state social insurance legislation.

{Part 1, Article 15 as amended according to the Law No. 77-VIII of December 28, 2014; as amended according to the Law No. 140-IX of October 02, 2019}

2. In the event of the death of the Chairman, Deputy Chairman of the National Agency in the course of performance of his/her official duties, the family of the deceased and, if there is no immediate family, the deceased's parents and dependents shall receive one-time financial assistance in the amount of ten years' wages earned by the deceased in the last position he/she held, in accordance with the procedure and terms stipulated by the Cabinet of Ministers of Ukraine. The family of the deceased shall retain the right to receive housing.

{Part 2, Article 15 as amended according to the Law No. 140-IX of October 02, 2019}

{Part 3, Article 15 removed according to the Law No. 77-VIII of December 28, 2014}

4. Damage done to the property of the Chairman, Deputy Chairman or employee of the National Agency or the property of their close relatives in connection with performance of official duties shall be reimbursed in full from the state budget of Ukraine, with subsequent recourse of this amount from the culpable individuals in the manner as stipulated by law.

{Part 4, Article 15 as amended according to the Law No. 140-IX of October 02, 2019}

Article 16. Remuneration of the Chairman, Deputy Chairman and staff of the National Agency

{Title of Article 16 in the wording according to the Law No. 140-IX of October 02, 2019}

1. Salaries of the Chairman, Deputy Chairman and staff of the National Agency shall be of a sufficient financial level to provide for the proper performance of their duties considering the nature, intensity and danger of their work, to ensure recruitment and consolidation of

qualified personnel in the Agency's staff, encourage achievement of high results in official activities, and compensate the costs of the intellectual efforts of workers.

{Part 1, Article 16 as amended according to the Law No. 140-IX of October 02, 2019}

2. Salaries of the Chairman, Deputy Chairman and staff of the National Agency consist of a base salary, long service bonuses, bonuses for rank, and bonuses and other allowances as stipulated by civil service legislation.

The following rates of the National Agency staff are established in accordance with the amount of the subsistence minimum for able-bodied persons set as of January 1 of the calendar year:

Chairman of the National Agency – 40;

Deputy Chairman of the National Agency, Chief of Staff of the National Agency – 30;

Head of territorial body of the National Agency, Deputy Chief of Staff of the National Agency, head of the Internal Control Unit – 25;

Deputy head of the territorial body of the National Agency, Head of independent structural unit of the apparatus of the National Agency, Deputy Head of the Internal Control Unit – 20.

The salary of other employees of the National Agency is twice the amount of salary established by the Cabinet of Ministers of Ukraine for employees holding relevant positions in central executive bodies.

The salary of the authorized persons of the National Agency is set at a factor of 1.5 (except for the Chairman, Deputy Chairman of the National Agency).

{Part 2, Article 16 as amended according to the Law No. 1774-VIII of December 06, 2016; in the wording according to the Law No. 140-IX of October 02, 2019}

3. Long-service bonuses, bonuses for rank, bonuses and other allowances shall be paid to the Chairman, Deputy Chairman and civil servants of the National Agency according to the Law of Ukraine *On Civil Service* subject to the provisions of this Law.

The amount of monthly remuneration of the Chairman, the Deputy Chairman of the National Agency may not exceed 50 percent of their salary.

{Part 3, Article 16 as amended according to the Law No. 140-IX of October 02, 2019}

Article 17. Financial and logistical support of the National Agency

1. Financial support of the National Agency shall be secured from the State Budget of Ukraine. Financing of the National Agency through any other sources is prohibited, except in cases envisioned by international treaties of Ukraine or projects of international technical assistance.

2. Expenditures for financing the National Agency shall be determined in the State Budget of Ukraine as a separate line at a level sufficient to ensure the proper exercise of the powers by the Commission.

The Chairman of the National Agency represents the position of the Commission on issues of its financing at meetings of the Cabinet of Ministers of Ukraine, committees or in plenary sessions of the Verkhovna Rada of Ukraine.

3. The National Agency is the senior administrator of State Budget of Ukraine funds allocated for its financing.

Expenses for activities of the National Agency shall include funds for awareness campaigns and training on corruption prevention and countering.

4. The National Agency shall be supplied with all the necessary materials, equipment and other assets to carry out its official duties.

Article 17-1. Internal Control Unit, Corruption Prevention Unit of the National Agency

1. To ensure the integrity of the National Agency and enforcement of this Law in the National Agency, the internal control unit is established. By decision of the Chairman of the National Agency, internal control units may be established within the territorial bodies of the National Agency.

2. The procedure of operation and powers of the Internal Control Units shall be determined by a provision approved by the Chairman of the National Agency. The Chairman of the National Agency appoints and dismisses the head and employees of the Internal Control Unit. Internal Control Units report directly to the Chairman of the National Agency.

3. Internal Control Unit of the National Agency shall:

1) monitor and control the National Agency employees' compliance with acts of legislation on ethical conduct, prevention and settlement of conflicts of interest, other requirements, restrictions and prohibitions stipulated by this Law;

2) control the timeliness of filing and full verification of the declarations of persons authorized to perform the functions of the state or local government, submitted by the employees of the National Agency, in the manner determined by the Chairman of the National Agency;

3) conduct integrity checks of employees of the National Agency and monitoring of their lifestyle in accordance with the procedure established by the Chairman of the National Agency;

4) check the information contained in the appeals of natural or legal persons, mass media, other sources, including those received through a special telephone line, an Internet page, electronic communications of the National Agency, regarding the involvement of employees of the National Agency in committing offenses;

5) conduct official investigations into the employees of the National Agency;

6) conduct special reviews regarding the persons applying for positions in the National Agency;

7) take measures to protect employees of the National Agency reporting illegal acts or inaction of other employees of the National Agency;

8) exercise other powers specified in the Regulations on the Internal Control Unit of the National Agency.

4. An employee of the National Agency who has become aware of the illegal acts or omissions of another employee of the National Agency shall immediately inform the Chairman of the National Agency and the Internal Control Unit of the National Agency.

5. The National Agency has a Corruption Prevention Unit, the Regulations on which are approved by the Chairman of the National Agency.

National Agency's Corruption Prevention Unit shall:

1) advise employees of the National Agency on compliance with the requirements of the legislation on ethical behavior, prevention and settlement of conflicts of interest, other requirements, restrictions and prohibitions provided by this Law;

2) organize the assessment of corruption risks in the activities of the National Agency, prepare measures for their elimination and take other measures aimed at preventing the corruption and corruption-related offenses by the employees of the National Agency;

3) develop and provide implementation of the National Agency's anti-corruption program;

4) exercise other powers specified in the Regulation on the Corruption Prevention Unit of the National Agency.

{Section II supplemented with Article 17-1 according to the Law No. 140-IX of October 02, 2019}

Section III

DEVELOPMENT AND IMPLEMENTATION OF THE ANTI-CORRUPTION POLICY

Article 18. Anti-corruption policy

1. The rudiments of the anti-corruption policy (Anti-Corruption Strategy) shall be determined by the Verkhovna Rada of Ukraine.

2. On an annual basis by June 1, the Parliament of Ukraine shall hold hearings on the state of corruption, approve and publish an annual report on the implementation of the anti-corruption policy.

3. The draft Anti-Corruption Strategy is prepared by the National Agency based on the state of corruption analysis and results of previous Anti-Corruption Strategy implementation.

4. The Anti-Corruption Strategy shall be implemented through fulfilment of the state target program, which is drafted by the National Agency and approved by the Cabinet of Ministers of Ukraine.

Heads of government authorities shall be personally responsible for ensuring the completion of the State program of Anti-Corruption Strategy implementation.

5. The state target program to implement the Anti-Corruption Strategy is subject to annual review, taking into account the results of implementation of these measures, and also the conclusions and recommendations of parliamentary hearings on the situation with corruption.

Article 19. Anti-corruption programs

1. Anti-corruption programs shall be adopted in:

the Administration of the President of Ukraine, Verkhovna Rada of Ukraine Staff, the Secretariat of the Cabinet of Ministers of Ukraine, the Secretariat of the Commissioner on Human Rights of the Verkhovna Rada of Ukraine, the Prosecutor General's Office of Ukraine, the Security Service of Ukraine, the Accounting Chamber of Ukraine, the National Bank of Ukraine, ministries and other central executive authorities, regional, Kyiv and Sevastopol city state administrations, targeted public trust funds – through approval by their supervisors;

the National Security and Defense Council of Ukraine Staff – through approval by the Secretary of the National Security and Defense Council of Ukraine;

the National Bank of Ukraine – through approval by its Management Board;

{The fourth paragraph of Part One, Article 19 as amended according to the Law No. 576-VIII of July 02, 2015}

the Accounting Chamber, the Central Election Commission, the High Council of Justice, the Supreme Rada of the Autonomous Republic of Crimea, regional councils, Kyiv and Sevastopol city councils, the Council of Ministers of the Autonomous Republic of Crimea – through approval by the decisions of these authorities.

{The paragraph 5, Part 1, Article 19 as amended according to the Laws No. 576-VIII of July 02, 2015, No. 1798-VIII of December 21, 2016}

Anti-corruption programs shall be approved by the National Agency.

2. Anti-corruption programs shall envision:

the definition of the rudiments of general departmental policy for the prevention and combating of corruption in the relevant field, as well as for implementing the anti-corruption strategy and the State anti-corruption program;

assessment of corruption risks in activities of an authority, institution or organization, and the causes and conditions which facilitate them;

measures to eliminate the identified corruption risks, persons responsible for their implementation, terms and resources required;

education and measures to disseminate information on targeted anti-corruption programs;

procedures for monitoring, evaluation of implementation and periodic review of programs;

other measures aimed at preventing corruption and corruption-related offenses.

Article 20. National report on implementation of the rudiments of the anti-corruption policy

1. The National Agency shall prepare a draft annual national report on implementation of the rudiments of the anti-corruption policy, to be submitted to the Cabinet of Ministers of Ukraine by no later than April 1.

2. The annual report on implementation of the rudiments of the anti-corruption policy shall contain the following information:

1) statistics on results of the performance of specially authorized anti-corruption bodies, together with an obligatory indication of the following data:

a) the number of statements of corruption or corruption-related offenses registered by each specially authorized anti-corruption body;

b) the number of operative and detective cases initiated by specially authorized anti-corruption bodies;

c) the number of persons against whom indictments were prepared in connection with the criminal corruption and corruption-related offenses they committed, as well as on the commission of administrative corruption-related offenses;

d) the number of persons with an effective court conviction for criminal corruption or corruption-related offenses they committed and those who were held administratively liable for corruption-related offenses;

e) the number of persons acquitted on the corresponding offenses they committed and regarding whom relevant administrative proceedings were terminated without the imposition of penalties;

f) information individually by categories of persons referred to in Part One, Article 3 of this Law and by liability types for corruption and corruption-related offenses;

g) the number of persons dismissed from office (work, service) in connection with prosecution for corruption or corruption-related offenses, as well as people who have been imposed the main/additional penalty of deprivation of the right to occupy certain positions or engage in certain activities;

h) information on the amount of damage caused by corruption and corruption-related offenses, the status and amount of reimbursement;

i) information about funds and other property obtained as a result of corruption or corruption-related offenses, forfeited upon the decision of a court, as well as funds in the amount of illicit services or benefits collected for the benefit of the state;

j) information about funds and other property obtained as a result of corruption or corruption-related offenses returned to Ukraine from abroad and their subsequent disposal;

k) information on the forfeiture of items and proceeds of criminal corruption offenses;

l) the number of proposals by the relevant authorities or officials to repeal legal acts and decisions issued (taken) as a result of the commission of a corruption offense, and the results of their consideration;

m) information about acts or decisions deemed illegal in court, as petitioned by an interested individual, association of individuals, legal entities, government authorities or local self-government, published (adopted) as a result of the commission of a corruption offense;

n) the number of requests to eliminate the causes and conditions that contributed to the commission of corruption and corruption-related offenses or failed to comply with anti-corruption laws;

o) information about cooperation with the relevant authorities of other states, international organizations and foreign non-governmental organizations and cooperation agreements signed with them;

p) information about cooperation with non-governmental organizations and the media;

q) information about the staff of specially authorized anti-corruption bodies, qualifications and experience of their employees, and improvement of their skills;

r) information about the activities of internal security units of specially authorized anti-corruption bodies; the number of reported offenses of their employees, the results of consideration of such reports, holding employees of internal security units liable;

s) size of funding of specially authorized anti-corruption bodies;

t) other information related to the performance by authorized anti-corruption bodies of their activities and fulfilment of their responsibilities;

2) summarized results of anti-corruption expert review of legal acts and draft legal acts;

3) results of the implementation of measures taken by public authorities to prevent and counter corruption, including those taken in the course of international cooperation;

4) summarized analysis of the state of corruption, which shall contain:

a) corruption factors, identified by government authorities, authorities of the Autonomous Republic of Crimea and local self-government in their activities, and measures they have taken to eliminate such factors;

b) results of sociological and analytical research of the corruption situation, performed by government authorities, authorities of the Autonomous Republic of Crimea, local self-government, international organizations and civil society associations;

c) the state of implementation of international legal obligations in the prevention and countering of corruption;

d) the impact of measures taken on the level of corruption, based on statistical data and sociological research;

5) report on the implementation of the Anti-Corruption Strategy;

6) conclusions and recommendations.

3. By no later than February 15, specially authorized anti-corruption bodies, other government authorities, authorities of the Autonomous Republic of Crimea and local self-government shall submit information to the National Agency as required to prepare a national report on implementation of the rudiments of the anti-corruption policy.

4. On an annual basis by no later than April 15, the Cabinet of Ministers of Ukraine shall review and approve a draft national report on implementation of the rudiments of the anti-corruption policy, which shall be sent to the Verkhovna Rada of Ukraine within ten working days from the date of its approval.

5. The national report on implementation of the rudiments of the anti-corruption policy shall be published on the official website of the Verkhovna Rada of Ukraine.

Article 21. Participation of the public in corruption prevention measures

1. Civil society associations, their members or authorized representatives and individuals in their corruption prevention activity have the right to:

1) report discovered facts of committed corruption or corruption-related offenses, real and potential conflicts of interest to specially authorized anti-corruption bodies, to the National Agency on Corruption Prevention, management or other representatives of the authority, institution or organization where these offenses have been committed or employees of the authority, institution or organization have a conflict of interest, and also to the public;

2) request and receive information about corruption prevention activities from government authorities, authorities of the Autonomous Republic of Crimea and local self-government, in the manner stipulated by the Law of Ukraine *On Access to Public Information*;

3) perform or order the performance of a public anti-corruption expert review of legal acts and draft legal acts and, as a result of such expert review, submit proposals to the relevant authorities and receive information from the relevant authorities about consideration of such proposals;

4) participate in parliamentary hearings and other events on corruption prevention;

5) make proposals to bodies empowered with legislative initiative to improve the legal regulation of relations arising in corruption prevention;

6) perform or order the performance of research, including scientific, sociological and other research into corruption prevention issues;

7) conduct events to inform the public about corruption prevention;

8) exercise public control over the implementation of corruption prevention laws by using such forms of control which are not contrary to law;

9) perform other activities to prevent corruption which are not prohibited by law.

2. A civil society group, individual or legal entity shall not be denied access to information concerning the competence of bodies that perform corruption prevention measures or the main areas of their activities. This information is provided in the manner stipulated by law.

3. Draft laws and other draft legal acts which provide for the granting of benefits and advantages to specific entrepreneurial entities, as well as the delegation of powers of government authorities, authorities of the Autonomous Republic of Crimea or local self-government for the purpose of their public discussion shall be immediately posted on the

official website of the corresponding authorities, but no later than 20 working days prior to their consideration with a view to adoption.

4. State authorities, authorities of the Autonomous Republic of Crimea and local self-government shall summarize the results of the public discussion of draft laws and other draft legal acts referred to in Part Three of this Article and publish them on their websites.

Section IV

PREVENTION OF CORRUPTION AND CORRUPTION-RELATED OFFENSES

Article 22. Restrictions on use of official powers or position

1. Persons referred to in Part One, Article 3 of this Law shall be prohibited from using their official powers or position and associated opportunities to obtain an unlawful benefit for themselves or others including use of state or communal property or funds for their personal interest.

Article 23. Restrictions on receiving gifts

1. Persons referred to in Clauses 1, 2 of Part One, Article 3 of this Law shall be prohibited from demanding, requesting or receiving gifts for themselves or close persons from legal entities or individuals:

1) in connection with the performance by such persons of activities connected with the functions of government or local self-government;

2) if the person who providing a gift is a subordinate to that person.

2. Persons mentioned in Clauses 1, 2 of Part One, Article 3 of this Law may accept gifts which meet generally accepted notions of hospitality, except as provided by Part One of this Article, if the value of such gifts does not exceed the subsistence income for able-bodied persons, established as of the date when the gift was received, it was accepted once, and the aggregate value of gifts received from one person (group of persons) within the year does not exceed two living wages established for able-bodied persons as of January 1 of the year when the gift was accepted.

{The paragraph one, Part 2, Article 23 as amended according to the Laws No. 198-VIII of February 12, 2015, No. 1774-VIII of December 06, 2016}

The restriction on the value of a gift stipulated by this part shall not apply to gifts which are:

1) given to close persons;

2) received as public discounts for products, services, publicly available benefits, prizes, rewards and bonuses.

3. Gifts received by the persons referred to in Clauses 1, 2 of Part One, Article 3 of this Law in the capacity of gifts to the State, the Autonomous Republic of Crimea, local community, government or municipal enterprises, institutions or organizations shall be recognized as government or municipal property and transferred to the authority, enterprise, institution or organization in accordance with a procedure determined by the Cabinet of Ministers of Ukraine.

4. Decisions taken by a person referred to in Clauses 1, 2 of Part One, Article 3 of this Law in favor of a person who has given a gift to him/her or his/her close persons shall be seen as decisions taken under conditions of a conflict of interest and provisions of Article 67 of this Law shall be applied to such decisions.

Article 24. Preventing the receipt of unlawful benefit or gifts and the handling thereof

1. Persons authorized to perform the functions of government or local self-government, or persons equated to them, if they are offered an unlawful benefit or gift, regardless of private interests, shall immediately take the following steps:

- 1) reject the offer;
- 2) identify, where possible, the person who made the offer;
- 3) involve witnesses, if possible, including from among employees;

4) notify the immediate supervisor (if any) in writing about the offer or the head of the respective authority, entity, institution or organization, and one of the specially authorized anti-corruption bodies stipulated by this Law.

2. If a person subject to the restrictions on the use of their official position and on the receipt of gifts has discovered in his/her office property or has received property which may be an unlawful benefit or gift, he/she shall promptly, but no later than within one business day, notify his/her immediate supervisor in writing or the head of the respective authority, enterprise, institution or organization about such fact.

Upon discovery of property which may be an unlawful benefit, a written act shall be prepared and signed by the person who discovered the unlawful benefit or gift, and by his/her immediate supervisor or head of the authority, enterprise, institution or organization.

If the property which may be an unlawful benefit or gift is discovered by a person who is the head of the body, enterprise, institution or organization, an act on discovery of the property which may be an unlawful benefit or gift shall be signed by such person and the person authorized to perform the functions of the head of the respective authority, enterprise, institution or organization in the head's absence.

3. Items of unlawful benefit and received or discovered gifts shall be stored at the respective authority before they are transferred to the specially authorized anti-corruption bodies.

4. Provisions of this Article shall not apply to cases of receipt of a gift under the circumstances provided for by Part Two, Article 23 of this Law.

5. If a person referred to in Clauses 1 and 2 of Part One, Article 3 of this Law has doubts about the possibility of receiving a gift, he/she may seek advice on the matter by writing to the National Agency, which shall provide an appropriate explanation.

{Part 5, Article 24 as amended according to the Law No. 140-IX of October 02, 2019}

Article 25. Restrictions on other part-time activities

1. Persons referred to in Clause 1 of Part One, Article 3 of this Law are prohibited from:

1) engaging in any other paid (other than teaching, research and creative activity, medical practice, instruction and judicial practice in sports) or entrepreneurial activities, unless otherwise stipulated by the Constitution or laws of Ukraine;

2) becoming a member of the board, other executive or supervisory bodies or supervisory board of a company or organization that seeks profit (unless the person carrying out the functions of management of shares owned by the state or territorial community and represents the interests of the state or territorial community on the board (supervisory board)) or audit committee of the business organization, unless otherwise stipulated by the Constitution and laws of Ukraine.

2. The limitation stipulated by Part One of this Article shall not apply to members of the Verkhovna Rada of the Autonomous Republic of Crimea, local deputies (except those who exercise their authority in the respective council on a regular basis) or jurors.

{Part 2, Article 25 as amended according to the Law No. 1798-VIII of December 21, 2016}

Article 26. Restrictions after termination of activities connected with the functions of government or local self-government

1. Persons authorized to perform the functions of government or local self-government referred to in Clause 1 of Part One of the Article 3 of this Law, who resigned or otherwise terminated the activities connected with the functions of government or local self-government, shall be prohibited from:

1) within one year from the date of termination of the relevant activities, entering into employment agreements (contracts) or performing transactions in business with legal entities of private law and natural persons – entrepreneurs if the persons referred to in the first paragraph of this part, within one year of termination of the functions of government or local self-government powers on control, supervision, preparation or decisions-making on the activities of these legal entities or natural persons – entrepreneurs;

2) disclosing or otherwise using for their interests information that becomes known to them in connection with the performance of official duties, except for cases stipulated by law;

3) within one year from the date of termination of the relevant activities, representing the interests of any person in the cases (including those heard in courts) where another party is an authority, enterprise, institution or organization, where they had been working at the time of termination of their mentioned activities.

2. Violation of restrictions on entering into employment agreements (contracts), as stipulated under Clause 1 of Part One of this Article shall serve as grounds for termination of such contract.

Business transactions committed in violation of Clause 1 of Part One of this Article may be invalidated.

If the National Agency detects violations referred to in Part One of this Article, it shall appeal to the court for termination of the employment agreement (contract) and to find the transaction null and void.

Article 27. Restrictions on joint work with close persons

1. Persons mentioned in Sub-Clauses “a”, “c” – “h” of Clause 1, Part One, Article 3 of this Law may not have in their direct subordination close persons or be directly subordinated to close persons in connection with carrying out official powers.

Persons applying for the positions referred to in Sub-Clauses “a”, “c” – “h” of Clause 1, Part One, Article 3 of this Law are obliged to notify the management of the authority where they seek the position about close persons working at this authority.

The provisions of the first and second paragraphs of this Part shall not apply to:

1) people’s assessors and jurors;

2) close persons who are directly subordinated to each other in connection with one of them acquiring the status of an elected person;

3) persons who work in rural areas (except regional centers) and mountain towns.

2. In the event of circumstances that violate the requirements of Part One of this Article, the respective persons or persons close to them shall take steps to eliminate such circumstances within fifteen days.

If during this period the circumstances are not voluntarily eliminated, the respective person or persons close to them shall, within one month from the occurrence of the circumstances, be transferred in accordance with the established procedure to another position which eliminates issues of direct subordination.

If it is impossible to perform such a transfer, the person who is in subordination shall be dismissed.

Section V

PREVENTION AND RESOLUTION OF A CONFLICT OF INTEREST

Article 28. Prevention and resolution of a conflict of interest

1. Persons referred to in Clauses 1 and 2, Part One, Article 3 of this Law shall:

1) take measures to prevent the occurrence of a real or potential conflict of interest;

2) report – no later than the next business day from the date when the person found out or should have found out about a real or potential conflict of interest – to their immediate supervisor and, if the person holds a position that does not provide for having an immediate supervisor or a position in a collective body – report to the National Agency or other authority or a collective body determined by the law, where the conflict of interest occurred while exercising powers;

3) not take any actions and not make decisions under the conditions of a real conflict of interest;

4) take measures to address a real or potential conflict of interest.

2. Persons authorized to perform the functions of government or local self-government may not in any way, directly or indirectly, encourage their subordinates to make decisions, take actions or refrain from actions that violate the law and benefit their private interests or the private interests of third parties.

3. The immediate supervisor or the supervisor of an authority which has the powers to dismiss/initiate dismissal from a position within two business days after receiving notice that his/her subordinate has a real or potential conflict of interest shall make a decision to resolve the conflict of interest, and report to the respective person to this effect.

When the National Agency receives notice from a person about the presence of a real or potential conflict of interest, it shall explain, within seven working days, to the reporting person the procedure for his/her actions to resolve the conflict of interest.

4. The immediate supervisor or the supervisor of an authority who has the powers to dismiss/initiate dismissal from a position, who became aware of the conflict of interest of his/her subordinate person, shall take steps, in accordance with this Law, to prevent and resolve the conflict of interest of such person.

5. If a person doubts whether he/she has a conflict of interest, he/she shall seek an clarification at the National Agency. If the person did not receive confirmation about the absence of a conflict of interest, he/she shall act in accordance with the requirements set out in this Section of the Law.

{Part 5, Article 28 as amended according to the Law No. 140-IX of October 02, 2019}

6. If a person has received confirmation about the absence of a conflict of interest, he/she shall be exempted from liability even if it later transpired that there had been a conflict of interest in actions regarding which he/she sought clarification.

7. Laws and other legal acts that define the powers of government authorities, authorities of the Autonomous Republic of Crimea and local self-government authorities, and the procedure governing provision of certain types of state services and other activities related to the functions of government and local self-government need to provide for a procedure and ways to resolve the conflict of interest of officials whose activities they regulate.

Article 29. Measures of external resolution and self-resolution of a conflict of interest

1. A conflict of interest shall be resolved externally by:

1) suspension of a person from fulfilling the task, performing actions, making decisions or participation in making decisions under the conditions of a real or potential conflict of interest;

2) use of external monitoring to control how a person fulfils a certain task, performs certain actions or makes decisions;

3) restricting a person's access to certain information;

4) reviewing the scope of a person's official powers;

5) reassignment of a person to another position;

6) discharge of a person.

2. Persons referred to in Clauses 1 and 2 of Part One, Article 3 of this Act, who have an actual or potential conflict of interest, can independently take steps to resolve it by eliminating the respective private interest and providing documents that prove it to their immediate supervisor or the supervisor of an authority which has the powers to dismiss/initiate dismissal from a position.

Elimination of a private interest shall exclude any possibility of its concealment.

Article 30. Suspension from fulfilling a task, performing actions, decision-making or participating in decision-making

1. A person authorized to perform the functions of government or local self-government, or other similar person is suspended from fulfilling a task, performing actions, decision-making or participating in decision making in the conditions of a real or potential conflict of interest by decision of the head of the relevant body, enterprise, institution or organization, in cases where the conflict of interest does not have a permanent nature and given the fact there is a possibility of involving other employees of the respective authority, enterprise, institution or organization in making such a decision or taking respective actions.

2. A person authorized to perform the functions of government or local self-government, or other similar person shall be suspended from fulfilling a task, performing actions, decision-making or participating in decision making in the conditions of a real or potential conflict of interest, as well as involving other employees of the respective agency, enterprise, institution or organization in such decision-making or taking respective actions, by decision of the head of the agency or respective structural subdivision, for which the person works.

Article 31. Restricting access to information

1. Access of a person authorized to perform the functions of government or local self-government, or other similar person to certain information is restricted by decision of the head of the agency or respective structural subdivision for which the person works, in instances where the conflict of interest is associated with such access and is of a constant nature, as well as if there is a possibility for the person to continue proper execution of their authority under such restriction, and if there is a possibility to commission another employee of the agency, enterprise, institution or organization, with work involving certain information.

Article 32. Reviewing the scope of official powers

1. The scope of official powers of a person authorized to perform the functions of government or local self-government, or other similar person is reviewed by decision of the head of the agency, enterprise, institution, organization or respective structural subdivision for

which the person works if a conflict of interest in its activities is of a permanent nature related to the specific authority of the person and given the possibility for the person to continue proper performance of her/his official tasks under such review, and in the event another employee is vested with the respective authority.

Article 33. Exercising powers under external control

1. A person authorized to perform the functions of government or local self-government, or other similar person, exercises official powers under external control, if suspension of the person from fulfilling a task, performing actions, decision-making or participating in decision-making under a real or potential conflict of interest, restricting a person's access to information or reviewing its powers are impossible and there is no reason for their reassignment to another position or their discharge.

2. External control is carried out in the following forms:

1) inspection by an employee, appointed by the head of the agency, enterprise, institution or organization, of the status and results of performing tasks, taking actions, content of the decisions or draft decisions, that are made or are being developed by the person or respective collective agency on issues related to the conflict of interest;

2) performance of tasks, taking actions, considering cases, drafting and making decisions by the person in the presence of an employee appointed by the head of the agency;

3) participation of the authorized person of the National Agency in the work of the collective body as an observer without voting rights.

3. A decision on the implementation of external control shall include an indication of the form of control, the employee authorized to administer control, as well as the duties of the person associated with the use of external control of his/her performance of respective tasks, actions or decision-making.

Article 34. Reassignment or discharge of a person due to a conflict of interest

1. A person authorized to perform the functions of government or local self-government, or other similar person is reassigned to another position due to the presence of a real or potential conflict of interest by decision of the head of the agency, enterprise, institution or organization if the conflict of interest in the activities of the person is of a permanent nature and cannot be resolved by suspending that person from fulfilling the task, taking actions, decision-making or participating in decision-making, restricting access of the person to information, reviewing their powers and functions, eliminating the private interest or, if there is a vacant position, that it has characteristics that correspond to the person's personal and professional qualities.

Reassignment to another position is possible only with the consent of the person authorized to perform the functions of government or local self-government, or equivalent persons.

2. A person authorized to perform the functions of government or local self-governments, other similar person is discharged from their positions in connection with a conflict of interest if the actual or potential conflict of interest in that person's activities is permanent and cannot be resolved by other means, including the absence of the person's consent to reassignment or eliminating the private interest.

~~Article 35. Peculiarities of resolving a conflict of interest arising in the activity of certain categories of persons authorized to perform the functions of government or local self-government~~

~~1. Rules for resolving a conflict of interest in the activities of the President of Ukraine, People's Deputies of Ukraine, members of the Cabinet of Ministers of Ukraine, heads of central executive bodies, which are not part of the Cabinet of Ministers of Ukraine, judges, judges of the Constitutional Court of Ukraine, the chairmen, vice chairmen of regional and~~

~~district councils, city, village, settlement heads, secretaries of city, village and settlement councils and deputies of local councils are determined by laws governing the status of the respective persons and the basis of the organization of the respective bodies.~~

~~{Part 1, Article 35 as amended according to the Law No. 1798-VIII of December 21, 2016}~~

~~2. In the event of a real or potential conflict of interest of a person authorized to perform the functions of government or local self-governments, or other similar person, who is part of a collective body (committee, commission, board, etc.), this person has no right to participate in the decision-making process of this body.~~

~~Any relevant member of the collegial body or participant of the meeting who is directly related to the question under consideration may state the conflict of interest of such person. A statement about a conflict of interest of a member of a collegial body shall be included in the minutes of the meeting of the collegial body.~~

~~If the non-participation in the decision-making process of an agency of a person authorized to perform the functions of government or local self-governments, or other similar person, who is a part of that collective body, results in loss of competence by this agency, the person's participation in decision-making should be subject to external controls. The respective collective agency makes the decision on exercising external control.~~

Article 36. Preventing a conflict of interest when a person owns enterprises or equity rights

1. Persons referred to in Clause 1, Sub-Clause "a" of Clause 2, Part One, Article 3 of this Law shall, within thirty days after appointment (election) to the position, transfer the management of enterprises and equity rights that she/he owns to another person in the manner prescribed by law.

In this case, the persons referred to in Clause 1, Sub-Clause "a" of Clause 2 of Part One, Article 3 of this Law shall not transfer the management of the enterprises and equity rights that they own to their family members.

2. Persons referred to in Clause 1, Sub-Clause "a" of Clause 2 of Part One, Article 3 of this Law shall transfer enterprises that they own, which were incorporated (founded) and their authorized capital formed as a unitary enterprise, by concluding a contract on property management with a business entity.

3. Persons referred to in Clause 1, Sub-Clause "a" of Clause 2 of Part One, Article 3 of this Law shall transfer their equity rights in one of the following ways:

1) conclusion of a contract on property management with a business entity (but not a contract on management of securities and other financial instruments);

2) conclusion of a contract on management of securities, other financial instruments and funds meant for investment in securities and other financial instruments, with a securities trader who is licensed by the National Securities and Stock Market Commission to manage securities;

3) conclusion of a contract on the establishment of a venture unit investment fund for managing transferred equity rights with an asset management company that is licensed by the National Securities and Stock Market Commission to conduct asset management activities.

Equity rights as payment of the cost of securities of a venture unit investment fund shall be transferred after registration by the National Securities and Stock Market Commission of the emission of the securities of such collective investment institution.

4. Persons referred to in Clause 1, Sub-Clause "a" of Clause 2 of Part One, Article 3 of this Law, may not conclude such contracts as mentioned in parts two and three of this Article

with business entities, securities traders and asset management companies, where family members of such persons are employed.

5. Persons referred to in Clause 1, Sub-Clause “a” of Clause 2 of Part One, Article 3 of this Law, appointed (elected) to their position, within one day after transferring the management of the enterprises and equity rights that they own, are required to notify the National Agency to this effect in writing and provide a notarized copy of the concluded contract.

6. The requirements of this Article shall not apply to:

1) persons who are independent members of the supervisory board of a state bank, state-owned enterprise, for-profit state-owned enterprise or organization, a company with more than 50 percent of authorized capital shares is owned by the state;

2) members of local councils (except those who exercise their powers in the relevant council on a permanent basis).

{Article 36 supplemented with Part 6 according to the Law No. 140-IX of October 02, 2019}

Section VI

RULES OF ETHICAL CONDUCT

Article 37. Conduct requirements of individuals

1. General requirements for the conduct of persons referred to in Clause 1, Sub-Clause “a” of Clause 2 of Part One, Article 3 of this Law, which they are obliged to follow when exercising their official or representative powers, and the grounds and procedure for bringing a person to account for a breach of these requirements are established by this Law, which shall represent the legal basis for the codes or standards of professional ethics.

2. The central executive body that shapes and implements the state anti-corruption policy approves the general rules of ethical conduct for government servants and self-government officials.

{The paragraph one, Part Two, Article 37 as amended according to the Law No. 889-VIII of December 10, 2015}

State authorities, authorities of the Autonomous Republic of Crimea and local self-government authorities, if necessary, develop and ensure compliance with industry codes or standards of ethical behavior for their employees and other persons authorized to perform the functions of government or local self-government, or persons similar to them who conduct activities in the sphere of their control.

Article 38. Compliance with the law and ethical norms of conduct

1. Persons referred to in Clause 1, Sub-Clause “a” of Clause 2 of Part One, Article 3 of this Law shall strictly comply with the law and generally accepted ethical standards of conduct, and be polite in their relations with citizens, supervisors, colleagues and subordinates while exercising their official powers.

Article 39. Priority of interests

1. Persons referred to in Clause 1 of Part One, Article 3 of this Law, when representing the state or territorial community, shall act solely in the interests of the state or territorial community.

Article 40. Political neutrality

1. Persons referred to in Clause 1, Sub-Clause “a” of Clause 2, Part One, Article 3 of this Law are required to be politically neutral, avoid demonstrations of their own political beliefs

or opinions in any form, not use official authority for the interests of political parties or branches, or individual politicians, while exercising their official powers.

2. The provisions of Part One of this Article shall not apply to elected persons and persons who hold political positions.

Article 41. Impartiality

1. Persons referred to in Clause 1, Sub-Clause “a” of Clause 2 of Part One, Article 3 of this Law shall act impartially, in spite of private interests, their personal attitude to any persons, their own political views, ideological, religious or other personal views or beliefs.

Article 42. Competence and efficiency

1. Persons referred to in Clause 1, Sub-Clause “a” of Clause 2 of Part One of Article 3 of this Law shall perform official functions and professional responsibilities, and implement decisions and instructions of the agencies and persons to which they are subordinate, accountable or under their control in good faith, competently, promptly, efficiently and responsibly, and shall not permit the abuse or inefficient use of government and municipal property.

Article 43. Non-disclosure of information

1. Persons referred to in Clause 1, Sub-Clause “a” of Clause 2 of Part One, Article 3 of this Law shall not disclose or use in any other way confidential and other information with restricted access, which has become known to them in connection with their official powers and professional obligations, except as required by law.

Article 44. Refraining from execution of illegal decisions or orders

1. Persons referred to in Clause 1, Sub-Clause “a” of Clause 2 of Part One, Article 3 of this Law, in spite of private interests, shall refrain from execution of decisions or orders of the administration, if they are against the law.

2. Persons referred to in Clause 1, Sub-Clause “a” of Clause 2 of Part One, Article 3 of this Law shall independently evaluate the lawfulness of decisions or orders provided by the administration and the possible harm that would be caused if such decisions or orders were executed.

3. If a person referred to in Clause 1, Sub-Clause “a” of Clause 2 of Part One, Article 3 of this Law receives decisions or orders to execute that the person regards as unlawful or threatening to legally protected rights, freedoms and interests of individual citizens, legal entities, state or public interests, the person shall immediately and in writing notify the head of the agency, enterprise, institution or organization, where he/she works, while elected persons shall notify the National Agency immediately and in writing.

Section VII

FINANCIAL CONTROL

Article 45. Submission of declarations of persons authorized to perform the functions of government or local self-government

1. Persons referred to in Clause 1, Sub-Clauses “a” and “c” of Clause 2, Part One, Article 3 of this Law are required, on an annual basis, before 1 April, through the official website of the National Agency, to file a declaration of a person authorized to perform the functions of government or local self-government (hereinafter – the Declaration) for the previous year in the form, as determined by the National Agency.

{Part One, Article 45 as amended according to the Laws No. 1975-VIII of March 23, 2017, No. 140-IX of October 02, 2019}

2. Persons referred to in Clause 1, Sub-Clauses “a” and “c” of Clause 2, Part One, Article 3 of this Law who terminate activity related to performance of the functions of

government or local self-government shall submit a declaration of a person authorized to perform the functions of government or local self-government for the period not covered by previously submitted declarations.

{Paragraph one, Part Two, Article 45 as amended according to the Law No. 1975-VIII of March 23, 2017}

Persons who terminate activity related to the performance of functions of government or local self-government or other activity mentioned in Sub-Clauses “a” and “c” of Clause 2, Part One, Article 3 are required, for the year following the termination of activity, to submit part of a declaration of a person authorized to perform the functions of government or local self-government for the previous year, in accordance with the procedure stipulated in Part One of this Article.

{Paragraph 2, Part Two, Article 45 as amended according to the Law No. 1975-VIII of March 23, 2017}

{Part Two, Article 45 as amended according to the Law No. 140-IX of October 02, 2019}

3. A person who is a candidate for a position specified in Clause 1, Sub-Clause “a” of Clause 2, Part One, Article 3 of this Law, as well as a person mentioned in Clause 4 of Part One, Article 3 of this Law, prior to appointment or election to the respective position, shall file a declaration of a person authorized to perform functions of government or local self-government for the previous year, in the manner prescribed by this Law.

Persons mentioned in Sub-Clause “c” of Clause 2 of Part One, Article 3 of this Law shall file a declaration of a person authorized to perform functions of government or local self-government for the previous year, in the manner prescribed by this Law, in the event that they become a member of the Competition Commissions or Disciplinary Commissions, established according to the Law on Civil Service, the Law on Service in Local Self-Government Bodies, this and other laws of Ukraine, of the Civic Integrity Council, established according to the Law on the Judiciary and Status of Judges, – within 10 calendar days after becoming a member (inclusion, election, appointment) in the composition of the Competition Commission or Disciplinary Commission, Civic Integrity Council, respectively.

{Second paragraph of Part 3, Article 45 as amended according to the Law No. 140-IX of October 02, 2019}

{Third paragraph of Part 3, Article 45 removed according to the Law No. 140-IX of October 02, 2019}

{Part 3, Article 45 as amended according to the Law No. 1975-VIII of March 23, 2017}

4. Within seven days of the filing of the declaration, the declarant may file an amended declaration, but no more than three times.

{Paragraph one of Part Four, Article 45 in the wording according to the Law No. 140-IX of October 02, 2019}

If the declarant is found liable for failing to submit or for late submission of a declaration, or if false information is discovered in the declaration, the declarant shall submit a corresponding declaration with true information.

{Part Four, Article 45 as amended according to the Law No. 1022-VIII of March 15, 2016}

5. Section VII of this Law shall not extend to officials of establishments, institutions and organizations whose principal activity is associated with social protection of the population,

social and professional rehabilitation of disabled adults and children, social protection of war veterans and participants of anti-terrorist operations, taking measures to ensure national security and defense, repel and deter the armed aggression of the Russian Federation in the Donetsk and Lugansk regions, health care (except for heads of health care institutions of the central, regional, district, city (cities of regional significance, cities of Kyiv and Sevastopol) level), education (except for heads of higher educational institutions and their deputies), science (except for presidents of the National Academy of Science and national sectoral academies of science, First Vice-Presidents, Vice-Presidents and Chief Scientific Secretaries of the National Academy of Sciences of Ukraine and National Sectoral Academies of Sciences, other members of the Presidium of the National Academy of Sciences of Ukraine and Presidiums of National Sectoral Academies of Sciences, elected by the General Meeting of the National Academy of Sciences of Ukraine and National Sectoral Academies of Sciences respectively, heads of research institutes and other scientific institutions), culture, arts, restoration and preservation of national memory, physical culture, sports, national patriotic education, military service personnel mobilized for the special period, military service on draft of officers, and military officials from among contracted military servicemen of lower rank, sergeant and sergeant-major rank and junior officer ranks (except for servicemen holding permanent posts related to performance of administrative and economic duties and military servicemen who serve in drafting commissions).

{Paragraph one, Part Five, Article 45 as amended according to the Laws No. 1975-VIII of March 23, 2017, No. 2462-VIII of June 19, 2018}

Declarants who had no possibility, before 1 April, to submit a declaration for the previous year at the place of their military service due to performing duties in the interests of Ukraine's defense during the special period, direct engagement in military (battle) actions, including in the territory of anti-terrorist operation and taking measures to ensure national security and defense, repel and deter the armed aggression of the Russian Federation in the Donetsk and Lugansk regions, or due to having been sent to other countries to participate in international peacekeeping operations, shall submit such declaration for the reporting period within 90 calendar days starting from the date they arrive at the place of military service or the end day of military service, as specified by Part 2, Article 24 of the Law *On Military Duty and Military Service*.

{Part 5, Article 45 supplemented with the second paragraph according to the Law No. 1975-VIII of March 23, 2017; as amended according to the Law No. 2462-VIII of June 19, 2018}

Persons identified in paragraph 2 of Part 5 of this Article shall be exempt from the duty of filing asset declarations, provided they do not hold other positions set out in Clause 1, Sub-Clause "a" of Clause 2, Part 1, Article 3 of this Law.

{Part 5, Article 45 supplemented with the third paragraph according to the Law No. 1975-VIII of March 23, 2017}

{Article 45 supplemented with Part 5 according to the Law No. 1798-VIII of December 21, 2016}

6. Section VII of this Law shall not apply to non-resident foreigners who are members of the supervisory board of a state bank, state-owned enterprise, for-profit state-owned enterprise or organization, a company with more than 50 percent of authorized capital shares is owned by the state.

{Article 45 supplemented with Part 6 according to the Law No. 140-IX of October 02, 2019}

Article 46. Information to be included in the declaration

1. The declaration shall contain information on:

1) last name, given name and patronymic, day, month and year of birth, registration number of the taxpayer registration card, unique record number in the Unified State Demographic Register of the declarant and their family members, registered place of their residence, as well as their actual place of residence or mailing address to which correspondence may be sent to the declarant by the National Agency, place of work (military service), or place of future work (military service), current position, or aspired position, and category of the position (if available) of the declarant, including being an official holding a position of high and especially high responsibility, a declarant holding a position of high corruption risks, and being a public figure in accordance with the Law of Ukraine "On Prevention and Counteraction to Legalization (Laundering) of the Proceeds of Crime, Terrorist Financing and Financing Proliferation of Weapons of Mass Destruction".

{First paragraph of Clause 1, Part 1, Article 46 as amended according to the Law No. 140-IX of October 02, 2019 – the amendments shall enter into force on January 01, 2020}

Military servicepeople of low rank, sergeant and sergeant-major rank, junior and senior officer rank shall not mention information about their place of work (service) or future work (service), or position held;

{Clause 1, Part One, Article 46 supplemented with the second paragraph according to the Law No. 1975-VIII of March 23, 2017}

Persons mentioned in Sub-Clause "c" of Clause 2, Part One, Article 3 of this Law shall also state information about the title of the Competition Commission whose member they are (were).

{Clause 1, Part One, Article 46 supplemented with the third paragraph according to the Law No. 1975-VIII of March 23, 2017; in the wording according to the Law No. 140-IX of October 02, 2019 – the amendments shall enter into force on January 01, 2020}

{Clause 1, Part One, Article 46 as amended according to the Law No. 1022-VIII of March 15, 2016}

2) real estate privately owned by the declarant and members of their family, including joint ownership, or property they rent or use based on another right of use, irrespective of the form of the transaction, by which such a right was acquired. Such data shall include:

a) the type, property characteristics, location, date title to the property was acquired, the date it was rented or otherwise used, and the value of the property on the date when it came into ownership, possession or use;

b) if immovable property is in joint ownership, the information mentioned in Clause 1, Part One of this Article about all co-owners or the name of the respective legal entity and the code in the Unified State Register of Enterprises and Individual Entrepreneurs shall be given. If immovable property is leased out or otherwise lawfully used, the information mentioned in Clause 1, Part One of this Article about such property owner or the name of the respective legal entity and the code in the Unified State Register of Legal Entities and Individual Entrepreneurs shall also be given.

{Clause 2, Part One, Article 46 as amended according to the Law No. 198-VIII of February 12, 2015}

2-1) constructions in progress, constructions not commissioned into operation or where the ownership is not registered in the manner prescribed by law, which:

a) are owned by the declarant or members of his/her family in accordance with the Civil Code of Ukraine;

b) are located in land plots owned by the declarant or members of his/her family as their private property, including joint ownership, lease or any other lawful use, irrespective of the legal grounds for acquisition of such right;

c) are built, completely or in part, with the materials or at the expense of the declarant or the members of his/her family.

Such data shall include:

a) information about the property location;

b) information about the owner or user of the land plot where the property is being constructed;

c) if property is in joint ownership, information mentioned in Clause 1, Part One of this Article about all co-owners or the name of the respective legal entity and the code in the Unified State Register of Legal Entities and Individual Entrepreneurs shall be given;

{Part 1, Article 46 supplemented with Clause 2-1 according to the Law No. 631-VIII of July 16, 2015}

3) valuable movable property the value of which exceeds 100 subsistence incomes for able-bodied persons, established as of January 1 of the reporting year and title to which is held privately by the declarant or members of his/her family, including joint ownership, or is in his/her possession or use regardless of the form of the transaction by which such title was acquired. Such data shall include:

{The first paragraph of Clause 3, Part One, Article 46 as amended according to the Laws No. 1022-VIII of March 15, 2016, No. 1774-VIII of December 06, 2016}

a) information on the type of property, characteristics of the property, the date title to the property was acquired, the date it was rented or otherwise used, and the value of the property on the date when it came into ownership, possession or use;

b) information on vehicles and other self-propelled machines and mechanisms shall also include data on their make and model, year of manufacture, and identification number, if any. Information on vehicles and other self-propelled machines and mechanisms shall be reported regardless of their value;

c) if movables are in joint ownership, the information mentioned in Clause 1, Part One of this Article about all co-owners or the name of the respective legal entity and the code in the Unified State Register of Legal Entities and Individual Entrepreneurs shall be given. If movables are leased out or otherwise lawfully used, the information mentioned in Clause 1, Part One of this Article about such property owner or the name of the respective legal entity and the code in the Unified State Register of Legal Entities and Individual Entrepreneurs shall also be given.

Note. Valuable movable property specified in this Clause (except for vehicles and other self-propelled machines and mechanisms), the rights to which had been acquired before submission by the declarant of the first declaration in accordance with the requirements of this Law, shall be declared with a mandatory indication of whether such property was acquired before the period of performance of the functions of government or local self-government or during such period. At the same time, indication of data on the value of such property and the date of its acquisition in ownership, possession or use shall not be a mandatory requirement.

{Clause 3, Part One, Article 46 supplemented with paragraph five according to the Law No. 1022-VIII of March 15, 2016}

{Clause 3, Part One, Article 46 as amended according to the Law No. 198-VIII of February 12, 2015}

4) securities, including stocks, bonds, checks, certificates or promissory notes, belonging to the declarant or members of his/her family, including information about the type of the security, its issuer, the date of obtaining ownership of securities, quantity and par value of the securities. If the securities are transferred to another person for management, the information required in Clause 1 of Part One of this Article on that person as well as the owner or the name of the respective legal entity and the code in the Unified State Register of Legal Entities and Individual Entrepreneurs shall also be provided.

{Clause 4, Part One, Article 46 as amended according to the Law No. 198-VIII of February 12, 2015}

5) other equity rights that belong to the declarant or his/her family members, with an indication of the name of each business entity, its organizational and legal form, code in the Unified State Register of Enterprises and Organizations of Ukraine and the share in the authorized (share) capital of the company, enterprise or organization, in monetary and percentage terms;

5-1) legal entities, trusts or other similar legal entities where the declarant or members of his/her family is a final beneficiary owner (controller).

The terms “final beneficiary owner” (controller), “trust” are used in the meanings established by the Law of Ukraine *On Prevention and Counteraction to Legalization (Laundering) of the Proceeds of Crime, Terrorist Financing and Financing Proliferation of Weapons of Mass Destruction*.

{Part One, Article 46 supplemented with Clause 5-1 according to the Law No. 198-VIII of February 12, 2015; in the wording according to the Law No. 140-IX of October 02, 2019 – the amendments shall enter into force on January 01, 2020}

6) intangible assets owned by the declarant or his/her family members, including intellectual property objects that can have value in monetary terms – cryptocurrencies. Information on intangible assets include data on the type and characteristics of such assets, the value of assets at the time of title acquisition, and the date when title to them arose;

{Clause 6, Part One, Article 46 as amended according to the Law No. 140-IX of October 02, 2019 – the amendments shall enter into force on January 01, 2020}

7) received (accrued) income of the declarant or his family members, including income in the form of salaries (monetary allowance) obtained at the main place of work, and concurrently for other work, honoraria, dividends, interest, royalties, insurance payments, charitable aid, pension, income from sale of securities and equity rights, gifts and other income.

{The first paragraph of Clause 7, Part One, Article 46 as amended according to the Law No. 140-IX of October 02, 2019 – shall enter into force on January 01, 2020}

Such information includes data on the type of income, source of income and its size. Information about a gift shall only be given if the value of such gift exceeds five subsistence incomes for able-bodied persons, established as of January 1 of the reporting year; and for gifts in a monetary form, if the amount of such gifts received from the same person (group of persons), within a year, exceeds five minimum wages established as of January 1 of the reporting year;

{The second paragraph of Clause 7, Part One, Article 46 in the wording according to the Law No. 198-VIII of February 12, 2015; as amended according to the Law No. 1774-VIII of December 06, 2016}

8) monetary assets of the declarant or their family members, including cash, funds in bank accounts or stored in a bank, contributions to credit unions and other non-banking financial institutions, funds lent to third parties, and assets in the form of precious (bank) metals. Information on monetary assets includes information on the type, size and currency of the asset, as well as the name and code in the Unified State Register of Enterprises and Organizations of Ukraine of the institution where respective accounts were opened or to which respective contributions were made. Available assets (including cash, money on bank accounts, deposits with credit unions and other non-banking financial institutions, funds owed to third parties) and assets in the form of precious (bank) metals, cash, funds lent to third parties, the value of which does not exceed 50 subsistence incomes for able-bodied persons, established as of January 1 of the reporting year, are not subject to declaration;

{Clause 8, Part One, Article 46 as amended according to the Laws No. 198-VIII of February 12, 2015, No. 1774-VIII of December 06, 2016, No. 140-IX of October 02, 2019 – changes shall enter into force on January 01, 2020}

8-1) banking and other financial institutions, including those abroad, where accounts are opened in the name of the declarant or their family members (regardless of the type of account, as well as accounts opened by third parties in the name of the declarant or their family members). Such information shall include details of account type and number, details of the banking or other financial institution, persons entitled to dispose of such account or access to an individual bank safe, persons who opened an account in the name of the declarant or their family members;

{Part 1, Article 46 supplemented with Clause 8-1 according to the Law No. 140-IX of October 02, 2019 – the amendments shall enter into force on January 01, 2020}

9) financial obligations of the declarant or their family members, including loans received, leasing obligations, the size of funds paid towards the principal amount of a loan (credit) sum and interest on a loan (credit, loan (credit) balance) at the end of the reporting period, obligations under insurance contracts and non-state pension provision contracts. Information on financial obligations include data on the type of obligation, its size, currency of obligation, details about the person in whose favor such obligations arose in accordance with Clause 1, Part One of this Article, or the name of the respective legal entity and the code in the Unified State Register of Legal Entities and Individual Entrepreneurs, and the date when the obligation appeared. Such information is provided only if the value of the obligation exceeds 50 subsistence incomes for able-bodied persons, established as of January 1 of the reporting year.

{The first paragraph of Clause 9, Part One, Article 46 as amended according to the Laws No. 198-VIII of February 12, 2015, No. 1774-VIII of December 06, 2016, No. 140-IX of October 02, 2019 – amendments shall enter into force on January 01, 2020}

If real estate or movable property constitute the subject matter of the transaction to ensure the performance of the obligation, the declaration shall indicate the type of property, its location, price and information about the owner of the property, in accordance with Clause 1, Part 1 of this Article, or the name of the respective legal entity and the code in the Unified State Register of Legal Entities and Individual Entrepreneurs. If real estate or movable property constitute the subject matter of the transaction to ensure the performance of an obligation, the declaration shall indicate the type of property, its location, price and information about the owner of the property, in accordance with Clause 1, Part 1 of this Article or the name of the respective legal entity and the code in the Unified State Register of Legal Entities and Individual Entrepreneurs.

{The second paragraph of Clause 9, Part One, Article 46 in the wording according to the Law No. 198-VIII of February 12, 2015}

10) expenditures as well as any other transactions made within the reporting period, based on which the declarant obtains or terminates the right of ownership, possession or use, including joint ownership, of real estate or movable property, intangible and other assets, as well as of financial obligations referred to in Clauses 2-9 of Part One of this Article.

{The first paragraph of Clause 10, Part One, Article 46 as amended according to the Law No. 140-IX of October 02, 2019 – the amendments shall enter into force on January 01, 2020}

Such information shall be specified if the amount of the corresponding expenditure exceeds 50 subsistence incomes for able-bodied persons, established as of January 1 of the reporting year; such information includes data on the type of transaction and its subject matter. Upon the written request of the National Agency, the declarant shall provide information about the name of the counterparty;

{The second paragraph of Clause 10, Part One, Article 46 as amended according to the Law No. 198-VIII of February 12, 2015; as amended according to the Law No. 1022-VIII of March 15, 2016; as amended according to the Law No. 1774-VIII of December 06, 2016}

11) a position or job that is being or was performed concurrently: data on a position or job (paid or not) that is performed under an agreement (contract), name of the legal entity or individual for whom the person is or was employed concurrently, with an indication of the code in the Unified State Register of Legal Entities and Individual Entrepreneurs, or last name, given name and patronymic of the individual with an indication of his/her registration number of the taxpayer registration card;

12) participation of the declarant in management, revisionary or supervisory bodies of public associations, charities, self-regulatory or self-governing professional associations, membership in such associations (organizations) with an indication of the names of the respective associations (organizations) and their code in the Unified State Register of Legal Entities and Individual Entrepreneurs.

2. The information referred to in Part One of this Article shall be provided regardless of whether the declarant is in Ukraine or abroad.

The National Agency shall specify in the form of a declaration the data to be provided for the purpose of identification of natural or legal persons, including foreigners, stateless persons, foreign legal entities, as well as the objects of declaration for which information is provided in the declaration.

{Part 2, Article 46 supplemented with the second paragraph according to the Law No. 140-IX of October 02, 2019 – amendments shall enter into force on January 01, 2020}

Data on a declared object owned or used by the reporting entity or its family members shall be included in the declaration if such object was in the possession or use as of the last day of the reporting period or for at least half of the days of the reporting period.

{Part 2, Article 46 supplemented with the third paragraph according to the Law No. 140-IX of October 02, 2019 – amendments shall enter into force on January 01, 2020}

3. A declaration shall also contain information about the property subject to declaration in accordance with Clauses 2-8, Part One of this Article, which is owned by third party, if a declarant or member of his/her family gains proceeds or has the right to proceeds from such property and is entitled, directly or indirectly (through any other individuals or legal entities) to deal with such property in a way similar to disposal.

Information listed in this part shall not be included into the declaration if the respective property is owned by a legal entity mentioned in Clause 5-1, Part One of this Article and is

mainly used within the scope of business activity of such legal entity (industrial equipment, special machinery, etc.).

The provisions of this part shall be applied for submission of declarations by officers in position of high and especially high responsibility, as well as by declarants holding positions related to a high corruption risk level in accordance with Article 50 of this Law.

{Article 46 supplemented with a new Part according to the Law No. 631-VIII of July 16, 2015}

4. Information required by Clause 10, Part One of this Article is not indicated in the declarations of persons who aspire to hold positions specified in Clause 1 and Sub-Clause “a” of Clause 2, Part One, Article 3 of this Law, as well as in declarations that are submitted according to paragraph two of Part Three, Article 45 of this Law.

{Part 4, Article 46 as amended according to the Laws No. 1975-VIII of March 23, 2017, No. 140-IX of October 02, 2019 – amendments shall enter into force on January 01, 2020}

5. Income and expenditures of the declarants shall be indicated in the currency of Ukraine.

The cost of property, property rights, assets and other objects of declaration referred to in Part One of this Article shall be indicated in the currency of Ukraine at the time of acquisition of title or last monetary valuation.

The cost of property, property rights, assets and other objects of declaration which are in possession of the party to the declaration shall be indicated in case it is known to the party to the declaration or had to become known to him/her as a result of the commission of the relevant transaction.

6. Income/expenditures received/made in foreign currency, for the purposes of indication in the declaration, are calculated in the national currency of Ukraine based on the currency (exchange) rate of the National Bank of Ukraine effective on the date of receipt of income/making expenditures. As regards income/expenditures received/made abroad, the state where they were received/made is indicated.

7. If a family member of a party to a declaration refuses to provide any information or part thereof for inserting in the declaration, the party to the declaration shall indicate this in the declaration, indicating all known information about such family member, as stipulated by Clauses 1-12 of Part One of this Article.

Note. For the purposes of Section VII of this Law, members of the family of the declaring entity who are not spouses or children are considered to have been persons who have cohabited with the declaring entity as of the last day of the reporting period or in total for at least 183 days during the year, preceding the declaring year.

{Article 46 supplemented with a note according to the Law No. 140-IX of October 02, 2019 – amendments shall enter into force on January 01, 2020}

Article 47. Accounting and disclosure of declarations

1. Submitted declarations are included in the Unified State Register of Declarations of Persons Authorized to Perform the Functions of Government or Local Self-government that is formed and maintained by the National Agency in the order determined by it.

{The first paragraph of Part 1, Article 47 as amended according to the Law No. 140-IX of October 02, 2019}

~~The National Agency provides unhindered, round the clock access to the Unified State Register of Declarations of Persons Authorized to Perform the Functions of Government or Local Self-government on the official website of the National Agency.~~

~~Access to the Unified State Register of Declarations of Persons Authorized to Perform the Functions of Government or Local Self-government on the official website of the National Agency is granted through the ability to view, copy and print information, as well as a set of data (electronic record), organized in a format that allows its automatic processing by electronic means for further reuse.~~

Information in the declaration about the registration number of the taxpayer registration card or series and number of Ukrainian passports, address of residence, date of birth of natural persons regarding whom information is contained in the declaration, and the location of objects that are listed in the declaration (except for the area, district, settlement where the object is located), constitutes information with restricted access and is not available for open access.

{The fourth paragraph of Part 1, Article 47 as amended according to the Law No. 597-VIII of July 14, 2015}

2. Information about a person in the Unified State Register of Declarations Persons Authorized to Perform the Functions of Government or Local Self-government shall be stored for the entire period during which the individual performs functions of government or local self-government and for five years after the termination of such functions, except for the last declaration filed by the person, which is stored for the lifetime of the declarant.

~~Article 48. Control and verification of declarations~~

~~1. The National Agency conducts the following types of control regarding declarations filed by declarants:~~

- ~~1) control with respect to timeliness of filing;~~
- ~~2) control with respect to accuracy and completeness;~~
- ~~3) logical and arithmetic control.~~

~~2. The National Agency conducts a complete examination of declarations in accordance with this Law.~~

~~3. The procedure for control, as stipulated by this Article, as well as complete examinations of declarations are determined by the National Agency.~~

~~4. Control and verification of declarations, as well as decisions made on their results, shall not hinder pre-trial investigation and court proceedings in the manner prescribed by the Criminal Procedural Code of Ukraine.~~

{Article 48 supplemented with Part Four in accordance with Law No. 263-IX of October 31, 2019}

~~Article 49. Verification of the timeliness of declaration filing~~

{Part One, Article 49 removed according to the Law No. 1022-VIII of March 15, 2016}

~~2. State bodies, authorities of the Autonomous Republic of Crimea, local self-government bodies, and legal entities of public law shall verify the fact of submission by a declarant of a declaration according to this Law, who work (used to work or are members or were members of the Competition Commission established in the authority/body, members of the Civic Integrity Council, relevant civic councils, councils of civic control set up at the government authorities) in them and inform the National Agency about cases of non-submission or late submission of such declarations according to the procedure established by the Agency.~~

~~{The first paragraph of Part Two, Article 49 as amended according to the Laws No. 1975-VIII of March 23, 2017, No. 140-IX of October 02, 2019}~~

The National Agency shall verify the fact of submission of declarations according to the Law by persons mentioned in Clause 5 of Part One, Article 3 of this Law.

~~{Part Two, Article 49 supplemented with the second paragraph according to the Law No. 1975-VIII of March 23, 2017}~~

~~{Part Two, Article 49 as amended according to the Law No. 1022-VIII of March 15, 2016}~~

3. If as a result of control it is discovered that a declarant did not submit a declaration, the National Agency shall notify such declarant in writing of this fact, and the declarant shall submit a declaration within ten days upon receipt of such notification, in the manner specified in Part One, Article 45 of this Law.

~~At the same time, the National Agency shall notify the specially authorized anti-corruption bodies, head of the government authority, authority of the Autonomous Republic of Crimea, local self-government body, head of their staff, head of legal entity of public law, the highest management body of the relevant civic association and other non-entrepreneurial partnership in writing about the fact of non-submission of the declaration by the respective declarant.~~

~~{The second paragraph of Part 3, Article 49 in the wording according to the Law No. 1975-VIII of March 23, 2017}~~

~~Article 50. Complete examination of declarations~~

~~1. The full verification of a declaration is meant to ascertain the accuracy of the declared data, accuracy of evaluation of declared assets, ascertain the presence of a conflict of interests and signs of unjust enrichment and can be conducted during the period when the declarant carries out activity related to performance of functions of government or local self-government and for a three-year period after termination of such activity.~~

~~{The first paragraph of Part One, Article 50 in the wording according to the Law No. 1022-VIII of March 15, 2016}~~

~~Declarations of officials that hold position of high and especially high responsibility, of declarants who hold positions associated with a high level of corruption risks, the list of which is approved by the National Agency, are subject to mandatory, full verification.~~

~~Declarations filed by other declarants, in the event of discrepancies discovered as a result of logical and arithmetical control, shall also be subject to full verification.~~

~~The National Agency shall conduct full verification of the declaration, and shall independently conduct full verification of information to be indicated in the declaration with regard to family members of the declarant, in cases stipulated by Part Seven, Article 46 of this Law.~~

~~{The fourth paragraph of Part One, Article 50 as amended according to the Law No. 1022-VIII of March 15, 2016}~~

~~The National Agency shall verify declarations on the basis of information received from individuals and legal entities, from media and other sources about the possible indication of false data in the declaration.~~

~~{Part 1, Article 50 supplemented with the fifth paragraph according to the Law No. 1022-VIII of March 15, 2016}~~

The National Agency shall determine the procedure for the selection of declarations for mandatory full verification and the order of such verification based on risk assessment, as well as the procedure for the automatic allocation of responsibilities for carrying out a complete audit among the authorized persons of the National Agency.

~~{Part 1, Article 50 supplemented with the sixth paragraph according to the Law No. 140-IX of October 02, 2019}~~

~~2. When results of the full verification of the declaration indicate that false information was included in the declaration, the National Agency shall notify in writing the head of the relevant government authority, the authority of the Autonomous Republic of Crimea, local self-government body, head of their staff, head of the public legal entity, where the respective declarant works, and specially authorized entities engaged in countering corruption.~~

~~3. If the results of the full verification of the declaration reveal signs of unjustified asset, the National Agency shall allow the declaring entity to provide a written explanation of this fact with the relevant evidence within ten working days. In case of non-submission or incomplete submission of a written explanation and evidence by the declaring entity within the specified deadline, the National Agency informs the National Anti-Corruption Bureau of Ukraine and the Specialized Anti-Corruption Prosecution.~~

~~{Article 50 supplemented with Part three in accordance with Law No. 263-IX of October 31, 2019}~~

~~Note. Official persons who hold positions of high and especially high responsibility in this Article shall mean the President of Ukraine, the Prime Minister of Ukraine, a member of the Cabinet of Ministers of Ukraine, First Deputy and Deputy Ministers, a member of the National Council on TV and Radio Broadcasting, the National Commission on Regulation of Financial Markets, the National Securities and Stock Market Commission, the Anti-monopoly Committee, the Head of the State Committee on TV and Radio, the Head of the State Property Fund, his first deputy and deputy, a member of the Central Election Commission, a member or inspector of High Council of Justice, a member or inspector of High Qualifications Commission of Judges, a Member of Parliament of Ukraine, the Ombudsman of the Parliament of Ukraine, the Commissioner for the Protection of the National Language, members of the National Commission on State Language Standards, the Director of the National Anti-Corruption Bureau of Ukraine, his first deputy and deputy, the Chairman of the National Anti-Corruption Agency and his deputies, the Prosecutor General, his first deputy and deputy, the Head of the National Bank of Ukraine, his first deputy and deputy, a member of the National Bank's Council, the Secretary of the National Security and Defense Council, his first deputy and deputy, Head of the Office of the President of Ukraine, his first deputy and deputy, the Permanent Representative of the President of Ukraine in the Autonomous Republic of Crimea, his first deputy and deputy, adviser or assistant to the President of Ukraine, the Speaker of the Parliament, the Prime Minister of Ukraine, persons whose positions belong to civil service positions of categories "A" and "B", and persons whose positions are assigned, in accordance with Article 14 of the Law of Ukraine On Service in Local Self-Government Bodies, to categories 1-3, and also judges, prosecutors and investigators, heads, deputy heads of government authorities which jurisdiction covers the whole territory of Ukraine, heads of their staff and heads of their independent structural subdivisions, heads and deputy heads of government authorities, authorities of the Autonomous Republic of Crimea which jurisdiction covers the territory of one or more regions, the Autonomous Republic of Crimea, Kyiv and Sevastopol, heads of government authorities, authorities of the Autonomous Republic of Crimea which jurisdiction covers the territory of one or more districts, a city of republican significance in the Autonomous Republic of Crimea or of regional significance, a district in a city, cities of regional significance and senior-ranking military officials.~~

{Note to Article 50 as amended according to the Laws No. 889-VIII of December 10, 2015, No. 1798-VIII of December 21, 2016, No. 2704-VIII of April 25, 2019, No. 140-IX of October 02, 2019}

~~Article 51. Monitoring the lifestyle of declarants~~

~~1. The National Agency selectively monitors the lifestyles of declarants in order to establish a correspondence between their standard of living and property and the income they and their family members receive according to the declaration of a person authorized to perform the functions of government or local self-government, which is filed in accordance with this Law.~~

~~2. Lifestyle monitoring of the declarant is performed by the National Agency on the basis of information received from individuals and legal entities, as well as from the media and other open sources of information, which contains information about a discrepancy between the standard of living of the declarants and their declared property and income.~~

~~3. The procedure for monitoring the lifestyles of the declarants is determined by the National Agency.~~

~~Lifestyle monitoring shall be carried out in compliance with the legislation on personal data protection and should not involve undue abuse of the right to privacy and family life of a person.~~

~~4. Established inconsistencies in the standard of living and property and income declared by a declarant serve as grounds for complete examination of a declaration. If the National Agency discovers discrepancies in living standards, it shall give the declarant an opportunity, within ten working days, to provide a written explanation about this fact.~~

~~If lifestyle monitoring reveals signs of corruption or corruption-related offenses, the National Agency shall inform the specially authorized anti-corruption bodies to this effect.~~

Article 52. Additional measures of financial control

1. When a declarant or his/her family member open a foreign currency account in a non-resident bank, the respective declarant is obliged to notify the National Agency in writing within ten days, according to the established procedure, indicating the account number and location of the non-resident bank.

2. If there are significant changes in the declarant's material status, namely receipt of income, purchase of property for a sum exceeding 50 subsistence incomes for able-bodied persons, established as of January 1 of the respective year, the mentioned declarant, within ten days from the receipt of income, property purchase, or spending, is obliged to notify the National Agency to this effect. This information is entered into the Unified State Register of Declarations of Persons Authorized to Perform the Functions of Government or Local Self-government and published on the official website of the National Agency.

The provisions of Part 2 of this Article shall apply to declarants who are officials holding positions of high and especially high responsibility, as well as declaring entities holding positions involving high levels of corruption risks, in accordance with Article 50 of this law.

{Part 2, Article 52 supplemented with the second paragraph according to the Law No. 140-IX of October 02, 2019 — amendments shall enter into force on January 01, 2020}

{Part 2, Article 52 as amended according to the Laws No. 1774-VIII of December 06, 2016, No. 140-IX of October 02, 2019 — amendments shall enter into force on January 01, 2020}

3. The National Agency determines the procedure for how it is informed about the opening of a foreign currency account in non-resident banks, as well as on significant changes in material status.

Article 52-1. Features of implementation of financial control measures concerning certain categories of persons

1. With respect to the persons referred to in Sub-Clauses "c", "d", "e", "f", "i" and "j" of Clause 1, Part One, Article 3 of this Law, who hold the positions classifying them as personnel of the intelligence agencies of Ukraine and/or hold positions connected with the state secret due to the direct implementation by such persons of the operative-search, counter-intelligence, intelligence activity, as well as persons applying for such positions, and persons who have ceased their activities, the measures provided for in Section VII of this Law, are organized and shall be carried out in such a way as to make it impossible to disclose the affiliation of such persons to the relevant governmental or military formations, in accordance with the procedure established by the National Agency.

The family members of the persons referred to in the first paragraph of Part One of this Article, who are the subjects of declaring under this Law, for the purpose of keeping state secrets shall provide the data on such persons in volumes, form and content that make it impossible to disclose their belonging to these authorities.

This Article shall not apply to officials appointed and dismissed by the acts of the President of Ukraine and the Verkhovna Rada of Ukraine, who do not constitute state secrets. Such persons shall file declarations of persons authorized to perform the functions of the state or local self-government in a general manner in accordance with Section VII of this Law.

{Section VII supplemented with Article 52-1 according to the Law No. 597-VIII of July 14, 2015; in the wording according to the Law No. 140-IX of October 02, 2019}

Section VIII

PROTECTION OF WHISTLEBLOWERS

Article 53. State protection of persons assisting in the prevention and combating of corruption

1. A person providing assistance in preventing and combating corruption (a whistleblower) is a person who, having reasonable belief that the information is accurate, reports violations of the requirements of this Law by another person.

2. Persons providing assistance in preventing and combating corruption are afforded state protection. When there is a threat of life, dwelling, health and property of persons assisting in preventing and combating corruption, or of their close persons in connection with the made notification about violation of requirements of this Law, law enforcement agencies may apply legal, organizational and technical and other measures to them, aimed at protecting against illegal attempts, as envisaged by the Law of Ukraine *On Ensuring the Safety of Persons Involved in Criminal Proceedings*.

3. A person or his/her family member shall not be discharged or forced to resign, brought to disciplinary liability or subjected to other negative measures of impact by a supervisor or employer (reassignment, certification, changing working conditions, denial of appointment to a higher position, salary reduction and so on) or to the threat of such measures of impact in connection with a notification the person makes about a violation of the requirements of this Law by other person.

Information about a whistleblower may be disclosed only upon his/her consent except for cases stipulated by law.

4. The National Agency, as well as other government authorities, authorities of the Autonomous Republic of Crimea and local self-government authorities provide conditions for their employees to notify about violations of the requirements of this Law by other persons, in particular by telephone, official websites and electronic means of communication.

5. An employee of a respective agency may report a violation of the requirements of this Law without attribution (anonymous).

Requirements for anonymous reports on violations of the requirements of this Law and proceedings of their consideration are determined by this Law.

An anonymous report on a violation of the requirements of this Law shall be considered if the information provided in the report is about a specific person and contains actual data that can be verified.

Anonymous reports about violations of the requirements of this Law are subject for review within fifteen days from the date of their receipt. If it is impossible to verify the information contained in the report within the said term, the head of the relevant agency or his/her deputy shall prolong the term for the report's review up to thirty days from the date of its receipt.

If the information contained in the report on a violation of the requirements of this Law is confirmed, the head of the relevant agency takes measures to cease the revealed violation, eliminate its consequences and bring the offenders to disciplinary liability and, in case of detection of a criminal or administrative offense, the head shall also inform specially authorized anti-corruption authorities.

6. The National Agency constantly monitors implementation of the law regarding protection of whistleblowers, and conducts an annual review and revision of state policy in this area.

7. Officials of government authorities, authorities of the Autonomous Republic of Crimea, officials of local self-government authorities, legal entities of public law and their structural subdivisions, in the event of corruption or a corruption-related offense, or if information is received on the commission of such offense by employees of relevant government authorities, authorities of the Autonomous Republic of Crimea, local self-government authorities, legal entities of public law or their structural subdivisions, are required, within their powers, to take measures to stop such violations and immediately report them to specially authorized anti-corruption authority.

Section IX.

OTHER MECHANISMS FOR PREVENTING AND COMBATING CORRUPTION

Article 54. Prohibition of government authorities and local self-government authorities from receiving benefits, services and property

1. State authorities, authorities of the Autonomous Republic of Crimea and local self-government authorities are prohibited from receiving money or other assets, intangible assets, property advantages, benefits or services, free of charge from individuals and legal entities, except as provided by applicable laws or international treaties of Ukraine.

2. Illegal receipt from individuals or legal entities of money or other property, intangible assets, property advantages, benefits or services, free of charge, if there are appropriate grounds, entails the liability of officials of government authorities, authorities of the Autonomous Republic of Crimea and local self-government.

Article 55. Anti-corruption expert reviews

1. An anti-corruption expert review is carried out in order to identify contributing factors or those that may contribute to the commission of corruption offenses in the effective legal acts and drafts of legal acts, and in order to develop recommendations for their elimination.

2. A mandatory anti-corruption expert review is carried out by the Ministry of Justice of Ukraine, except for an anti-corruption expert review of draft legal acts submitted for consideration to the Verkhovna Rada of Ukraine by the People's Deputies of Ukraine, which is carried out by the Committee of the Verkhovna Rada of Ukraine, the scope of which includes the question of fighting against corruption.

The Ministry of Justice determines the procedure and methodology for conducting an anti-corruption expert review, as well as the procedure for announcement of its results.

3. All draft legal acts submitted for consideration to the Cabinet of Ministers of Ukraine shall be subject to mandatory anti-corruption expert review, which shall be carried out by the Ministry of Justice.

4. The Ministry of Justice carries out an anti-corruption expert review of legal acts in accordance with its approved annual plan. The said expert review is carried out according to the laws of Ukraine, acts of the President of Ukraine and the Cabinet of Ministers of Ukraine in the following areas:

- 1) rights and freedoms of humans and citizens;
- 2) powers of government authorities, local self-government authorities and persons authorized to perform the functions of government or local self-government;
- 3) provision of administrative services;
- 4) allocation and expenditure of state budget and local budgets;
- 5) bidding (tender) procedure.

An anti-corruption expert review of legal acts of government authorities, whose legal acts are subject to state registration, is carried out during such registration.

5. The National Agency may, at its own initiative, carry out an anti-corruption expert review of draft legal acts submitted for consideration to the Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine, following the procedures it has established.

The Cabinet of Ministers of Ukraine forwards to the National Agency all relevant draft legal acts for conducting an anti-corruption expert review.

The National Agency shall inform the respective Committee of the Verkhovna Rada of Ukraine or the Cabinet of Ministers of Ukraine about the performance of an anti-corruption expert review of the respective draft legal act, which shall serve as the basis for suspension of its consideration or approval, but for no longer than 10 days.

The Public Council of the National Agency is engaged to participate in its anti-corruption expert review.

6. Results of the anti-corruption expert review of effective legal acts in cases when factors that contribute or may contribute to corruption offenses are detected, shall be subject to mandatory disclosure on the official website of the relevant authority which performed the expert review in question.

7. A public anti-corruption expert review of existing legal acts and draft legal acts may be carried out upon the initiative of individuals, public associations and legal entities.

A public anti-corruption expert review of legal acts, draft legal acts, as well as disclosure of its results are carried out at the expense of respective individuals, public associations, legal entities or other sources not prohibited by legislation.

8. Results of an anti-corruption expert review, including a public expert review, are subject to compulsory consideration by the subject of publication (approval) of the appropriate act, its successor or authority to which relevant legislative powers in this area were transferred.

9. The National Agency holds periodic reviews of legislation for the presence of corruptogenic standards and submits proposals to the Ministry of Justice to include them into the plan of an anti-corruption expert review provided for by Part Four of this Article. The National Agency may also engage public associations and scientific institutions, on the terms of a government order, on the basis of an open tender, to participate in the said monitoring.

Article 56. Special inspections

1. A special inspection (also in regard to information submitted impersonally) is conducted regarding persons running for positions that lead to having responsible or particularly responsible status and positions with high corruption risk, the list of which shall be approved by the National Agency.

Special inspections shall not be conducted in regard to:

1) candidates for the post of the President, candidates for People's Deputies of Ukraine, candidates for deputies of the Verkhovna Rada of the Autonomous Republic of Crimea, local councils and for positions of village, settlement, city heads and *starostas*;

{The third paragraph of Part 1, Article 56 as amended according to the Law No. 1848-VIII of February 09, 2017}

2) citizens who are drafted into military service upon conscription of officers and upon conscription to military service during mobilization, for the special period, or who are involved in the execution of their duties in accordance with staffing tables during wartime;

3) applicants who hold positions in government authorities, authorities of the Autonomous Republic of Crimea and local self-government, and who are appointed as a result of transfer or promotion to positions within the same authority or appointed as a result of a transfer to positions in other government authorities, authorities of the Autonomous Republic of Crimea or local self-government;

4) applicants who hold positions in government authorities, authorities of the Autonomous Republic of Crimea and local self-government which are terminated and therefore such people are appointed as a result of a transfer to other authorities which inherit the powers and functions of the authorities being terminated;

5) persons, when their inclusion in the lists of people's assessors and jurors is considered.

If the appointment, election or approval for office is performed by a local council, a special inspection is conducted in the manner stipulated by this Law in regard to persons appointed, selected or approved for the relevant positions.

If the appointment of a person to the position of prosecutor takes place in accordance with Section II "Final and transitional provisions" of the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on Priority Measures on Reform of the Prosecutor's Office", a special check shall be carried out in accordance with the procedure established by this Law with regard to the person appointed to the position of prosecutor. If the person does not pass a background check or give consent to the background check, they are subject to immediate dismissal by the person authorized by law to decide on prosecutor's dismissal.

{Part one, Article 56 supplemented with paragraph nine according to the Law No. 113-IX of September 19, 2019}

2. The head (deputy head) of the government authority, authority of the Autonomous Republic of Crimea or local self-government authority, or their staff, where the person is running for a position, is responsible for organizing a special inspection, except for instances determined by law. The head of the relevant government authority, authority of the Autonomous Republic of Crimea or local self-government, or their staff, may determine the unit responsible for conducting the special inspection.

Peculiarities of conducting a special inspection regarding candidates for positions of judges are stipulated by the Law of Ukraine *On the Judicial System and Status of Judges*.

In regard to candidates for positions as a member of the High Council of Justice, a member of the High Qualifications Commission of Judges who are appointed (elected) by the Congress of Judges, the Congress of Lawyers, the All-Ukrainian Congress of Prosecutors, the Congress of Representatives of Higher Educational Law Institutions and scientific institutions, the organization of a special inspection is assigned to the Secretariat of the High Council of Justice and Secretariat of the High Qualifications Commission of Judges, respectively.

{Part 2, Article 56 supplemented with a new paragraph according to the Law No. 1798-VIII of December 21, 2016}

In regard to candidates for other positions who are appointed (elected) by the President of Ukraine, the Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine, the performance of a special inspection is imposed, respectively, to the Head of the Presidential Administration of Ukraine, Head of the Verkhovna Rada of Ukraine Staff, the Minister of the Cabinet of Ministers of Ukraine or their respective deputies.

The organization of a special inspection in newly created government authorities is assigned to the central executive authority that implements state policy in the civil service until the establishment at such newly formed authority of a unit responsible for this.

3. Information about a person running for a position, referred to in Part One of this Article, is subject to a special inspection, namely regarding:

1) existence of a legally effective court decision, according to which such person was held criminally liable, including for corruption offenses, as well as the existence of a conviction, its revocation or cancellation;

2) the fact that the person is or has been previously subjected to administrative sanctions for corruption-related offenses;

3) the reliability of the information specified in the declaration of a person authorized to perform the functions of government or local self-government;

4) the person's possession of equity rights;

5) the health condition (specifically regarding the person's registration with psychiatric or drug rehabilitation health care institutions), education, the presence of an academic degree, or an academic rank;

6) person's relation to military service;

7) whether an individual has access to state secrets, if such access is required under the qualification requirements for a position;

8) application to a person of a ban to hold the relevant position, as envisioned by provisions of the Law of Ukraine *On Lustration*.

A candidate for transfer to a position at another government authority, authority of the Autonomous Republic of Crimea or local self-government who has already undergone a special inspection before, shall inform the appropriate authority which shall request information on its results in the prescribed manner.

Note. Positions that assume high and especially high responsibility in this Article shall mean the President of Ukraine, the Prime Minister of Ukraine, a member of the Cabinet of Ministers of Ukraine, First Deputy and Deputy Ministers, a member of the National Council on TV and Radio Broadcasting, the National Commission on Regulation of Financial Markets, the National Securities and Stock Market Commission, National Commission for the State Regulation of Energy and Utilities, the Anti-monopoly Committee, the Head of the State Committee on TV and Radio, the Head of the State Property Fund, his first deputy and deputy, a member of the Central Election Commission, a member of High Council of Justice, a member of High Qualifications Commission of Judges, a Member of Parliament of Ukraine, the Ombudsman of the Parliament of Ukraine, the Commissioner for the Protection of the

National Language, members of the National Commission on State Language Standards, the Director of the National Anti-Corruption Bureau of Ukraine, the Prosecutor General, his first deputy and deputy, the Head of the National Bank of Ukraine, his first deputy and deputy, a member of the National Bank's Council, the Secretary of the National Security and Defense Council, his first deputy and deputy, the Permanent Representative of the President of Ukraine in the Autonomous Republic of Crimea, his first deputy and deputy, adviser or assistant to the President of Ukraine, the Speaker of the Parliament, the Prime Minister of Ukraine, positions belonging to civil service positions of categories "A" and "B", and positions assigned, in accordance with Article 14 of the Law of Ukraine On Service in Local Self-Government Bodies, to categories 1-3, and also positions of judges, prosecutors and investigators, heads, deputy heads of government authorities which jurisdiction covers the whole territory of Ukraine, heads of their staff and heads of their independent structural subdivisions, heads and deputy heads of government authorities, authorities of the Autonomous Republic of Crimea which jurisdiction covers the territory of one or more regions, the Autonomous Republic of Crimea, Kyiv and Sevastopol, heads of government authorities, authorities of the Autonomous Republic of Crimea which jurisdiction covers the territory of one or more districts, a city of republican significance in the Autonomous Republic of Crimea or of regional significance, a district in a city, region-level towns and positions to be displaced by higher military officers.

{Note to Article 56 as amended according to the Laws No. 889-VIII of December 10, 2015, No. 1540-VIII of September 22, 2016, No. 1798-VIII of December 21, 2016, No. 2704-VIII of April 25, 2019}

Article 57. Procedure for conducting a special inspection

1. A special inspection shall be conducted with the written consent of the person who is running for a position, within a period not exceeding twenty-five calendar days from the date when consent for the special inspection is granted.

If the person does not grant such consent, they shall not be considered for the appointment.

The procedure for conducting a special inspection and the form of the special inspection shall be approved by the Cabinet of Ministers of Ukraine.

2. For the purposes of performing a special inspection, the person running for a position shall submit the following to the respective authority:

- 1) written consent to perform a special inspection;
- 2) an autobiography;
- 3) a copy of their passport of a citizen of Ukraine;
- 4) copies of documents on education, academic ranks and academic degrees;
- 5) a medical certificate on health condition, adhering to the format approved by the Ministry of Healthcare of Ukraine regarding a person's registration with psychiatric or drug rehabilitation health care institutions;
- 6) a copy of a military service card (for military persons or persons liable for call-up);
- 7) a certificate of access to state secrets (if applicable).

A person running for a position also submits a declaration of a person authorized to perform the functions of government or local self-government to the National Agency, in the manner specified by Part One, Article 45 of this Law,.

Persons mentioned in paragraph 7 of Part One, Article 56 of this Law shall submit documents stipulated by this part of the Article for a special inspection within three business days after their corresponding election or approval.

3. After obtaining the written consent of candidates for the position to conduct a special inspection, an authority where such person seeks the position, not later than the next day, shall send the appropriate government authorities in charge of conducting a special inspection of the information provided in Part Three, Article 56, or to their territorial bodies (in case any) a request for inspection of information about a person who is a candidate for the respective position in accordance with the form approved by the Cabinet of Ministers of Ukraine.

The request shall be signed by the head of the body, the position in which the person is applying and, in his/her absence, a person acting as the head or one of his/her deputies according to the distribution of responsibilities.

Copies of the documents mentioned in Part Two of this Article shall be attached to the request.

Regarding candidates for positions (other than the position of a judge), appointment (election) to which is performed by the President of Ukraine, the Verkhovna Rada of Ukraine or the Cabinet of Ministers of Ukraine, such request shall be sent to the relevant government agencies (their territorial bodies), respectively, by the Head of the Presidential Administration of Ukraine, the Head of Verkhovna Rada of Ukraine Staff, the Minister of the Cabinet of Ministers of Ukraine (their deputies or other official designated by them) through a central executive body that implements state policy in the civil service.

4. A special inspection is performed by:

1) the National Police and the State Judicial Administration of Ukraine, regarding information about bringing a person to criminal liability, existence of a conviction, revocation or cancellation thereof;

{Clause 1, Part Four, Article 57 as amended according to the Law No. 766-VIII of November 10, 2015}

2) the Ministry of Justice of Ukraine and the National Securities and Stock Market Commission, regarding the presence of individual corporate rights belonging to a person;

3) the National Agency, regarding the presence in the Unified State Register of information about a candidate who has committed corruption and corruption related offenses; also regarding the truthfulness of information indicated by the person in the declaration of the person authorized to perform the functions of government or local self-government for the previous year;

4) the central executive body that implements state policy in health care, the appropriate executive body of the Autonomous Republic of Crimea, the structural unit of the regional, Kyiv and Sevastopol city administration (regarding a person's registration with psychiatric or drug rehabilitation health care institutions);

5) the central executive body that implements state policy in education, the relevant executive authority of the Autonomous Republic of Crimea, the structural unit of regional, Kyiv and Sevastopol city administration, the central body of executive power to which the educational institution is subordinated, the head of the educational institution, regarding the education, the presence of a candidate's academic degree, and their academic rank;

6) the Security Service of Ukraine, regarding the presence of a person's access to state secrets, as well as the relation of a person to military duty (in terms of personal and quality accounting of military-bound persons of the Security Service of Ukraine);

7) the Ministry of Defense of Ukraine, Military Commissars of the Autonomous Republic of Crimea, regions, cities of Kyiv and Sevastopol, regarding a person's relation to military duty (except for quality accounting of military-bound persons of the Security Service of Ukraine).

Other central executive authorities or specially authorized anti-corruption bodies may be involved in conducting a special inspection in order to verify information about the person referred to in this Article or the authenticity of documents provided for in this Article.

Article 58. The results of a special inspection

1. The results of the special inspection, signed by the head of the authority which carried out the inspection and, in his absence, a person who performs his/her duties, or the deputy head of the body according to the distribution of functional responsibilities, shall be submitted to the authority that sent the appropriate request within seven days upon the receipt of the request.

During a special inspection, authorities (departments) conducting it can interact and exchange between themselves information regarding the individual, particularly regarding individuals who apply for positions holding which constitutes a state secret. Such interaction and exchange shall be carried out according to the procedure established by the Cabinet of Ministers of Ukraine.

2. The decision on appointment (election) or refusal of appointment (election) to a position connected with performing the functions of government or local self-government shall be taken after a special inspection.

If the results of a special inspection establish discrepancies in the autobiography and/or declaration of a person authorized to perform the functions of government or local self-government, for the previous year, the official (agency) that organizes the special inspection shall provide the candidate for the position with the opportunity to provide a written explanation of such fact and/or to address this discrepancy within five business days.

If the results of the special inspection establish information about the applicant for the position, which does not meet the requirements established by the legislation for the position, the official (agency) that is responsible for the appointment (election) for this position, shall refuse to appoint (elect) the applicant to the position.

If the results of the special inspection and of a review of the above explanations by the candidate for the position establish that the person has submitted forged documents or false information, the officer (agency) that is responsible for the appointment (election) to this post, shall report to the law enforcement agencies within three business days about the established facts and shall refuse to appoint (elect) the applicant to the position .

The person regarding whom the results of a special inspection have discovered circumstances which constitute grounds for denial of his/her appointment (election) shall be deemed not to have passed the special inspection.

The powers of the person referred to in paragraph 8 of Part One, Article 56 of this Law shall be terminated early without termination of council-deputy powers and the relevant person shall be dismissed from the relevant position without a decision by the relevant council, if he/she failed to pass the special inspection or failed to provide consent for a special inspection within the term stipulated by this Law.

A decision refusing appointment (election) to a position, taken as a result of a special inspection may be appealed in court.

3. The agency, for a position in which the person is running, on the basis of the information received, shall prepare a statement on the results of a special inspection, the form of which is approved by the Cabinet of Ministers of Ukraine. Regarding candidates for positions (other than the position of a judge), appointment (election) to which is carried out by the President of Ukraine, the Verkhovna Rada of Ukraine or the Cabinet of Ministers of Ukraine, such statement shall be prepared by the relevant structural unit of the Presidential Administration of Ukraine, the Verkhovna Rada of Ukraine Staff or the Secretariat of the Cabinet of Ministers of Ukraine.

Persons in respect of whom a special inspection was carried out, have the right to familiarize themselves with the statement of results of the special inspection and, if they disagree with the results of the inspection, they can submit written comments to the respective

government agency or local self-government. These comments shall be reviewed within seven days from the day of their receipt.

Information on the results of a special inspection and documents regarding its performance are confidential, unless they contain information constituting a state secret.

The documents which were filed for a special inspection by a person who sought to occupy a position, if they are subsequently appointed (elected) to such position, shall be sent for storage to the personal file and, in the event of a refusal to appoint (elect) the person, they shall be returned to such person on receipt, unless the falsity of these documents was established or under other circumstances as stipulated by law.

The statement on special inspection results shall be attached to the documents submitted by the person or to the personal file, if a decision was made to appoint (elect) this person.

Article 59. Uniform State Register of Perpetrators of Corruption or Corruption-Related Offenses

1. Information about persons brought to criminal, administrative, disciplinary or civil liability for corruption or corruption-related offenses, as well as about entities subjected to measures of criminal law in connection with the commission of a corruption offense, shall be entered into the Unified State Register of Perpetrators of Corruption and Corruption-related Offenses, which is established and maintained by the National Agency. Information concerning persons who are members of the personnel of agencies that conduct operative and investigative or intelligence-gathering or counter-intelligence activities, whose affiliation to the above authorities constitutes a state secret, and who were brought to liability for commission of corruption offenses, shall be included in the restricted Part of the Unified State Register of Perpetrators of Corruption or Corruption-Related Offenses.

Regulations on the Unified State Register of Perpetrators of Corruption or Corruption-Related Offenses, the procedure of its establishment and its maintenance are approved by the National Agency.

Information about individuals brought to liability for corruption or corruption-related offenses, as well information about legal entities subject to measures of a criminal and legal nature in connection with the commission of corruption or corruption-related offenses, shall be entered in the Unified State Register of Perpetrators of Corruption or Corruption-Related Offenses, within three business days from the date of receipt by the National Agency from the State Judicial Administration of Ukraine of an electronic copy of the legally effective court decision, from the Unified State Register of Judgments.

Information about the imposition of a disciplinary sanction for corruption or corruption-related offenses shall be entered into the Unified State Register of Perpetrators of Corruption and Corruption-related Offenses within three working days of receipt by the National Agency of a duly certified paper copy of the order imposing disciplinary action, sent from the personnel department of the government authority, authority of the Autonomous Republic of Crimea, authority of the local self-government, the enterprise, institution or organization.

2. Information from the Unified State Register of Perpetrators of Corruption or Corruption-Related Offenses about entries regarding the person to the said Register or about the absence of information regarding this person is provided:

at the request of government authorities, authorities of the Autonomous Republic of Crimea and local self-government authorities for the purpose of conducting a special inspection of information about persons running for positions connected with the functions of government or local self-government;

at the request of law enforcement agencies if it is necessary to obtain such information in the course of criminal or administrative proceedings or at the prosecutor's request made in the course of his/her supervision of compliance with and enforcement of laws;

at the request of an individual (or an authorized person of the individual) or an authorized representative, seeking information about themselves or the represented entity.

3. The National Agency ensures publication on its official website of information from the Unified State Register of Perpetrators of Corruption or Corruption-Related Offenses, within three business days after entries to the Register have been made.

The following information about an individual who has been prosecuted for corruption or corruption-related offenses is available for unhindered, round-the-clock access:

- 1) last name, given name, patronymic;
- 2) place of work, position at the time of the commission of corruption or a corruption-related offense;
- 3) legal components of the corruption or corruption-related offense;
- 4) punishment (penalty);
- 5) means of commission of a disciplinary corruption offense;
- 6) type of disciplinary sanction.

The following information about a legal entity that has been subjected to measures of a criminal and legal nature is available for unhindered, round-the-clock access:

- 1) name;
- 2) registered address, code in the Unified State Register of Legal Entities and Individual Entrepreneurs;
- 3) legal components of the corruption offense, that lead to application of the measures of a criminal and legal nature;
- 4) type of measures of a criminal and legal nature that were applied.

This information about a person is not regarded as confidential and cannot be of restricted access.

Article 60. Requirements for transparency of and access to information

1. Persons specified in Clauses 1 and 2 of Part One, Article 3 of this Law, as well as persons permanently or temporarily holding positions related to administrative and regulatory or administrative and economic duties, or specifically authorized to perform such duties in legal entities of private law, regardless of their legal and organizational form, are prohibited:

{Paragraph one, Part 1, Article 60 as amended according to the Law No. 1975-VIII of March 23, 2017}

- 1) from refusing to provide information to individuals or legal entities, who have the right to obtain such information according to the legislation;
- 2) from providing information in an untimely manner, or from providing misleading or incomplete information that that is subject to provision in accordance with the law.

{Part 1, Article 60 as amended according to the Law No. 140-IX of October 02, 2019}

2. Information that cannot be of restricted access:

- 1) information about the amounts, types of charitable and other assistance provided to individuals and legal entities or obtained from them by the persons referred to in Clause 1, Sub-Clauses "a" and "c" of Clause 2, Part One, Article 3 of this Law, or government authorities, local self-government authorities;

{Clause 1, Part Two, Article 60 as amended according to the Laws No. 1975-VIII of March 23, 2017, No. 140-IX of October 02, 2019}

2) information about the amounts, types of salary, financial aid and any other payments from the budget or at the expense of technical or other assistance as part of implementation in Ukraine of programs (projects) pertaining to corruption prevention and counteraction to the persons specified in Clause 1, Sub-Clauses “a” and “c” of Clause 2, Part One, Article 3 of this Law, as well as that received by such persons in the course of transactions that are subject to compulsory state registration, as well as gifts stipulated by this Law.

{Clause 2, Part Two, Article 60 as amended according to the Laws No. 1975-VIII of March 23, 2017, No. 140-IX of October 02, 2019}

3) transfer in trust of enterprises or corporate rights held by persons, which shall be performed in the manner stipulated by this Law;

4) a conflict of interests of persons referred to in Clauses 1 and 2 of Part One, Article 3 of this Law and measures to resolve such conflict of interest.

Section X

CORRUPTION PREVENTION IN THE ACTIVITIES OF LEGAL ENTITIES

Article 61. General provisions of corruption prevention within the activities of a legal entity

1. Legal entities shall ensure the development and implementation of measures that are necessary and reasonable for preventing and combating corruption within their activities.

2. The head and founders (participants) of a legal entity conduct a regular assessment of corruption risks in the entity's activities and implement appropriate anti-corruption measures. Independent experts may be engaged to identify and eliminate corruption risks within the activities of a legal entity, in particular, for conducting audits.

3. Officials and officers of legal entities, other persons performing work and having labor relations with legal entities:

1) shall not commit or engage in the commission of corruption offenses related to the activities of the legal entity;

2) shall refrain from conduct, which may be seen as a willingness to commit a corruption offense related to the activities of the legal entity;

3) with immediate effect, shall inform the officer responsible for the prevention of corruption within activities of the legal entity, the head of the legal entity or founders (participants) of the legal entity about instances of incitement to commit a corruption offense related to the activities of a legal entity;

4) with immediate effect, shall inform the officer responsible for the prevention of corruption within activities of the legal entity, the head of the legal entity or founders (participants) of the legal entity about instances when other employees of the legal entity or other persons commit corruption or corruption-related offenses.

5) with immediate effect, shall inform the officer responsible for the prevention of corruption within activities of the legal entity, the head of the legal entity or founders (participants) of the legal entity about the occurrence of a real or potential conflict of interests.

Article 62. Anti-corruption program of a legal entity

1. The anti-corruption program of a legal entity is a set of rules, standards and procedures meant to identify, combat and prevent corruption within the activities of the legal entity.

2. The anti-corruption program shall compulsorily be approved by the heads of:

1) state-owned, communal enterprises, business companies (the state or communal share in which exceeds 50 per cent), whose average number of employees exceeds fifty persons in the reporting (financial) year, and gross income from sales of products (work, services) for this period exceeds seventy million hryvnias;

2) legal entities that are participants of the procurement procedure in accordance with the Law of Ukraine *On Public Procurement*, if the cost of procurement of goods and services is equal to or exceeds 20 million hryvnias.

{Clause 2, Part Two, Article 62 as amended according to the Laws No. 198-VIII of February 12, 2015, No. 679-VIII of September 15, 2015, No. 140-IX of October 02, 2019}

3. The anti-corruption program is approved after its discussion with employees of the legal entity. The text of the anti-corruption program shall openly available at all times for employees of the legal entity.

4. Provisions for mandatory compliance with the anti-corruption program are included in employment contracts, internal regulations of a legal entity, and may be included in the contracts concluded by the legal entity.

{Part Four, Article 62 as amended according to the Law No. 198-VIII of December 02, 2015}

5. The person responsible for implementation of the anti-corruption program (hereinafter, the Commissioner), with legal status as specified in this law, is appointed by the legal entities mentioned in Part Two of this Article.

{Part Five, Article 62 as amended according to the Law No. 198-VIII of December 02, 2015}

Article 63. Requirements for the anti-corruption program of a legal entity

1. The anti-corruption program of legal entities referred to in Part Two, Article 62 of this Law, may contain the following provisions:

{Paragraph one, Part One, Article 63 as amended according to the Law No. 198-VIII of February 12, 2015}

1) the scope of its application and range of individuals that are subject to its provisions;

2) an exhaustive list and description of anti-corruption measures, standards, procedures and the means for their execution (application), in particular, pertaining to the procedure for periodic assessments of corruption risks within the activities of a legal entity;

3) the rules of professional ethics for employees of a legal entity;

4) the rights and obligations of employees and founders (participants) of the legal entity in connection with preventing and combating corruption in the legal entity;

5) the rights and obligations of the Commissioner as the official responsible for corruption prevention and of his/her subordinate employees (if any);

6) the procedure for regular reporting by the Commissioner to the founders (participants) of the legal entity;

7) the procedure for proper supervision, control and monitoring of compliance with the anti-corruption program within activities of the legal entity, evaluating its results and implementation of planned activities;

8) the privacy terms and conditions applicable when the Commissioner is informed by employees about instances when they are incited to commit corruption or a corruption-related offense or about corruption offenses committed by other employees or persons;

9) the procedures for the protection of employees who have provided information on corruption or corruption-related offenses;

10) the procedure for employees to inform the Commissioner about a real or potential conflict of interests, and the procedure for settling discovered conflicts of interests;

11) the procedure for the Commissioner to consult employees of the legal entity on an individual basis regarding the application of anti-corruption standards and procedures;

12) the procedure for periodic training of employees in the prevention and combating of corruption;

13) the application of disciplinary actions to employees who violate the provisions of the anti-corruption program;

14) the procedure for application of measures to respond to discovered instances of corruption or corruption-related offenses, in particular, informing the authorized government bodies and conducting internal investigations;

15) the procedure for amending the anti-corruption program.

Article 64. Legal status of the Commissioner

1. The Commissioner is an officer of a legal entity who is appointed by the head of the legal entity or its participants (founders) in accordance with labor legislation and in the manner prescribed by the approved anti-corruption program.

2. The Commissioner can be a natural person, who has organizational skills, moral and professional qualities and a health condition appropriate for accomplishing the relevant duties.

{Part Two, Article 64 as amended according to the Law No. 198-VIII of February 12, 2015}

3. The position of Commissioner is not open to a person who:

1) has previous convictions that have not been revoked or cancelled according to the procedures established by the law;

2) is found to be legally incompetent or partially competent by the court;

3) was discharged from positions in government authorities, government authorities of the Autonomous Republic of Crimea or local self-government authorities due to violation of the oath, or in connection with commission of corruption or a corruption-related offense, within three years following the date of such discharge.

4. Work at positions referred to in Clause 1, Part One, Article 3 of this Law, as well as any other activity that creates an actual or potential conflict of interests is incompatible with the activities of the Commissioner.

{Paragraph one, Part Four, Article 64 as amended according to the Law No. 198-VIII of December 02, 2015}

If circumstances of incompatibility occur, the Commissioner, within two days from the date when such circumstances occurred, shall notify the head of the legal entity and simultaneously submit a letter of resignation.

5. The Commissioner may be discharged from his position early in the following instances:

- 1) termination of employment contract at the Commissioner's initiative;
- 2) termination of employment contract at the initiative of the head of the legal entity or its founders (participants). The person holding the position of Commissioner in a legal entity referred to in Part Two, Article 62 of this Law may be discharged after the consent of the National Agency is granted;
- 3) an inability to exercise authority due to health issues according to the conclusion of a medical commission, which is created by the decision of the specially authorized central executive body implementing state policy in healthcare;
- 4) the entry into force of a court decision declaring him/her incapacitated or limiting his/her civil capacity, or declaring him/her missing or dead;
- 5) entry into force of a conviction against him/her;
- 6) death.

6. The Head of the legal entity shall inform the National Agency within two business days about the discharge of the person from the Commissioner's position and provide for the immediate submission of a new candidate for this position.

Section XI

LIABILITY FOR CORRUPTION OR CORRUPTION-RELATED OFFENSES AND ELIMINATION OF THEIR CONSEQUENCES

~~Article 65. Liability for corruption or corruption-related offenses~~

~~1. Persons referred to in Part one, Article 3 of this Law are subject to criminal, administrative, civil and disciplinary liability as prescribed by law for the commission of corruption or corruption-related offenses.~~

~~In the event of the commission of a crime on behalf of and in the interests of the legal entity by an authorized person on his/her own or in conspiracy with a legal entity, in cases determined by the Criminal Code of Ukraine, measures of criminal and legal nature shall apply.~~

~~2. A person who committed corruption or a corruption-related offense but who was not administered a punishment or did not have a penalty imposed by the court in the form of deprivation of the right to occupy a position or engage in activities related to implementation of the functions of government or a local self-government or an equivalent activity, shall be brought to disciplinary liability in the manner stipulated by law.~~

~~The person authorized to perform the functions of the state or local self-government, in whose respect a court decision on recognition of unjustified assets and their alienation in favor of the state has come into force, shall be dismissed in accordance with the procedure established by law.~~

~~*{Part Two, Article 65 supplemented by the second paragraph in accordance with the Law No. 263-IX of October 31, 2019}*~~

~~3. An official investigation is conducted in accordance with the procedure established by the Cabinet of Ministers of Ukraine in order to identify the causes and conditions that contributed to the commission of corruption or a corruption-related offense or otherwise to non-compliance with the requirements of this Law, upon the recommendation of the specially authorized anti-corruption body or a by a regulation of the National Agency upon the decision of the head of the agency, enterprise, institution or organization, for which the person who has committed such an offense works.~~

~~4. Restrictions on prohibiting a person who was discharged from a position in connection with prosecution for a corruption offense, from engaging in activities related to the~~

~~functions of government, local self government, or other similar activity, shall be imposed solely based on a reasoned decision of the court, unless otherwise provided by the law.~~

~~5. The person who was notified of being suspected of having committed an offense in their activity shall be subject to suspension from the exercise of powers at his/her position in the manner prescribed by law.~~

~~The person against whom a report has been produced on commission of a corruption-related administrative offense, unless otherwise provided by the Constitution and laws of Ukraine, may be suspended from their official duties by a decision of the head of the authority (institution, enterprise, organization) in which he/she is employed until the end of the case investigation in court.~~

~~If proceedings on corruption-related administrative violations were stopped due to the absence of the event or corpus delicti of an administrative offense, average earnings during forced absence associated with removal from office shall be compensated to the persons suspended from their official duties.~~

Article 66. Compensation of losses and damage to the State as a result of a corruption offense

1. Losses and damage caused to the state as a result of corruption or a corruption-related offense shall be compensated by the person who committed the offense, in the manner prescribed by the law.

Article 67. Unlawful acts and transactions

1. Legal acts and decisions issued (approved) in violation of this Law shall be annulled by the agency or official authorized to approve or annul the corresponding acts or decisions, or may be found unlawful in the course of court proceedings at the request of an interested individual, associations of citizens, legal entity, prosecutor, government authority, in particular the National Agency or local self-government authority.

Within three working days, the authority or the official shall send the National Agency a copy of the decision about annulment of or an enforcement order pertaining to the court decision on deeming the relevant acts or decisions unlawful.

2. Transaction concluded as a result of violation of this Law may be revoked.

Article 68. Restoration of rights and lawful interests and compensation of losses and damage caused to individuals and legal entities as a result of a corruption offense

1. Individuals and legal entities whose rights were violated as a result of corruption or a corruption-related offense and who experienced harm and who have incurred moral or pecuniary damage or losses, shall be entitled to restoration of their rights, payment of damages and losses in accordance with the law.

2. Losses and damage, caused to an individual or legal entity as a result of unlawful decisions, actions or omissions by the person performing activities to prevent and combat corruption, shall be reimbursed from the State Budget of Ukraine in accordance with the law. The government, Autonomous Republic of Crimea or local self-government authority that compensated losses and damages caused by an unlawful decision, act or omission of the person performing activities to prevent and combat corruption, have the right of recourse (regress) to the person who caused losses and damage, in the amount of paid compensation (except for compensation of payments related to labor relations and compensation for pain and suffering).

Article 69. Alienation of Unlawfully Acquired and Unjustified Assets

1. Assets acquired as a result of a corruption offense shall be subject to confiscation or special confiscation by a court order in the manner prescribed by law.

2. Assets for which the court has not established that they or the funds necessary for their acquisition were received from legal income on the basis of evidence presented shall be considered unjustified and shall be subject to alienation by court in accordance with the procedure established by law.

{Article 69 as amended in accordance with the Law No. 263-IX of October 31, 2019}

Section XII

INTERNATIONAL COOPERATION

Article 70. International cooperation in preventing and combating corruption

1. In accordance with the international treaties it has concluded, Ukraine cooperates in the prevention and combating of corruption with foreign states and international organizations that are engaged in the prevention and combating of corruption.

2. International legal assistance and other forms of international cooperation in the event of corruption offenses are rendered by the competent authorities in accordance with the law and international treaties of Ukraine, approved by the Verkhovna Rada of Ukraine.

Article 71. International treaties of Ukraine in the prevention and combating of corruption

1. If the international treaties of Ukraine, approved by the Verkhovna Rada of Ukraine, establish rules other than those provided by the law on preventing and combating corruption, the rules of international treaties shall apply.

Article 72. International exchange of information in the prevention and combating of corruption

1. Competent authorities of Ukraine provide the relevant foreign authorities with information and receive information from them, including information with restricted access, concerning questions of prevention and combating corruption, in compliance with the requirements of the legislation and international treaties of Ukraine, approved by the Verkhovna Rada of Ukraine.

2. Provision of information to foreign authorities on issues related to the prevention and combating of corruption, is only possible if these authorities and the competent authority of Ukraine can establish a regime for accessing the information, which makes disclosure in any way and for other purposes impossible, including by unauthorized access.

Article 73. Measures to return funds and other assets to Ukraine, obtained as a result of corruption offenses, and disposition of confiscated funds and other property obtained as a result of corruption offenses

1. Ukraine takes measures to return funds and other assets to Ukraine, obtained as a result of corruption offenses, and disposes of these funds and other assets in accordance with the law and international treaties of Ukraine, approved by the Verkhovna Rada of Ukraine.

Section XIII

FINAL PROVISIONS

1. This Law shall enter into force on the day following the day of its publication and shall become effective six months after its entry into force.

2. Until the system for submitting and publishing, in accordance with this Law, declarations of persons authorized to perform functions of government or local self-government has launched, the declarants shall submit declarations on assets, income, expenses and financial liabilities, according to the procedure set out in the Law of Ukraine *On the Principles of Corruption Prevention and Counteraction*. Such declarations shall be

published in accordance with the procedure set out in the Law of Ukraine *On the Principles of Corruption Prevention and Counteraction*.

The National Agency on Corruption Prevention shall make a decision on the launch of the system for submitting and publishing, in accordance with this Law, declarations of persons authorized to perform functions of government or local self-government.

{Paragraph two, Clause 2, Section XIII as amended according to the Laws No. 928-VIII of December 25, 2015, No. 1022-VIII of March 15, 2016}

In 2016, persons, who at the time of the launch of this system occupy responsible or particularly responsible positions according to Article 50 of this Law, shall submit annual declarations for the previous year in the order specified by this Law, within 60 calendar days from the launch of the system.

{Clause 2, Section XIII supplemented with the third paragraph according to the Law No. 1022-VIII of March 15, 2016}

{Clause 2, Section XIII in the wording according to the Law No 198-VIII of February 12, 2015}

3. Until adjusted in accordance with this Law, laws and any other regulatory legal instruments shall be valid to the extent that they are consistent with this Law.

4. The following shall be declared no longer in effect:

1) The Law of Ukraine *On the Principles of Corruption Prevention and Counteraction* (The Official Bulletin of the Verkhovna Rada of Ukraine, 2011, No. 40, p. 404; 2013, No. 2, p. 4, No. 33, p. 435; 2014, No. 10, p. 119, No. 11, p. 132, No. 12, p. 178, p. 183, No. 20-21, p. 712, No. 22, p. 816, No. 28, p. 937, No. 29, p. 942, as amended pursuant to the Law of Ukraine No. 1634-VII dated August 12, 2014), except for provisions about financial control which become invalid after the system for filing and public disclosure of tax returns by persons authorized to perform the functions of government or local self-government, starts working in accordance with this Law;

{Sub-Clause 1, Clause 4, Section XIII, in the wording according to the Law No. 198-VIII of February 12, 2015}

2) the Law of Ukraine *On the Rules of Ethical Conduct* (The Official Bulletin of the Verkhovna Rada of Ukraine, 2013, No. 14, p. 94).

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

1) in the Code of Laws on Labor of Ukraine (The Official Bulletin of the Verkhovna Rada of the Ukrainian SSR, 1971, Annex to No. 50, p. 375):

1) in Part One, Article 36:

Clause 7-1 shall be amended and restated as follows:

“7-1) conclusion of a labor agreement (contract) in violation of the Law of Ukraine *On the Prevention of Corruption* for persons who have resigned or otherwise terminated their activity related to the functions of government or local self-government, within a year after the day of its termination”;

b) in Clause 4, Part One, Article 41, replace the words “of the Law of Ukraine *On the Principles of Corruption Prevention and Counteraction*” with the words “of the Law of Ukraine *On Prevention of Corruption*”, and replace the word “immediate” with the word “direct”;

c) in Article 235:

in Part One after the words “for the other job”, add the words “including because of notification on violations of the requirements established by the Law of Ukraine *On Prevention of Corruption*, by the other person”;

The following new part shall be added after Part Three:

“If there are any reasons for reinstating an employee, fired as the result of a notification by him/her or by a member of his/her family of a violation of the Law of Ukraine *On Prevention of Corruption*, by the other person, and if the latter refuses such reinstatement, the body resolving the labor dispute shall make a decision on payment of compensation to such employee in the amount of his/her average six-month salary.”

In view of this, parts four and five are to be considered parts five and six, respectively;

2) in the Code of Ukraine on Administrative Offenses (The Official Bulletin of the Supreme Council of the Ukrainian SSR, 1984, Appendix to No. 51, p. 1122):

a) Part One, Article 21, after the words “administrative offense”, add the words “except for an officer”;

b) in Clause 5, Part One, Article 24, add the following paragraph two:

“deprivation of the right to occupy certain positions or engage in certain activities”;

c) in Part One, Article 25, after the words “additional administrative sanctions” add the words “deprivation of the right to occupy certain positions or engage in certain activities, only as an additional sanction”;

d) in Article 30:

the words “deprivation of the right to occupy certain positions or engage in certain activities” shall be added to the title;

the following parts five and six shall be added:

“Deprivation of the right to occupy certain positions or engage in certain activities shall be imposed by the court for a term of six months to one year without reference to a sanction of an article (sanction of part of an article) of the Special Part of this Code, if a court, having regard to the nature of the administrative offense committed by a person in office and other circumstances of the case, decides that such person should be deprived of the right to occupy certain positions or engage in certain activities.

Deprivation of the right to occupy certain positions or engage in certain activities may also be imposed by a court for a term of one year if such penalty is stipulated by sanction of an article (sanction of part of an article) of the Special Part of this Code”;

e) the title of Part 13-A shall be amended and restated as follows:

“CHAPTER 13-A.

ADMINISTRATIVE OFFENSES ASSOCIATED WITH CORRUPTION”;

f) Articles 172-4-172-8 shall be amended and restated as follows:

“Article 172-4. Violation of restrictions on holding more than one office or combining it with other activities

Violation by the person of restrictions established by laws related to engagement in any other paid or entrepreneurial activities (except for teaching, research and creative activities, medical practice, instruction and referee practice in sport), shall be punishable by a fine of three hundred to five hundred tax-free minimum incomes and confiscation of the proceeds gained from entrepreneurial activities or remuneration for part-time employment.

Violation by a person of any restrictions related to membership of any board or other executive or controlling bodies or supervisory board of any company or organization that seeks profit (except where persons perform functions related to the management of shares (interests, stakes) owned by the state or territorial community and represents the interests of the state on the company's board (supervisory board) or audit committee of a business organization) shall be punishable by a fine of three hundred to five hundred tax-free minimum incomes and confiscation of the proceeds gained from the said activity.

Actions as provided by the first and second parts of this Article, committed by the person who has already been, within the last year, the subject of administrative sanction for the same offenses, shall be punishable by a fine of five hundred to eight hundred tax-free minimum incomes, with confiscation of gained proceeds or remuneration, and the deprivation of the right to occupy certain positions or engage in certain activities for one year.

Note. The subject of the offense in this Article shall be the persons mentioned in Clause 1, Part One, Article 3 of the Law of Ukraine *On Prevention of Corruption*, except for Members of Parliament of the Autonomous Republic of Crimea, deputies of local councils (except for those exercising their powers at the respective council on a permanent basis), members of the High Council of Justice (except for those working for the High Council of Justice on a permanent basis), people's assessors and jurors.

Article 172-5. Violation of statutory restrictions for receiving gifts

Violation of statutory restrictions for receiving gifts shall be punishable by a fine of one hundred to two hundred tax-free minimum incomes and confiscation of such gift.

The same action committed by the person who has already been, within the last year, the subject of administrative sanction for violations mentioned in Part One of this Article, shall be punishable by a fine of two hundred to four hundred tax-free minimum incomes, with confiscation of such gift (donation), and the deprivation of the right to occupy certain positions or engage in certain activities for one year.

Note. The subjects of the offense in this Article shall be persons mentioned in Clauses 1 and 2, Part One, Article 3 of the Law of Ukraine *On Prevention of Corruption*.

Article 172-6. Violation of financial control requirements

Delayed submission of a tax return by a person authorized to perform the functions of government or local self-government, shall be punishable by a fine of fifty to one hundred tax-free minimum incomes.

Failure to notify, or delayed notification about an opened currency account with a non-resident banking institution or about a material change in financial condition, shall be punishable by a fine of one hundred to two hundred tax-free minimum incomes.

Actions as provided by the first and second parts of this Article, committed by a person who has already been, within the last year, the subject of administrative sanction for the same offenses, shall be punishable by a fine of one hundred to three hundred tax-free minimum incomes, with confiscation of proceeds or remuneration, with deprivation of the right to occupy certain positions or engage in certain activities for one year.

Note. The subjects of the offense in this Article shall be persons who, in accordance with parts one and two, Article 45 of the Law of Ukraine *On Prevention of Corruption*, shall submit the return of a person authorized to perform the functions of government or local self-government.

Article 172-7. Violation of requirements for prevention and settlement of conflicts of interest

A person's failure to notify, in cases and in the manner prescribed by law, about an actual conflict of interest, shall be punishable by a fine of one hundred to two hundred tax-free minimum incomes.

Taking actions or making decisions when there is a real conflict of interest shall be punishable by a fine of two hundred to four hundred tax-free minimum incomes.

The actions as provided by the first and second parts of this Article, committed by the person who has already been, within the last year, the subject of administrative sanction for the same offenses, shall be punishable by a fine of four hundred to eight hundred tax-free minimum incomes with deprivation of the right to occupy certain positions or engage in certain activities for one year.

Note.

1. The subjects of the offense in this Article shall be the persons mentioned in Clauses 1 and 2, Part One, Article 3 of the Law of Ukraine *On Prevention of Corruption*.

2. In this article, real conflict of interest shall mean a conflict between the private interest of a person and his/her official or representative duties, which affects the objectivity or impartiality of his/her decisions or causes actions to be taken or omitted in their exercising the said powers.

Article 172-8. Illegal use of information, which became known to a person due to his/her official powers

Unlawful disclosure or use in any other way of information by a person in his/her personal interest, if such information became known to him/her due to his/her official powers, shall be punishable by a fine of one hundred to one hundred fifty tax-free minimum incomes.

Note. The subjects of the offense in this Article shall be the persons mentioned in Clause 1, Part One, Article 3 of the Law of Ukraine *On Prevention of Corruption*.”

g) in Article 172-9:

the words in paragraph two “from fifty to one hundred twenty-five” shall be replaced with the words “from one hundred twenty-five to two hundred and fifty”;

the following Part Two shall be added:

“The same action repeated within a year after the imposition of administrative sanctions shall be punishable by a fine of two hundred and fifty to four hundred tax-free minimum incomes”;

h) a new Article 188-46 shall be added:

“Article 188-46. Failure to comply with legal requirements (precepts) of the National Agency on Corruption Prevention

Failure to comply with any legal requirements (precepts) of the National Agency on Corruption Prevention, related to remedy of violations of legislation on preventing and countering corruption; failure to provide information or documents, and violation of legally established time limits for their provision, provision of deliberately false or incomplete information, shall be punishable by a fine of one hundred to two hundred fifty tax-free minimum incomes.

The same actions committed by a person who has already been, within the last year, the subject of administrative sanction for the same offenses, shall be punishable by a fine of two hundred to three hundred tax-free minimum incomes”;

i) Article 221, after figures “188-45”, shall be supplemented with the figures “188-46”;

j) in Clause 1, Part One, Article 255, the following new paragraph shall be added:

“The National Agency on Corruption Prevention (Article 188-46)”;

3) The Criminal Code of Ukraine (The Official Bulletin of the Verkhovna Rada of Ukraine, 2001, No. 25-26, p. 131) shall be supplemented with a new Article 366-1, as follows:

“Article 366-1. Declaring false information

The submission by a person of deliberately false information in the tax return of a person authorized to perform the functions of government or local self-government, in the manner prescribed by the Law of Ukraine *On Prevention of Corruption* or intentional failure to submit the said tax return, shall be punishable by imprisonment for a term up to two years with deprivation of the right to occupy certain positions or engage in certain activities for a term of up to three years.

Note. The subject of the declaration shall be the persons who, in accordance with parts one and two, Article 45 of the Law of Ukraine *On Prevention of Corruption*, shall submit the tax return of a person authorized to perform the functions of government or local self-government”;

4) in the Commercial Code of Ukraine (The Official Bulletin of the Verkhovna Rada of Ukraine, 2003, No. 18-22, p. 144):

a) Article 22 shall be supplemented with Part Eleven, to read as follows:

“11. A public-sector business entity shall implement an anti-corruption program in the manner prescribed by law”;

b) Article 24 shall be supplemented with Part Six, to read as follows:

“6. A municipal-sector business entity shall implement an anti-corruption program in the manner prescribed by law”;

5) In the Civil Procedure Code of Ukraine (The Official Bulletin of the Verkhovna Rada of Ukraine, 2004, Nos. 40–42, p. 492):

a) Part Two, Article 35 shall be supplemented with paragraph two, to read as follows:

The National Agency on Corruption Prevention may join as a third party, making no separate claims with respect to the matter in dispute and acting on the side of the plaintiff, in cases when a head officer or employer takes or threatens to take negative measures of influence against a plaintiff (such as dismissal, forced resignation, disciplinary action, transfer, attestation, modification of working conditions, refusal to promote, salary cut, and so on) as a result of the plaintiff or a member of his/her family notifying of a violation of the Law of Ukraine *On Prevention of Corruption* by another person”;

b) paragraph three, Part One, Article 60 shall be amended and restated as follows:

“In cases when a head officer or employer takes or threatens to take negative measures of influence against a plaintiff (such as dismissal, forced resignation, disciplinary action, transfer, attestation, modification of working conditions, refusal to promote, salary cut, and so on) as a result of the plaintiff or a member of his/her family notifying of a violation of the Law of Ukraine *On Prevention of Corruption* by another person, the burden of proof regarding whether the decisions or acts were lawful, shall be borne by the defendant”;

6) Part Two, Article 53 of the Code of Administrative Procedure of Ukraine (The Official Bulletin of the Verkhovna Rada of Ukraine, 2005, No. 35-37, p. 446), shall be supplemented with the following paragraph two:

“The National Agency on Corruption Prevention may join as a third party, making no separate claims with respect to the matter in dispute and acting on the side of the plaintiff, in cases when a head officer or employer takes or threatens to take negative measures of influence against a plaintiff (such as dismissal, forced resignation, disciplinary action, transfer, attestation, modification of working conditions, refusal to promote, salary cut, and so on) as a result of the plaintiff or a member of his/her family notifying of a violation of the Law of Ukraine *On Prevention of Corruption* by another person”;

7) in the Criminal Procedure Code of Ukraine (The Official Bulletin of the Verkhovna Rada of Ukraine, 2013, Nos. 9–13, p. 88):

a) Part One, Article 155 shall be supplemented with the words “and about the removal from office of a member of the National Agency on Corruption Prevention, by the Prosecutor General of Ukraine or his/her deputy”;

b) Part One, Article 158, after the word “Prosecutor”, shall be supplemented with the words “and about a member of the National Agency on Corruption Prevention, by the Prosecutor General of Ukraine or his/her deputy”;

c) Part One, Article 480 shall be supplemented with Clause 9, to read as follows:

“9) of the member of the National Agency on Corruption Prevention”;

d) Clause 2, Part One, Article 481, after the words “to the deputies of the Prosecutor General of Ukraine”, shall be supplemented with the words “to the member of the National Agency on Corruption Prevention”;

8) in the Law of Ukraine *On Public Service* (The Official Bulletin of the Verkhovna Rada of Ukraine, 1993 No. 52, p. 490; 2011, No. 41, p. 416; 2013, No. 14, p. 89; 2014, No. 11, p. 132):

{Amendments to the Law (except for amendments to Article 37) have lost validity under the Law No. 889-VIII of December 10, 2015}

i) in Part Twelve, Article 37, the words “liability for an administrative corruption offense related to restrictions prescribed by the Law of Ukraine *On the Principles of Corruption Prevention and Counteraction* shall be replaced with the words “administrative responsibility for a corruption-related offense”;

{Sub-Clause 9, Clause 5, Section XIII has lost validity under the Law No. 2136-VIII of July 13, 2017}

10) in the Law of Ukraine “On Local Self-Government in Ukraine” (The Official Bulletin of the Verkhovna Rada of Ukraine, 1997, No. 24, p. 170, as amended):

a) in Article 55:

Part Three shall be supplemented with the words “be a member of any board or other executive or controlling bodies or supervisory board of any company or organization that seeks profit (except where persons perform functions related to the management of shares (interests, stakes) owned by the state or territorial community and represents the interests of the state on the company’s board (supervisory board), or audit committee of a business organization)”;

paragraphs one to four of Part Five shall be replaced with a single paragraph of to read as follows:

“The office of the heads of a province, region, city or district council shall be deemed terminated early without the termination of the deputy’s powers if a person applies to the respective council with a request for his/her resignation from the position of council head.”

Accordingly, paragraph five shall be renumbered as paragraph two;

b) paragraphs one to four of Part Four, Article 56 shall be replaced with a single paragraph of to read as follows:

“4. The office of the deputy head of a city district or province council, as well as the office of the first deputy head of a regional council shall also be deemed terminated early without termination of the deputy’s powers of the respective council if a person applies to the respective council with a request for resignation from the position of deputy (first deputy) of the council head”;

c) a new Article 59-1 shall be added:

“Article 59-1. Conflict of interest

1. A village, settlement, or city mayor, secretary, deputy of village, settlement, or city council, the head, deputy head, deputy of a province, regional or district (in a city) council shall take part in the preparation and making of decisions by the respective council, subject to his/her own public announcement thereto during the sitting of a council where the respective issue is to be heard.

2. Monitoring of compliance with Part One of this Article, provision to the persons referred to therein of advice and information on prevention and settlement of a conflict of interests, handling of property, which may constitute improper benefits or gifts, shall be vested in a permanent commission, designated by the respective council.

Note. The terms “real conflict of interest”, “potential conflict of interest”, “unlawful benefit” and “gift” shall be used in the meaning prescribed in the Law of Ukraine *On Prevention of Corruption*;

d) in Article 79,

Part 1:

Clause 3-1 shall be amended and restated as follows:

“3-1) a court decision ordering to hold him/her liable for a corruption-related offense, imposing penalty in the form of deprivation of the right to occupy certain positions or engage in certain activities related to performance of the functions of government or local self-government”;

Clause 4 shall be deleted;

in Part Seven:

in Clause 1, the words “Part One” shall be replaced with the words and numbers “Clauses 1, 2, 5, and 6 of Part One”;

the following new Clause shall be added after Clause 1:

“2) through the reasons listed in Clauses 3, 3-1, Part One of this Article, as of the day following the day when a council or its executive committee receives the respective court decision without the respective council making a decision”.

Subject to the foregoing, Clauses 2 and 3 shall be re-numbered as Clauses 3 and 4, respectively;

11) in the Law of Ukraine *On Elections of the President of Ukraine* (The Official Bulletin of the Verkhovna Rada of Ukraine, 2004, No. 20-21, p. 291; 2011, No. 23, p. 160; 2013, No. 14, p. 89, No. 38, p. 501; 2014, No. 4, p. 61; No. 16, p. 582):

a) in Part Two, Article 48 and in Clause 5, Part One, Article 51, the words “on assets, income, expenses and financial liabilities” shall be replaced with words “of a person authorized to perform the functions of government or local self-government”;

b) in Article 50:

Article 216.1 be amended, to read as follows:

“1. The tax return of a person authorized to perform the functions of government or local self-government for the year preceding the year of commencement of the election process, shall be submitted by a candidate for the post of the President of Ukraine (in hard and electronic form) in the manner prescribed by the Law of Ukraine *On Prevention of Corruption*”;

in Part Two, the words “The central body of executive power which implements state customs policy in the name of”, shall be replaced with the words “the National Agency on Corruption Prevention, at the request of”;

in Part Three, the words “on assets, income, expenses and financial liabilities” shall be replaced with the words “of a person authorized to perform the functions of government or local self-government”;

12) in Part One, Article 62 of the Law of Ukraine *On Banks and Banking* (The Official Bulletin of the Verkhovna Rada of Ukraine, 2001, No. 5-6, page 30, as amended):

Sub-Clause “c”, Clause 4 shall be deleted;

Clause 8 shall be added, to read as follows:

“8) under the court decision, to the National Agency on Corruption Prevention in relation to the existence and status of accounts and transactions under the accounts of a certain legal entity or an individual entrepreneur in accordance with the Law of Ukraine *On Prevention of Corruption*;

13) in the Law of Ukraine *On Service in Local Self-Government Bodies* (The Official Bulletin of the Verkhovna Rada of Ukraine, 2001, No. 33, p. 175; 2010, No. 4, p. 18; 2013, No. 14, p. 89, No. 23, p. 218; 2014, No. 11, p. 132):

a) parts three and four, Article 5 shall be replaced with a single part, to read as follows:

“As for the persons elected (approved) by the respective council to positions mentioned in paragraph three, Article 3 of this Law, and for the persons nominated to positions in local self-government bodies, mentioned in paragraph four, Article 3 of this Law, upon their written consent, a special check shall be made in the manner prescribed by the Law of Ukraine *On Prevention of Corruption*”;

b) in Article 12:

Clause 4, Part One shall be deleted;

in Part Two, the words “by the Law of Ukraine *On the Principles of Corruption Prevention and Counteraction*” shall be replaced with words “by the Law of Ukraine *On Prevention of Corruption*”;

c) Article 12-1 shall be amended and restated as follows:

“Article 12-1. Prevention and resolution of a conflict of interest

Officers of the local self-government shall comply with the rules for prevention and settlement of a conflict of interest mentioned in the Law of Ukraine *On Prevention of Corruption*”;

d) Article 13 shall be amended and restated as follows:

“Article 13. Financial control

Self-government officers shall submit a tax return of a person authorized to perform the functions of government or local self-government, in the manner prescribed by the Law of Ukraine *On Prevention of Corruption*”;

e) paragraph four, Part One, and Part Two, Article 20 shall be deleted;

14) Clause 7, Part One, Article 5 of the Law of Ukraine *On Status of Deputies of Local Councils* (The Official Bulletin of the Verkhovna Rada of Ukraine, 2002, No. 40, p. 290; 2013, No. 14, p. 89; 2014, No. 11, p. 132) shall be amended and restated as follows:

“7) after the entry into effect of a sentence subjecting a person to imprisonment or entry into effect of a judgment holding such person liable for corruption or a corruption-related offense, and when punishment was served or imposed in a form of deprivation of the right to occupy certain positions or engage in certain activities related to performance of the functions of government or local self-government”;

15) in the Rules of Procedure of the Verkhovna Rada of Ukraine approved by the Law of Ukraine *On the Rules of Procedure of the Verkhovna Rada of Ukraine* (The Official Bulletin of the Verkhovna Rada of Ukraine, 2010, No. 14-17, p. 133, as amended):

a) Part 5 shall be supplemented with Article 31-1, to read as follows:

“Article 31-1. Restrictions on taking part in discussion of issues at a plenary meeting of the Verkhovna Rada of Ukraine related to the conflict of interest

1. The Member of Parliament shall participate in plenary meetings during discussion of issues where he/she has a conflict of interest, only subject to public announcement thereto during the plenary meeting of the Verkhovna Rada of Ukraine hearing the respective issue”.

b) Article 37 shall be supplemented with Part Six, to read as follows:

“6. The Member of Parliament shall participate in voting at plenary meetings during discussion of issues where he/she has a conflict of interest, only subject to public announcement thereto during the plenary meeting of the Verkhovna Rada of Ukraine hearing the respective issue”;

c) Part Two, Article 85 shall be supplemented with paragraph two, to read as follows:

“The Member of Parliament who faces a real or potential conflict of interest in issues for preparation and preliminary consideration of which the respective commission is created, may not be elected as a member of the temporary special commission. The Member of Parliament nominated by a deputy faction (deputy group) to membership of a temporary special commission, must notify the Verkhovna Rada about his/her inability to participate in the temporary special commission if the said reason exists”;

d) Part Three, Article 87 shall be supplemented with paragraphs 6 and 7 as follows:

“5) if, when elected, he/she has any other real or potential conflict of interest in relation to issues to be investigated by the respectively established commission.

The Member of Parliament who has a real or potential conflict of interest in issues, for which the said commission is created, may not be elected as a member of the temporary investigating commission.”

e) in Article 173:

Part Four shall be amended and restated as follows:

“4. A candidate for the position of special prosecutor or special investigator shall provide the Verkhovna Rada with an individual card and a tax return of a person authorized to perform the functions of government or local self-government for the previous year”;

the following paragraph two shall be added to Part Six:

“A person who, if elected, faces a real or potential conflict of interest, related to the investigation of which the said commission is created, may not be elected as a member of the special temporary investigating commission. A person nominated by a deputy faction (deputy group) to membership of the special temporary investigating commission must notify the respective committee and the Verkhovna Rada about his/her inability to participate in the temporary special investigating commission if the said reason exists”;

16) in the Law of Ukraine *On the Judiciary and the Status of Judges* (The Official Bulletin of the Verkhovna Rada of Ukraine, 2010, No. 41-45, p. 529; 2013, No. 14, p. 89, No. 38, p. 501; 2014, No. 11, p. 132; No. 23, p. 870):

a) in Part Four, Article 54:

in Clause 6, the words “by the Law of Ukraine *On Principles of Preventing and Countering Corruption*” shall be replaced with the words “by the Law of Ukraine *On Prevention of Corruption*”;

Clause 7 shall be amended and restated as follows:

“7) to submit a tax return of a person authorized to perform the functions of government or local self-government, in the manner prescribed by the Law of Ukraine *On Prevention of Corruption*”;

b) Article 56 shall be supplemented with Part Two, to read as follows:

“2. The Judicial Ethics Commission works on the development of the draft Code of Judicial Ethics and amendments to it, consulting judges and resigned judges on problematic issues and giving recommendations on judges’ ethical conduct, preventing and regulating conflicts of interests in their activity, preventing unlawful benefits or gifts that are prohibited by law and their handling.

The Council of Judges of Ukraine shall create the Judicial Ethics Commission, develop and approve its regulations. The Judicial Ethics Commission shall exercise its powers on a *pro bono* basis. The Administrative Office of the Council of Judges of Ukraine shall provide for its operation”;

c) in Part One, Article 67:

Clause 8 shall be deleted;

The following new paragraph shall be added after paragraph eleven:

“A candidate for the position of judge shall also submit to the National Agency on Corruption Prevention a tax return of the person authorized to perform the functions of government or local self-government, in the manner prescribed by the Law of Ukraine *On Prevention of Corruption*”.

In this connection, paragraphs 12 and 13 shall be considered as paragraphs 13 and 14, respectively;

d) in Clause 7, Part Four, Article 75, the words “by the Law of Ukraine *On Principles of Pre-venting and Countering Corruption*” shall be replaced with the words “by the Law of Ukraine *On Prevention of Corruption*”;

e) Clause 6, Part One, Article 83 shall be amended and restated as follows:

“6) delayed submission of a tax return by a person authorized to perform the functions of government or local self-government, in the manner prescribed by the Law of Ukraine *On Prevention of Corruption*”;

f) in Article 127:

Clause 6-1, Part Five shall be amended and restated as follows:

“6-1) control compliance with the legal requirements pertaining to prevention and settlement of a conflict of interest in the activity of the Judges of the Constitutional Court of Ukraine and judges of general jurisdiction, the Chairman and members of the Higher Qualification Commission of Judges of Ukraine, the Chairman of the State Court Administration of Ukraine and his/her deputies, shall make a decision on settlement of a real or potential conflict of interest in activities of the said persons (except for cases when the conflict of interest shall be settled in the manner prescribed by procedural legislation)”;

the following new part shall be added after Part Five:

“6. If the judges of the Constitutional Court of Ukraine and the judges of general jurisdiction (except for cases when the conflict of interest shall be settled in the manner prescribed by procedural legislation), the Chairman and members of the Higher Qualification Commission of Judges of Ukraine or the Chairman of the State Court Administration of Ukraine, have a real or potential conflict of interest, they shall, no later than the following working day after such conflict arose, notify the Council of Judges thereto in written.”

Subject to the foregoing, parts six to nine shall be renumbered as parts seven to ten, respectively;

{Sub-Clause 17, Clause 5, Section XIII has lost validity under the Law No. 595-VIII of July 14, 2015}

18) Part Six, Article 6 of the Law of Ukraine *On Access to Public Information* (The Official Bulletin of the Verkhovna Rada of Ukraine, 2011, No. 32, p. 314; 2013, No. 14, p. 89; 2014, No. 11, p. 132) shall be restated as follows:

“6. Information listed in the tax return of a person authorized to perform the functions of government or local self-government, submitted under the Law of Ukraine *On Prevention of Corruption*, shall not be deemed restricted-access information, except for the information mentioned in paragraph four, Part One, Article 47 of the said Law”;

19) Article 19 of the Law of Ukraine *On Central Executive Authorities* (The Official Bulletin of the Verkhovna Rada of Ukraine, 2011, No. 38, p. 385; 2014, No. 13, p. 223) shall be supplemented with the following Part Six and Note:

“6. If the head of the central executive body has a real or potential conflict of interest, he/she shall, no later than on the following working day, notify the minister thereto. The minister shall direct and coordinate the respective central executive body, except for the head of the central executive body with special status, which shall, in the said case, notify the Cabinet of Ministers of Ukraine.

Following the results of consideration of the said information, the minister directing and coordinating the respective central executive body shall make a decision on taking measures to settle the conflict of interest of the respective central executive body head, and then control their implementation. If the conflict of interest arises for the head of the central executive body with special status, the said actions shall be taken by the Cabinet of Ministers of Ukraine.

Note. The terms “real conflict of interest” and “potential conflict of interest” shall be used in the meaning established by the Law of Ukraine *On Prevention of Corruption*”;

20) in the Law of Ukraine *On Election of the Members of Parliament of Ukraine* (The Official Bulletin of the Verkhovna Rada of Ukraine, 2012, No. 10-11, p. 73; 2014, No. 22, p. 794):

a) in Clause 7, Part One, Article 54; Clause 5, Part One, and Clause 3, Part Two, Article 55; Part Eleven, Article 107, the words “on assets, income, expenses and financial liabilities” shall be replaced with the words “of a person authorized to perform the functions of government or local self-government”;

b) Part One, Article 57 shall be amended and restated as follows:

“1. The tax return of a person authorized to perform the functions of government or local self-government for the year preceding the year of commencement of the election process, shall be submitted by a candidate for Member of Parliament, in the form prescribed by the Law of Ukraine *On Prevention of Corruption*”;

21) in the Law of Ukraine *On the Cabinet of Ministers of Ukraine* (The Official Bulletin of the Verkhovna Rada of Ukraine, 2014, No. 13, p. 222; No. 22, p. 816):

a) in Part Four, Article 7, the words “by the Law of Ukraine *On Principles of Preventing and Countering Corruption*” shall be replaced with the words “by the Law of Ukraine *On Prevention of Corruption*”;

b) a new Article 45-1 shall be added, to read as follows:

“Article 45-1. Conflict of interest

1. A member of the Cabinet of Ministers of Ukraine shall not use his/her official position for private interest.

2. If a member of the Cabinet of Ministers of Ukraine faces a real or potential conflict of interest, he/she shall, no later than on the following working day, notify the Cabinet of Ministers of Ukraine thereto in writing.

3. A member of the Cabinet of Ministers of Ukraine shall not be entitled to take part in preparation and decision-making, or have any other powers in issues where he/she has a real or potential conflict of interest.

4. If it is impossible to settle the conflict of interest of the member of the Cabinet of Ministers of Ukraine in the manner prescribed by Part Three of this Article and if he/she cannot resolve the conflict of interest alone, the Prime Minister of Ukraine shall apply to the Verkhovna Rada of Ukraine with a recommendation to dismiss the said member of the Cabinet of Ministers of Ukraine (the recommendation about the Minister of Foreign Affairs of Ukraine and the Minister of Defense of Ukraine shall be given subject to the consent of the President of Ukraine).

Note. The terms “real conflict of interest”, “potential conflict of interest” and “private interest” shall be used in the meaning established by the Law of Ukraine *On Prevention of Corruption*;

{Sub-Clause 22, Clause 5, Section XIII has lost validity under the Law No. 922-VIII of December 25, 2015}

{Additionally, see Clause 6, Section II of Law No. 1975-VIII of March 23, 2017}

6. The Cabinet of Ministers of Ukraine shall:

1) within three months of the effective date of this Law, ensure implementation of the Regulation on the Selective Competition to Fill Vacancies of the Members of the National Agency on Corruption Prevention and the Rules of Procedures for the respective Interview Panel;

2) within six months of the effective date of this Law, submit its proposals for consideration of the Verkhovna Rada of Ukraine on the amendment of legislative acts in accordance with this Law;

ensure that all legal and regulatory acts envisaged by this Law, except for those envisaged by Sub-Clause 1 of this Clause, are properly adopted;

bring its legal and regulatory acts into conformity with this Law;

ensure that regulatory legal acts of the ministries and other central executive bodies are brought into conformity with this Law;

establish the National Agency on Corruption Prevention;

3) ensure that the selective competition to fill the vacancies of the members of the National Agency on Corruption Prevention is duly conducted in the manner prescribed by Article 5 of this Law, before this Law comes into force.

{Clause 6, Section XIII supplemented with Sub-Clause 3 according to the Law No. 198-VIII of February 12, 2015}

Petro POROSHENKO

President of Ukraine

Kyiv

October 14, 2014

No. 1700-VII